

# Parish of Cirencester with Watermoor and St Lawrence

## General Data Protection Regulation (GDPR) and Electoral Roll Form



## **Introduction**

I am so grateful to colleagues who have worked to prepare this booklet providing information about GDPR in our Parish. The booklet sets out clearly our legal responsibilities whilst retaining a practicable approach to its application. Page 3 – 12 is our policy.

Page 13 is the GDPR form which we ask you to complete and return to the PCC Secretary. Page 15 is the Electoral Roll application. Please return to the Electoral Roll Officer.

Mr Howard Gray is our PCC Secretary and Electoral Roll Officer. The forms will be filed in hard copies with our PCC Secretary, and stored in the ‘P’ Drive. The ‘P’ Drive is a cloud based storage provided by Google our I.T. support. We are assured that Google use for their storage a file sharing system that is compliant with the requirements set out under GDPR.

As the data controller for our parish, I am confident that both we (the Parish of Cirencester) and Google have the necessary systems in place to ensure that your data is stored securely. If you have any questions please do ask.

Assuring you of my sincere thanks for your involvement in the life of our Parish, I and the Churchwardens are very grateful for all your support.



Reverend Canon Graham Morris

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## About GDPR

**Start date: 25<sup>th</sup> May 2018**

The EU's **General Data Protection Regulation (GDPR)** is the result of four years of work by the EU to bring data protection legislation into line with new, previously unforeseen ways that data is now used.

Currently, the UK relies on the Data Protection Act 1998, which was enacted following the 1995 EU Data Protection Directive, but this will be superseded by the new legislation. It introduces tougher fines for non-compliance and breaches, and gives people more say over what companies can do with their data. It also makes data protection rules more or less identical throughout the EU.

### **Why was the GDPR drafted?**

The drivers behind the GDPR are twofold. Firstly, the EU wants to give people more control over how their personal data is used, bearing in mind that many companies like Facebook and Google swap access to people's data for use of their services. The current legislation was enacted before the internet and cloud technology created new ways of exploiting data, and the GDPR seeks to address that. By strengthening data protection legislation and introducing tougher enforcement measures, the EU hopes to improve trust in the emerging digital economy.

Secondly, the EU wants to give businesses a simpler, clearer legal environment in which to operate, making data protection law identical throughout the single market (the EU estimates this will save businesses a collective €2.3 billion a year).

### **The GDPR will apply in all EU member states from 25 May 2018.**

Because GDPR is a regulation, not a directive, the UK does not need to draw up new legislation - instead, *it will apply automatically*. While it came into force on 24 May 2016, after all parts of the EU agreed to the final text, businesses and organisations have until 25 May 2018 until the law actually applies to them.

### **So who does the GDPR apply to?**

'Controllers' and 'processors' of data need to abide by the GDPR. A data controller (in our case the Vicar and PCC) states how and why personal data is processed, while a processor (designated office staff or specialist volunteer(s)) is the party doing the actual processing of the data.

It is the controller's responsibility to ensure their processor abides by data protection law and processors must themselves abide by rules to maintain records of their processing activities. If processors are involved in a data breach, *they are far more liable under GDPR than they were under the Data Protection Act.*

### **But what about Brexit?**

Yes, the UK is leaving the EU – but because the UK government only triggered Article 50 in March 2017, which sets in motion the act of leaving the EU within a two-year timeframe (though it could take longer), this means GDPR will take effect before the legal consequences of the Brexit vote, meaning the UK must still comply. A new Data Protection Bill, put forward by the UK government in August 2017, essentially replicates the requirements of GDPR into UK legislation, meaning those compliant with GDPR should be compliant with the new UK data protection law.

### **We need your consent to use your personal data for the various parish activities we undertake**

Consent must be an active, affirmative action by the data subject, rather than the passive acceptance under some current models that allow for pre-ticked boxes or opt-outs.

Controllers must keep a record of how and when an individual gave consent, and that individuals may withdraw their consent whenever they want.

We are required to renew our Electoral Roll (the register of those entitled to vote at the Annual Parochial Church meeting (APCM)) so it seems sensible to offer both the Consent form and the optional Electoral Roll form together in this booklet.

Our **data policy document** below gives details of how we might use your data.

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# **The Parochial Church Council (PCC) of the Parish of Cirencester with Watermoor**

## **DATA PRIVACY NOTICE**

### **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 the Parish of Cirencester with Watermoor is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

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

The PCC of the Parish of Cirencester with Watermoor complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for some or all of the following purposes: -

- To enable us to meet all legal and statutory obligations (which include maintaining and publishing our electoral roll in accordance with the Church Representation Rules);
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments;
- To minister to you and provide you with pastoral and spiritual care (such as visiting you when you are gravely ill or bereaved) and to organise and perform ecclesiastical services for you, such as baptisms, confirmations, weddings and funerals.
- To enable us to provide a church body voluntary service for the benefit of the public in a particular geographical area (e.g. Pastoral visitation. Home communions)
- To administer membership records;

- To fundraise and promote the interests of the charity;
  - To manage our employees and volunteers;
  - To maintain our own accounts and records (including the processing of gift aid applications);
  - To inform you of news, events, activities and services running in the Parish;
  - To process a donation that you have made (including Gift Aid information);
  - To seek your views or comments;
  - To notify you of changes to our services, events and role holders;
  - To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals and other fundraising activities;
  - To process a grant or application for a role;
  - Using any future CCTV systems for the prevention and prosecution of crime.
- We collect personal data in some or all of the following ways;
    - Names, titles, and aliases, photographs;
    - Contact details such as telephone numbers, addresses, and email addresses;
    - Where they are relevant to our mission, or where you provide them to us, we may process demographic information such as gender, age, date of birth, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependants;
    - Where you make donations or pay for activities such as use of a church hall/other premises financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.

