

# The Parish of Swaythling

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Swaythling Parish

St Alban's & St Mary's Churches



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## Parish of Swaythling

### Data Protection Policy

This data protection policy document gives guidance and best practice for volunteers and staff of the Parish of Swaythling.

The General Data Protection Regulation (GDPR) became effective in the UK from 25 May 2018, replacing the Data Protection Act of 1998. The GDPR regulations gave individuals more rights and protection in how their personal data is used by organisations. For example, new obligations on data processors who are required to keep enhanced documentation; more prescriptive rules on what constitutes consent; enhanced rights for data subjects; and enhanced privacy notices. The EU GDPR is an EU Regulation and since Brexit (31 Dec 2020), it no longer applies to the UK. Within the UK, compliance is now to the Data Protection Act 2018 (DPA 2018). The provisions of the EU GDPR have been incorporated directly into UK law as the UK GDPR. In practice, there is little change to the core data protection principles, rights and obligations.

#### Definitions

- "Personal data" Information about a living individual from which that individual can be identified.
- "Processing" Anything done with or to personal data, including storing it.
- "Data Processor" Any person or organization who processes (collects, stores, reviews, shares, uses or deletes data) personal data
- "Data subject" The person to whom the personal data relates
- "Data controller" The person within an organisation, or the organisation itself, who determines how and what data is processed.

#### 1. Personal data – what is it?

Personal data (i.e. personal information) relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the GDPR.

#### 2. Who are we?

The PCC and the Incumbent of the Parish of Swaythling, Southampton are the data controllers for the Parish of Swaythling, (subsequently referred to in this document as the "Parish of Swaythling" - contact details below). This means they decide how personal data is processed and for what purposes.

#### 3. How do we process personal data?

The Parish of Swaythling, Southampton complies with its obligations under the UK GDPR law by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

#### 4. Data Protection Principles

The Parish of Swaythling (the data controller) is committed to fulfilling its responsibilities under the UK GDPR law in relation to its handling of personal data. The Parish of Swaythling may collect, store, and process personal data about congregation members, electoral roll members, people connected to St Mary's and St Alban's churches, and users of the church buildings, in order to carry out the duties and function of the church and to contact those persons in

relation to the church and parish matters. Under the provision of UK GDPR law, anyone handling personal data must comply with the following principles of good practice by ensuring that data is:

- Collected for specified, explicit and legitimate purposes by unambiguous forms requiring consent of data subjects in advance of collection - and not further processed in a manner that is incompatible with the stated purposes;
- Processed fairly and lawfully in a transparent manner;
- Adequate, relevant and limited to what is necessary in relation to the stated purpose for which they are used;
- Accurate and kept up to date as required with regular checks;
- Kept in a form which permits identification of data subjects for no longer than necessary for the purposes for which the personal data are processed;
- Anonymised (if appropriate) in cases requiring long-term retention;
- Stored safely and securely, including consent forms;
- Destroyed by officers / volunteers immediately on leaving office, or returned to the Parish Office.

An individual (data subject) may request to see the data held about them, and has the right to withdraw consent for their data to be processed at any time, in which case, data processors must comply with such requests.

#### **4. What is the policy for collecting, storing, retaining, sharing, using, reviewing and deleting personal data?**

This policy applies to anyone who processes data (ie collects, stores, reviews, shares, uses or deletes data) on behalf of the Parish of Swaythling. This may include staff or volunteers from the church.

##### a) Collecting Data

- a. All data collected by the Parish of Swaythling is deemed as “sensitive” (as defined by GDPR) as it connects an individual with the Parish of Swaythling as a religious organisation.
- b. Personal data should only be collected to the extent that it is required for the specific purpose (i.e. the data processor should not collect additional details when not needed).
- c. The data processor must obtain consent from the data subject by using the consent form available from the Parish Office, or by adding the appropriate wording (also available from the Parish Office) to any form used to collect personal data.

##### b) Storing Data – Paper Records

- a. Paper records that contain confidential personal data should be stored in a secure place (e.g. a filing cabinet or similar) so that they are only accessible to those who need to process the data.
- b. Where paper records are kept at home, care should be taken that documents are not accessible to other family members.

