

# Data Protection and Privacy Policy

## Data Controller details

Data Controller: Claire Dove

Charity number: 1205295

Church address: 2-6 Botolph Street Norwich NR3 1DU

Data Protection Lead\*: Lucy Martin

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This policy first adopted:

This policy due for review:

This is the privacy statement and data protection policy for CityGates Church Norwich (CGN). It covers how we will process (use and store) your data, what data we hold, your individual rights and how you can interact with us about your data.

This policy covers our use of **personal data**, which is any information about a living individual which allows them to be identified from that data (for example a name, photograph, video, email address, or postal address). Identification can be by the information alone or in conjunction with any other information.

Our **processing of personal data** is governed by the Data Protection Bill/Act 2017-2019 and the General Data Protection Regulation 2016/679 (the “GDPR” and other legislation relating to personal data and rights such as the Human Rights Act 1998).

## How is your data used and processed?

CityGates Norwich processes data including:

- Names, titles, and aliases.
- Contact information including telephone numbers, postal /residential addresses, and email addresses.
- Where there is a legitimate interest to facilitate our charitable aims and activities, or where you have added them to our database or provided them to us, we may process demographic information such as gender, age, date of birth, marital status, nationality, and dependants.
- Where you give financially in support of CGN1 or pay for church activities (event bookings, etc.).
- As a church (religious organisation), the data we process is likely to constitute sensitive personal data because the very fact that we process your data at all may be suggestive of your religious beliefs. Where you provide this information, we may also process other categories of sensitive personal data: mental and physical health, details of injuries, medication/treatment received, data concerning criminal records, fines, and other similar judicial records.

As a Data Controller, our staff and volunteers will comply with their legal obligations to keep personal data up to date; to store and destroy it securely; to not collect or retain excessive amounts of data; to keep personal data secure, and to protect personal data from loss, misuse, unauthorised access and disclosure and to ensure that appropriate technical measures are in place to protect personal data. If you have any concerns about how your data is being used, please speak with our Data Protection Lead.

## What are we doing with your data?

We only hold data that either we are legally obliged to or that helps us fulfil our missional and charitable aims as a church. We are a membership organisation and good communication with our membership is an essential part of being church.

Therefore, we will hold and process data to:

- Enable us to meet all legal and statutory obligations.
- Comply with and facilitate our comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice with the aim of ensuring that all children and adults-at-risk are provided with safe environments.
- Deliver our Church's mission and to carry out any other voluntary or charitable activities for the benefit of the public as provided for in the constitution and statutory framework of our church.
- Administer our membership records.
- Enable us to follow up membership, course and event enquiries.
- Maintain our own accounts and records.
- Process and record financial donations that you have made (including Gift Aid information).
- Communicate with you about our services, events, meetings, mission and other matters which are relevant to you as part of our church community.

## What is our legal basis for processing your personal data?

Our legal basis is as follows:

- Most of our data is processed because it is necessary for our legitimate interests to enable our charitable and missional aims. For example, maintaining membership records, safeguarding children and adults at risk of abuse, recording our financial donations, and operating team rotas for the effective function of Sunday services or other groups.
- Some of our processing is necessary for compliance with a legal obligation. Retaining safeguarding records and gift aid declarations are examples of this.
- We may also process data if it is necessary for the performance of a contract with you, or to provide a direct service to you. For example, if you buy tickets for a church event.
- As a religious organisation, we are permitted to process information about your religious beliefs to administer our membership.

Where your information is used other than in accordance with one of these legal bases, we will first obtain your consent to that use. For example, if you are a regular attender and request to receive our weekly news.

## Will we share your data?

You can be reassured that we will treat your personal data as strictly confidential.

The main church database is only accessible by church staff and those holding leadership roles within the church. Basic contact details of church members are made available to other church members via a dedicated portal of the database

Data will only be shared with third parties where it is necessary for the performance of our tasks or where you first give us your prior consent. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- Our agents, servants and contractors. For example, if we utilise commercial providers to send out newsletters on our behalf, or to maintain our database software.
- On occasion, other churches with which we are carrying out joint events or activities.

Our primary database is ChurchSuite and our financial records are stored on ExpensePlus. In addition, some data may be held by individual staff on church email accounts hosted Microsoft.

## How long will we keep your personal data?

Our general rule is to keep data no longer than necessary. Where you continue to actively engage with our church services, activities and events, we will retain the appropriate data for you so that we can best serve your involvement. We operate an annual process of review, by which we assess who is actively engaging in church life, and where this is not the case, we will remove your data.

Additionally:

- We will keep some records permanently if we are legally required to do so. For example, this covers wedding registers and some safeguarding records.
- We may keep some other records for an extended period. For example, it is current best practice to keep financial records for a minimum period of seven years to support HMRC audits.

## What are your rights regarding your personal data?

You have the following rights with respect to your personal data: When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

- **The right to access information we hold on you.** At any point you can contact us to request the information we hold on you as well as why we have that information, who has access to the information and where we obtained the information from. Once we have received your request, we will respond within one month. There are no fees or charges for the first request but additional requests for the same data may be subject to an administrative fee.
- **The right to correct and update the information we hold on you.** If the data we hold about you is out of date, incomplete or incorrect, you can inform us and your data will be updated
- **The right to have your information erased.** If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold. When we receive your request, we will confirm whether the data has been deleted or the reason why it cannot be deleted (for example because we need it for our legitimate interests or regulatory purposes).
- **The right to object to processing of your data.** You have the right to request that we stop processing your data. Upon receiving the request we will contact you and let you know if we are able to comply or if we have legitimate grounds to continue to process your data. Even after you exercise your right to object, we may continue to hold your data to comply with your other rights or to bring or defend legal claims.
- **The right to withdraw your consent to the processing at any time for any processing of data to which consent was sought.** You can withdraw your consent easily by telephone, email, or by post.
- **The right to lodge a complaint with the Information Commissioner's Office.** 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.

