

The Gospel Standard Trust

D J Playfoot
(Secretary)

Cavepits House · Marle Place Road · Brenchley · TONBRIDGE · Kent TN12 7HS
(Home) Tel/Fax 01892 722184 Email gstrust@playfoot.net

To all Chapel correspondents on the *Gospel Standard* List

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Dear friend

General Data Protection Regulation

From 25 May 2018, the law as regards the use and protection of personal data (things such as a person's name and address, telephone number, email address, bank details etc.) has been tightened considerably, and although the legal requirements may seem excessive, they do affect any organisation which holds information about individual persons – and this includes churches and chapels. This circular aims to give a summary of what is required, but there is a lot of confusion still around as to the details, so it is best to obtain further advice if you do hold a lot of personal data.

The aim of the new regulations is simply to control the use and abuse of personal data – to prevent situations such as a person giving a donation to a charity and then finding they are swamped by begging letters from other charities, pleading for money, because their names and addresses have been passed to other charities. The principles of the new regulations are straightforward and can be summarised fairly simply. Personal data

- Must be **processed** lawfully, fairly and **transparently**.
- Should only be used for a **specific processing purpose** that the data subject has been made aware of and no other, without further consent.
- Should be “**adequate, relevant and limited**,” i.e. only the minimum amount of data should be kept for specific processing.
- Must be “**accurate** and where necessary **kept up to date**.”
- Should not be stored for longer than is necessary, and that storage is safe and secure.
- Should be processed in a manner that ensures appropriate **security and protection**.

The new regulations specify clearly for what reasons personal data can be kept, and most of these are common sense, **but the one principle which needs to be watched carefully is that data which has been given for one purpose cannot be used for a different purpose without consent**. For example, if a person in a congregation gives a deacon their contact details so that they can be kept informed of changes to services etc, this does not give the deacon a right to pass those contact details to anyone else (except by agreement). There are obvious exceptions, such as in the case of emergency where life is in danger. Although the regulations apply to all personal data, in practice it will be data stored electronically and accessible by a computer which will be the primary concern. All churches will hold some personal data such as contact details of trustees and supply ministers, and perhaps the bank details of a pastor so he can be paid; and although this data must be treated sensitively according to the principles above, it is not this kind of data which will require the special attention of church officers. Most care will need to be with data which is given freely for a specific purpose, like the example above.

The new regulations can be extremely complex in the way they apply to large organisations and a small church without a Sunday School may have relatively little to worry about. A larger church with a Sunday School and other meetings of young people might have much more to consider. In essence though, there are four things which we believe churches need to do to comply with the law. More details are given on the Gospel Standard web site and all the documents referred to below can be downloaded from the web site (www.gospelstandard.org.uk/assistance) for modification for your own use.

1. To carry out an audit of what data is held, how it was obtained, who is in control of the data and who uses it, for what purpose the data is kept, whether it is kept securely and whether it is up-to-date and retained for a reasonable time. The results of such an audit should be documented and may point out the need for some tightening up of procedures. A sample data audit form is enclosed which is pre-filled with the kind of

data which churches might need to consider, together with the normal reasons for holding such data. Some of the things on this form may not be relevant to your particular case; possibly there may be others. The important thing is to know what personal data you have, to look after it and use it only for the purpose for which it has been given. And particularly in the case of data which has been given freely, that you have evidence of authority from the persons concerned to use it for the purposes for which you keep it.

2. To produce a privacy policy stating the church's use of personal data, what is used and for what reason, and what anyone can do if they suspect data is being used for wrong purposes, is incorrect or is being held unnecessarily. A policy can be put on a chapel notice board inside the chapel, or displayed on a web site. A sample privacy policy is included with this circular which will probably cover what most churches need, but you should check it through to make sure it covers your own particular case.
3. To decide whether any data is being used, or could be used, for purposes other than that for which it was given, and to ensure that any required consent is obtained and documented. A sample consent form is included with this circular. For any data you hold which has been given freely, you may need to produce a privacy notice. Examples might be if the church holds a mailing list to which printed sermons of the pastor are distributed; or as in the example above, if contact details of members of the congregation are held so that they can be alerted to sudden changes in services. In its simplest form, the privacy notice should clearly say what data is held, what you use it for, how long you keep it for, and who to contact to get it amended or deleted. On the privacy notice you should also refer to the privacy policy for further information. Again, a sample privacy notice is included with this circular. For all new data, e.g. if contact details are gathered through filling in a form, it is best to put the privacy statement on the end of the form and asked for signed permission to use the data according to its terms. For existing data which has been given freely, it would be wise to send the privacy notice and ask the recipient to let you know if they are unhappy with you using the data in any way.
4. To act within the framework of the law and ensure that in the future all personal data is kept safely, accurately and used legally. And that you have evidence of where you got it from and have permission to use it.

This is a very simplified overview of the requirements of the new regulations. On our web site there is more detail concerning what needs to be done and the documents included with this circular, and others, which can be downloaded in Word format for editing to your own requirements. Please avail yourselves of these facilities and let the GS Trust Secretary know of any comments or suggestions for improvements.

Finally, to ensure that the GS Trust complies with the GDPR we would like to state that we use the correspondents' names and addresses published in the Gospel Standard to inform churches of any compliance, financial and legal issues affecting chapels which come to our notice, and to try and give some guidance where we can. If you would prefer not to receive such information, please write to the Secretary at the address at the top of this letter or email us on gstrust@playfoot.net.

Yours sincerely

D J Playfoot