



**North Lancashire Methodist  
Circuit  
GDPR Policy Document  
(Adopted 18th September 2018)**

### **Background**

The General Data Protection Regulation (GDPR) has a main objective of modernising the current Data Protection laws across Europe into one Regulation to be adopted across Europe. Although it would appear, that GDPR brings with it a great deal of extra work across both large and small businesses and, across the charity sector, including the Methodist Church. The main change to the Data Protection Act 1998 is that all bodies have a greater responsibility for protecting the personal information of everyone, not just those in leadership, (that includes you and me).

### **Definition of Personal Data**

The Data Protection Act 1998 defines personal data as:

- Name
- Address
- Email Address
- Telephone Number
- Photographs
- Bank Details
- Credit Card Details
- Forms of ID and Numbers
- MAC / IP Address
- Opinions

### **Our Policy**

The Circuit GDPR Champion is the Reverend Roy Burley, who has been tasked by the Superintendent Minister to ensure that the Circuit is kept abreast of all things GDPR. The Policy which has been adopted by the North Lancashire Methodist Circuit

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attempts to simplify GDPR so that, everyone has the same information. This policy document is set out in alphabetical order, to make things, hopefully, easier to find.

**Assessment:** the question that must be at the forefront of our mind is, “What are the likely implications if this information gets into the public domain?” Therefore, we need to reduce the risk as much as possible, whilst ensuring that we promote best practice across the Circuit.

**Baptism:** See **Church Rites**.

**Baptismal Rolls:** we are awaiting further guidance from Manchester concerning this subject; the initial guidance given is that because they contain personal information, they could no longer be displayed, however, they were going to look more deeply into this area.

**Books of Remembrance:** these are not covered by GDPR as the Regulation only applies to the living and not the deceased. The advice from Manchester is that the widow/widower be given a choice as to whether their spouse is mentioned.

**Children and Consent:** children have the same rights as adults concerning GDPR; my understanding is that the government are going to set the legal limit at 13. However, they cannot receive marketing information until the age of 16.

**Church Council Minutes including Treasurers Reports:** any sensitive information should be removed before any copies are put on display, ideally the “Attendance” list should only state how many people were actually there. For Finance Reports, these should not include personal information.

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**Church Rites:** information that is collected at the time of a baptism, marriage or funeral visit is fine; however, if that information is subsequently used to invite the family to an annual service, they should be asked whether they are happy with that. Any information gathered should not be kept for more than two years.

**Church Welcome Cards:** whilst they do not contain any personal data when they are blank, they do when they are filled in. Church welcome cards should state why you need that information and inform the person filling in the card where to find the Privacy Notice.

**Circuit Plans:** the advice from Manchester is that “Local Preachers have duties under CPD and therefore knowing when/where they have been elected to preach is a legitimate interest. Where plans are made publically available, it is recommended that the Plans are limited to name only and don’t contain contact details.”

**Consent:** consent must be:

- Explicit (Manchester says it can be verbal).
- Cannot use pre-ticked boxes.
- Must be freely given.
- Must be genuine – not from someone with dementia or mentally incapable, for example.
- Must be specific – what is it going to be used for?
- Must have the right to withdraw.
- Must be recorded – especially if consent is verbal.

**Consent (Verbal):** Manchester are aware of this issue, however, their advice is based on the current guidance provided by the Information Commissioners Office, however, you should record **how** consent was given. For those with disabilities, you

should be content that the person fully understands what they are consenting to and the rules surrounding consent.

**Data Breach:** practical guidelines are available on how to respond to the loss or unauthorised disclosure of personal information, even if it is accidental. In the first instance, your own minister should be informed, who will both report it to TMCP in Manchester and the Superintendent Minister. Data breaches must be reported to either Manchester or London within 72 hours of the breach being noted.

**Data Controllers:** the Data Controllers for the Methodist Church are at Manchester for day-to-day running of GDPR, and with London with the oversight of complaints, discipline and safeguarding issues.

**Data Mapping:** this is an exercise, which looks at the information that we hold, and asks the two questions, “What information do we hold on individuals and, do we still need that information?” Although in many cases, the Church may have a legitimate interest in holding that information, that does not override the rights of any individual, whether they are a Church member or not.

**Data Obligations:** from this moment on, we are obligated by GDPR to undertake the following:

- Inform – we should be transparent in the information we hold.
- Keep it safe – ensure that information that we hold is not disclosed in an unauthorised manner.
- Keep it under review – constantly review whether the information that we hold is accurate and still required.
- Deal with requests – anyone can ask what information a group or organisation about them, even the Church, holds.

