

## DATA PRIVACY NOTICE

### The Parochial Church Council (PCC) of St Mary's, Henham

#### 1. Your personal data – what is it?

Personal data 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 General Data Protection Regulation (the "GDPR").

#### 2. Who are we?

The PCC of St Mary's, Elsenham is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes. As "an organisation employing fewer than 250 persons" we are not required to "maintain a record of processing activities under its responsibility" containing the information described in Article 30 nor to "maintain a record of all categories of processing activities carried out on behalf of a controller".

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

The PCC of St Mary's, Elsenham complies with its obligations arising from the "GDPR" (Article 5) principles:

- **Lawfulness, fairness and transparency** – when processing data
- **Purpose limitation** – only collecting data for specified, explicit and legitimate purposes
- **Data minimisation** – adequate, relevant and limited to what is necessary in relation for those purposes
- **Accuracy** – up to date, correcting known errors
- **Storage limitation** – destroyed when no longer required for those purposes
- **Integrity and confidentiality** – protected against unauthorised or unlawful processing and against accidental loss, destruction or damage

We use your personal data for the following purposes:

- **Employees** – HR records of our employees
- **Volunteers** – contact details provided for specific activities e.g. services, visiting new villagers, etc.);
- **Accounts** – records required for tax purposes
- **Registration** – details required for parish registers in connection with baptisms, marriages, funerals or grave reservations
- **Members** – the Electoral Roll which we also use to define membership
- **Information** – contact details of members to inform of news, events, activities and services in Elsenham, or anywhere across the benefice of Henham, Elsenham and Ugley;

#### 4. What is the legal basis for processing your personal data?

GDPR (Article 6) allows six conditions for data processing of which at least one must apply. Those applicable to our processing of your personal data are (with reference to the purposes described above):

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Contract)

- **Employees** – managing staff according to their contract of employment or equivalent

(c) processing is necessary for compliance with a legal obligation to which the controller is subject (Legal obligation)

- **Accounts** – providing information required by HMRC regulations
- **Registration (part)** – details required for parish registers as legally required

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. (Legitimate interest)

- **Volunteers** – managing activities appropriate to a church for which they have volunteered
- **Registration (part)** – maintaining contact where needed to fulfil the purpose of registration e.g. use of a reserved grave space, postal vote, etc.
- **Members** – maintaining the electoral roll essential to church governance and used to define membership
- **Information** – providing members with information pertinent to their membership of the church

We do not rely on Consent “(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes” for any of our processing of personal data.

## 5. Sharing your personal data

Your personal data will be treated as strictly confidential and will only be shared with other members of the church in connection with the purposes described above. It will only be shared with 3<sup>rd</sup> parties for Accounts or Registration purposes as described above.

## 6. How long do we keep your personal data<sup>1</sup>?

We keep 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 [see footnote for link].

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 parish registers (baptisms, marriages, funerals) permanently. Data required for a purpose which has been completely fulfilled e.g. a postal vote, is destroyed on the completion of that purpose.

## 7. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of your personal data which the PCC of St Mary’s, Elsenham holds about you;
- The right to request that the PCC of St Mary’s, Elsenham corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the PCC of St Mary’s, Elsenham to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability). *[Applies where the processing is necessary for the performance of a contract with the data subject and the data controller processes the data by automated means].*
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data. *[Applies where processing is based on legitimate interests]*
- The right to lodge a complaint with the Information Commissioners Office.

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<sup>1</sup> 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/about-us/structure/churchcommissioners/administration/librariesandarchives/recordsmanagementguides.aspx>

## **8. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## **9. Contact Details**

To exercise all relevant rights, queries of complaints please in the first instance contact the Parish Administrator at Old Frank's, High St, Elsenham, CM22 6DD or via email [anna.hicks@heuchurch.co.uk](mailto:anna.hicks@heuchurch.co.uk)

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.