

DATA PROTECTION GUIDANCE FOR TEDDINGTON METHODIST CIRCUIT

Introduction

Teddington Methodist Circuit, and the churches within it, needs to collect and use certain types of information about the individual members of the Circuit/Church, others on our pastoral roles and those who work for or we contract with in order to carry on our work. This personal information must be collected and dealt with appropriately whether it is collected on paper, stored in a computer database, or recorded on other material and there are safeguards to ensure this under the *Data Protection Act 1998*

Data Controller

The Trustees for Methodist Church Purposes (TMCP) is the Data Controller under the Act having negotiated a group notification for all connexional, district, circuit or local bodies holding personal data. Full details of what this means appear in Standing Order 019 of The Constitutional Practice and Discipline of the Methodist Church. In particular the TMCP Notification under the Act covers 15 specific purposes set out below (not all 15 purposes will be relevant to every circuit/church). If the circuit or any church holds data not covered by the notification then the Circuit/Church must notify TMCP.

The Notification purposes covered by the TMCP notification are:

Staff administration	Assessment and Collection of Taxes and Other Revenue	Legal Services
Administration of Membership records	Accounts and Records	Pastoral Care
Fundraising	Advertising, Marketing and Public Relations	Pensions Administration
Realising the objectives of a Charitable Organisation or Voluntary Body	Benefits, Grants and Loans Administration	Processing for Not For Profit Organisations
Crime Prevention and prosecution of Offenders	Education	Property Management

What is Personal Data

The Data protection Act 1998 defines **personal data** as “Data which relates to a living individual and who can be identified from that data or other information which is in the possession, or likely to come into the possession, of the Data Controller. Explicit written consent of the data subject is required data which is classified as **sensitive personal data**.”

What records are covered

This is personal data that is contained in records that are either held:

- Electronically (e.g. computer, DVD, CCTV or microfiche)
- Paper based written manual records held in a relevant filing system. *For advice on the definition of a relevant filing system and how a system would fall within that definition please contact the Circuit Office).*

Principles

The Principles of Data Protection as detailed in the Data Protection Act 1998 are as follows:

- The data must be processed fairly and lawfully
- Personal data shall only be processed for a given purpose. The personal data must never be processed for another purpose than that which was originally intended
- The personal data shall not be excessive and must be adequate and relevant
- Data must be kept accurate and up to date
- The personal data shall not be kept for any greater length of time than is absolutely necessary
- The personal data should be processed in accordance with the individual rights of the data subject
- All reasonable steps must be taken to ensure that the personal data is held secure so that it cannot be lost, damaged, destroyed or processed unlawfully
- Personal data should never be transferred to any other country outside the European Union without sufficient protection for the rights of the data subject.

Data that may be held, either electronically or manually

Data may be held for many reasons but this guidance refers to the administration of membership records and those who are involved by attending services or other groups or otherwise supporting church life as that is the most likely the greatest use of data within the Circuit. By definition this will include pastoral lists; accounts records and Gift Aid records

Data Subjects: The individual who is the subject of personal data. This could include:

- Members, Supporters or Community Roll.
- Relatives, guardians and associates of the data subject.
- Staff, volunteers etc
- Students and pupils

Data Classes: The specific type of data that is being processed. In some cases this may include Sensitive Personal Data This could include:

- Personal details
- Family lifestyle and social circumstances
- Membership details
- Financial details
- Goods or services provided

Recipients: The individuals or organisations to whom the data controller **may wish** to disclose data:

- The data subject themselves
- Relatives, guardians etc
- Religious organisations
- Data processors

Privacy Notices

It is recommended best practice to have a Privacy Notice regardless of how little data you actually collect and process. The Privacy Notice should contain the following key elements:

- Identify who will collect and process the data
- Confirm the purpose or purposes from which the data is processed
- Confirm who will have access to the data
- How long the data will be kept for
- What is being done to ensure the security of the data.

More detailed guidance on the practical aspects of a Privacy Notice may be obtained from the Circuit Office

Publication of Data

Recorded data may only be used for the purposes of the Church and must not be transferred to parties outside the Church without the express permission of the data subject.

Printed publications:

Where the purposes of the Church require the publication of the names and addresses e.g. in the circuit plan, directory or magazines, publication should be limited to the name, address, telephone number, e-mail address and the office held.

It is best practice that the explicit consent of individuals is obtained before details are published and they may withhold their consent to each publication.

Pastoral List:

Data in this list will only be used for the purposes of the church by members of the pastoral committee, Minister, church stewards and managing trustees and will not be provided to any other parties.

Before adding anyone to the pastoral list a letter or email must be sent telling them that they will be added to the role, the name of their proposed pastoral visitor, the data being held and how it will be used. If a negative response is received this will be reported to the Minister and the relevant Pastoral Visitor.

The Pastoral List will be password protected and only the Pastoral Secretary, Minister and church stewards will have electronic access

Right of Access to Personal Data

With a very small number of exceptions Data Subjects have the right of access to any data that is processed and retained about them. Data held relating to children belongs to the child not the parent and disclosure to anyone other than the child needs to be carefully judged. Advice can be obtained from the Circuit Office.

Further information about Right of Access is given in the Act.

Reviewing Files

The eight principles of Data Protection mean that it is necessary to review all information held on all files regularly. The Methodist Church produces "Guidance of Best Practice in Retaining Records" downloadable from the Connexional web-site

The above guidance is based on *THE TRUSTEES FOR METHODIST CHURCH PURPOSES GUIDANCE NOTE - DATA PROTECTION – Version 3 April 2014*