- Keep informed – as the Circuit becomes aware of major changes to GDPR, there will be further briefings.
- Report Data Breaches – see above.

**Data Retention:** separate guidance has been issued, and will be regularly updated as new information is received.

**Directories and Circuit Plans:** the advice that I have received from Manchester is that, “as a membership organisation, it is reasonable for members (and adherents) to have details of other members. Where directories are printed, they must carry the warning: **For Internal Purposes Only**. Directories and Circuit Plans should, under no circumstances be left in the foyer of the Church, if and when they are produced, they should be handed out to those who require them.

**Email addresses:** shared email addresses should not be used especially for those who are dealing with sensitive information such as Safeguarding Officers.

**Exercising Care:** GDPR calls for common sense measures, you should only be collecting and processing the personal data that you actually need. You should be asking, “Why do I need this information?” If your answer is “I don’t”, then don’t hold it. You should exercise extreme caution concerning the holding of personal data, ensuring that it is kept safe.

**Funerals:** see **Church Rites**.

**GDPR Champion:** this is the individual who has been identified to ensure that the Circuit and staff are kept up to date with any changes to GDPR rules.

**Group Emails:** all emails being sent to more than one person should be sent as a “blind” copy. You should address the email

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to yourself, and put all the addresses in the BCC (Blind Carbon Copy) line. This may seem bizarre when you are sending emails to Church members, but that is the advice that we are being given. The first line of the email should state: To All Members of the Church Council, or To All Members of the CLT, etc.

**Historical Data:** guidance on this has been produced separately in a document adopted by the Circuit Meeting. Please be aware that this document may be revised regularly, and the Circuit Meeting will be informed of any changes.

**Holding Personal Data:** any outgoing officer, lay or ordained should surrender any data that they are holding, especially anything that is out of date.

**Lawful Basis:** GDPR runs across six areas:

- 1) Consent – especially if the information is going to be in the public domain, this includes posters with contact details and, especially anything placed on a website or social media.
- 2) Performance of a contract – employment or tenancy.
- 3) Legal obligation – HMRC requiring information for gift aid.
- 4) Legitimate interest – as a membership organisation, we have a legitimate interest to hold members information.
- 5) In the public interest – for example safeguarding.
- 6) Vital interests – such as the police or security services.

**Marriages:** see **Church Rites**.

**Pastoral Records:** the booklet says, “You can rely on “legitimate interests” if the information belongs to the Church’s own members, former members, or persons with whom it has regular contact in connection with the Church (adherents) and will not be shared with third parties.” Any pastoral records must

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be kept in a secure area, and should not be disclosed with anyone who is not authorised to know about it.

**Photographs:** the advice from Manchester is that we do not receive any exemptions for this area. If photos are taken randomly as large events, a notice should be **clearly visible** which states that “Photographs will be taken at this event and published in our (online) newsletter.” Anyone who does not want to appear should make the organiser aware of this. You can create “Photo Free Zones”, in which photos cannot be taken.

**Prayer books and Prayer Chains:** Manchester, have stated that more guidance will be produced on this subject, however, consent is only required when revealing health information as this is sensitive information. It is recommended that names are limited to Christian name only if practical. A note should be kept next to any prayer book, which states that: “**Health information should not be disclosed without the individual’s consent.**”

**Privacy Notice:** this document is 15 pages long and will be available through the Circuit website, but in essence, this document informs both those inside and outside the Methodist Church, at all levels, what we do with the information that we have collected and how we keep it safe.

**Public Domain:** this means that any data that you hold is no longer under your control and anyone can use it, this includes plans, directories and newsletters.

**Rights:** every citizen will have the following rights:

- Right to be informed
- Right of access
- Right of rectification
- Right to request erasure

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- Right to restrict processing
- Right to data portability
- Right to object
- Right to non-automated decision making

**Safeguarding:** safeguarding advice has been issued separately to the safeguarding officers.

**Separating Data:** personal and church data should be kept in separate files ideally, the guidance that we were given, was on separate login’s on your computer, so that it minimised the chance that someone would access this information without your permission.

**Unlawful Destruction of Data:** the unlawful destruction of data is only a crime if the data that you are destroying could be used in a Court of Law for the prosecution of an individual, i.e. in relation to a safeguarding incident.

**Visitors Books:** the guidance from Manchester is that where there is a visitors book which is used for fire evacuation purposes, then that book should not be open for other members of the public to openly read. As far as an open visitors book (such as can be found at Roeburndale), this is completed on a voluntary basis and therefore completed at the individuals own risk. It is recommended, however, that any individual should only put in a location (i.e. Harrogate), rather than a full address.

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