## **Transfer of data abroad**

Any electronic personal data transferred to countries or territories outside the UK will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the UK. Our website is accessible from overseas, however it is our general practice not to publish any personal data on our website.

## **Further processing**

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

## **You are very welcome to get in contact with US...**

If you have any queries or concerns about how we use your data, please do get in contact with us.

Our Data Protection Lead is given on the first page of this document.

## Appendix 1: Definitions and appointed persons

Role	Definition	Appointed person/organisation
Data Controller	An individual or organisation who collects, stores and processes (uses) data.	Claire Dove
Data Protection Lead	The Data Protection Lead is responsible for the day-to-day organisational management of protection and is the go-to person for responding to any issues around data, dealing with subject access request and completing an annual data review.	Lucy Martin
Senior Information Risk Owner	The Senior Information Risk Owner (SIRO) is a trustee who works with the Data Protection Lead to provide the trustees with assurance that information risk is being managed appropriately and effectively across the organisation.	Philip Macdonald

# Data Retention Schedule

Area	Documents	Retention period	Reason for retention period
<b>General</b>			
	Emails and other correspondence	No longer than necessary or two years whichever is shorter	Data Protection Act
<b>Governance records</b>			
	Governing documents Constitution / Trust Deed / Church Rules	Permanently	
	Minutes of church officer meetings Elders / trustees / Ops Team / Treasury Team	During the existence of the charity	Charity Commission Guidance note CC48
	Minutes of church members meetings	During the existence of the charity	Charity Commission Guidance note CC48
	Annual reports	During the existence of the charity	
<b>Building records</b>			
	Title deeds	Permanently or until 6 years after property is disposed of	Limitations Act 1980
	Plans, designs, drawings, planning consents, building certifications, records of major refurbishments	Permanently or until 6 years after the property is disposed of	Limitations Act 1980
	Asbestos register	Permanently	Control of Asbestos at Work regulations
<b>Insurance records</b>			
	Public liability policies and certificates	Permanently	Historical claims

Employers liability policies	40 years	Employers' Liability (Compulsory Insurance) Regulations 1998
Claims correspondence	3 years after settlement	Data Protection Act

### Financial records

All financial records – invoices, bank statements, accounts, bank reconciliation,	6 years from the end of the financial year the record relates to	Charities Act / HMRC rules
Gift aid declarations	6 years from the end of the financial year the last claim was in	HMRC rules
Legacy information	6 years after the deceased's estate was wound up	HMRC rules

### Employee / personnel records

All information related to recruitment and selection and personnel files	6 years after post holder leaves employment	Limitation Act 1980
Applications forms and interview notes from unsuccessful candidates	1 year	Equality Act 2015 / Limitation Act 1980
Information on disciplinary or grievance matters	6 years after post holder leaves employment	Limitation Act 1980
Information of individual's health and sickness record including adjustments made temporarily or permanently	6 years after post holder leaves employment	Limitation Act 1980
Redundancy records	6 years from redundancy date	Limitation Act 1980
Parental leave records	18 years from date of birth of child	To enable future employers to check entitlement
Statutory Maternity pay records, certificates	3 years after the end of the tax year in which maternity period ends	Statutory Maternity Pay Regulations

Statutory Sick pay records, calculations, self certificates	3 years after the end of each tax year for statutory sick pay purposes	Statutory Sick Pay (General) Regulations
National Minimum Wage records	3 years after the pay period following the one the records cover	National Minimum Wage Act

### Payroll records

Payroll records including correspondence with HMRC	6 years from the end of the financial year the records relate to	Charities Act / HMRC rules
Income Tax records	6 years from the end of the financial year the records relate to	Taxes Management Act
Pensions records	According to schedule set by pension provider	Pensions Act

### Safeguarding records

Safeguarding concerns or disclosures related to a child	50 years	NSPCC / Records Management Society Some denominations - following IICSA 2015 recommendations  Christian Safeguarding Services suggest child reaching 25 years old is minimum
Safeguarding concern related to adults behaviour	Until the individual is retirement age or 10 years whichever is the longer	RMS, 2019
Registers of attendance at groups for children / adults at risk	10 years	Christian Safeguarding Services
Parent / carer consent forms	For general attendance at a group should be retained until child leaves group (unless there was a safeguarding incident or concern)	Christian Safeguarding Services

	<p>For specific event consent (eg a trip) does not need to be retained beyond the event unless an incident occurs</p> <p>Some insurance companies stipulate a minimum</p>	
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**Health and safety records**

Reportable accidents / incidents	3 years unless hazardous substances involved when permanently	RIDDOR / COSHH regulations
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**Personal and membership data**

Church membership records	For CIOs record may be deleted 10 years after an individual's membership ceases	The Charitable Incorporated Organisations (General) Regulations 2012
Contact details for members and regular attenders	1 year after individual ceases to be a member or stops attending, unless they give specific consent for ongoing contact	