##### c) Storing Data – Electronic Records (including documents and emails)

- a. Anyone storing data electronically is responsible for ensuring that all personal data is held securely, by use of password protected phones/tablets/computers, with up-to-date anti-virus software
- b. Data may be stored online (e.g. using dropbox, onedrive, or in the cloud) provided that access is only possible by the data processor, using a secure password
- c. Data should be encrypted or password protected where possible to make it inaccessible in the case of a breach of security.
- d. Emails containing personal data should be on a secure computer, tablet or phone, and not accessible to other people or family members (e.g. by use of a separate email address, or separate log in). If emails need to be kept, these should be archived on an annual basis as appropriate.

##### d) Retaining data

- a. The Parish of Swaythling keeps data in accordance with the guidance set out in the guide “*Keep or Bin: Care of Your Parish Records*” which is available from the Church of England website. Details about retention periods can currently be found in the Record Management Guides located on the Church of England website at: - <https://www.churchofengland.org/more/libraries-and-archives/records-management-guides>
- b. Specifically, we retain electoral roll data while it is still current; gift aid declarations and associated paperwork for up to 6 years after the calendar year to which they relate; and safeguarding records 50 years. Parish registers (baptisms, marriages, funerals) are a public record, and are kept permanently, either by the Parish, or for older registers, in the Southampton City Archives.

#### e) Sharing Data

- a. Personal data should not be shared with any third party outside the Parish of Swaythling unless consent has been given;
  - i. Specifically, this means that email addresses or telephone numbers must not be given out or shared unless consent has been given
  - ii. Emails sent to groups should make use of the bcc (blind carbon copy) feature, unless all concerned have given their consent for their email to be visible to others in the same group
  - iii. Names and photos (and any other personal data) should not be published in public documents or online unless consent is given
- b. Data should not be shared with any third party outside of the Parish of Swaythling without prior consent from the data subject; with the following three exceptions
  - i. some data is shared with Winchester Diocese, our parent organisation;
  - ii. data may be stored electronically online using a third party provider (e.g. emails stored on phones, or documents stored in the cloud) provided access is only possible by the data controller using a secure password;
  - iii. If we are required to do so by law, data may be shared (e.g. when there are safeguarding concerns). In such cases, advice will be sought from the diocesan safeguarding adviser and we will abide by our statutory responsibilities at all times.

#### f) Using, Reviewing and Deleting Data

- a. Data processors must take reasonable steps to ensure that all personal data is accurate and up-to-date, and where changes come to light, the Parish Office should be informed so that records can be updated.
- b. Reasonable steps should be taken to destroy or erase data which is no longer required, ideally as part of an annual review. Any volunteer holding a role should destroy data on leaving that post, or return records to the Parish Office, as appropriate.
- c. Confidential paper documents containing personal data should be shredded, and electronic documents (including any backups or copies) should be deleted when no longer needed.
- d. The Parish Office will retain some items of personal data longer than others, depending on circumstances, but only for as long as deemed necessary; taking into account the guidance from the Information Commissioner's Office, the House of Bishops, and the advice from the Diocese on the Care of Parish Records.
- e. Parish Registers can never be deleted or destroyed.

### 5. Registration and Policy Implementation

- a. The Parish of Swaythling is registered with the Information Commissioner's Office as a data controller, with effect from 21 May 2018.
- b. This Policy is applicable from 25 May 2018, when the new laws regarding GDPR came into effect. It was amended to include reference to the Data Protection Act 2018 (DPA 2018) and the UK GDPR law after Brexit, from 31 December 2020.
- c. The PCC has appointed a Data Protection Officer to handle day to day queries which may arise, and to provide data processors with guidance on GDPR issues to ensure that they are aware of their obligations.
- d. All data processors are responsible for ensuring that they understand and comply with this policy. Any personal data handled or stored by them whilst carrying out church and parish business must be done so in accordance with this policy and the principles required under UK GDPR law. If a data processor is unsure of their obligations or has any queries at any time it is their responsibility to seek further advice from the Data Protection Officer in the Parish Office.

### 6. Contact Details

For further information, please contact the Parish Administrator on 023 8067 9787 or email [office@swaythlingparish.org.uk](mailto:office@swaythlingparish.org.uk) or c/o The Vicarage, 357 Burgess Road, Southampton, SO16 3BD

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.