The data we process is likely to constitute sensitive personal data because, as a church, the 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: racial or ethnic origin. And, where this is relevant, mental and physical health, details of injuries, medication/treatment received, and criminal records, fines and other similar judicial records.

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

- Most of our data is processed because it is necessary for our legitimate interests, or the legitimate interests of a third party (such as another organisation in the Church of England). An example of this would be our safeguarding work to protect children and adults at risk. We will always take into account your interests, rights and freedoms.

- Some of our processing is necessary for compliance with a legal obligation. For example, we are required by the Church Representation Rules to administer and publish the electoral roll, and under Canon Law to announce forthcoming weddings by means of the publication of banns.
- We will seek explicit consent to keep you informed about news, events, activities and services and keep you informed about local church and other diocesan events.
- We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the hire of church facilities.
- Processing is necessary for carrying out legal obligations in relation to Gift Aid or under employment, social security or social protection law, HMRC and other statutory requirements.
- Where we have PCC employees we may process information in line with payroll and pension, HMRC, safer recruitment including DBS checks, and other statutory requirements.
- Religious organisations are also permitted to process information about your religious beliefs to administer membership or contact details.
- Where your information is used other than in accordance with one of these legal bases, we will first obtain your consent to that use.

## **5. Sharing your personal data**

Your personal data will be treated as strictly confidential. It will only be shared with third parties where it is necessary for the performance of our tasks, where you first give us your prior consent, or in respect of a legal/statutory obligation. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The appropriate bodies of the Church of England including their data controllers.
- Other clergy or lay persons nominated or licensed by the bishops of the diocese to support the mission of the Church in our parish. For example, our clergy are supported by our area dean and archdeacon, who may provide confidential mentoring and pastoral support. Assistant or temporary ministers, including curates, deacons, licensed lay ministers, commissioned lay ministers or persons with Bishop's Permissions may participate in our mission in support of our regular clergy.

- Other persons or organisations operating within the diocese as appropriate.
- On occasion, other churches with which we are carrying out joint events or activities.
- External statutory bodies (police, social care etc) where this is legally required.
- In the event of employee related tasks including payroll and pension provisions.

## **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.<sup>1</sup>

Specifically, we retain electoral roll data; gift aid declarations and associated paperwork for six years after the calendar year to which they relate; and parish registers (baptisms, marriages, funerals) permanently.

## **7. Your rights and your personal data**

Unless subject to an exemption, or overruled by other obligations, under the GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of any personal data which the PCC of the Parish of Cirencester with Watermoor holds about you;
- The right to request that the PCC of the Parish of Cirencester with Watermoor 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 the Parish of Cirencester with Watermoor to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to request that the data controller (the PCC) provides the data subject (you) with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable). [*Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case 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, (where applicable)
  - This right only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).
- 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: [www.churchofengland.org/more/libraries-and-archives/records-management-guides](http://www.churchofengland.org/more/libraries-and-archives/records-management-guides)

## **8. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Privacy 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. Marketing permissions and seeking consent**

Whilst there may be an expectation that people involved in the life of the diocese in many ways would expect to receive information from the PCC through email, post, social media etc; the PCC is required through data regulations to ensure that it asks for your permission to do so in certain circumstances; and to ensure that it makes you aware of your rights in doing so.

### **Email and text**

- We will ask for your permission to contact you in this way.

### **Postal marketing;**

- From time to time we may send you information about the diocese and its work unless you have told us you would prefer not to receive this information by post.

### **Bulletins and newsletters**

- The PCC will, in the main, require individuals to opt in and out of electronically sent information such as church newsletters. This ensures that individuals are able to manage the information they wish to receive.

## **10. Changes to this Privacy Notice**

The PCC will review this Privacy Notice regularly and may update it at any time - for example in the event of legal changes, to improve how we manage data, where an issue or concern has come to light that needs appropriate response. If there are any significant changes in the way the PCC processes your personal information we will provide a prominent notice on our website or send you a notification.

## **11. Transfer of Data Abroad**

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

## **12. Contact Details**

To exercise all relevant rights, queries of complaints please in the first instance contact the PCC Secretary via the Parish office - 01285 659317

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.

### **Those with whom the PCC is in regular contact:**

**Data Controllers:** The Bishop's Office, The Diocesan Board of Finance offices, The Board of Education, the Parish Giving Scheme, other PCCs, incumbents and clergy.

**Clergy;** stipendiary clergy, non-stipendiary clergy, retired clergy with the Bishop's Permission to Officiate; chaplains; and where clergy are locally employed by a PCC (where appropriate), and those in secular employment (where appropriate).

**Other ministers;** Pioneers and other ministers, locally licensed lay people.

**Church Officers;** churchwardens, PCC secretaries, treasurers, safeguarding parish representatives/nominated people; church administrators; electoral roll officers; youth workers; vergers and those with particular responsibility for health and safety.

**Other church people;** Members of PCCs/DCCs, School Foundation Governors

**Synodical arrangements;** Deanery officers and representatives, Bishop's Council, Diocesan Synod; General Synod representatives.

### **Electoral Roll officer/members**

**Individuals and families** involved in the life of the church through baptisms, funerals, weddings, house groups; and through other activities and pastoral needs.

**Committees/Groups/Boards:** PCC and other parish working groups and committees including: e.g personnel, finance, Friends, stewardship, social committee etc

**Professionals, professional bodies/organisations and contractors** – relating to those who supply the church through contracts for goods and services; individuals in their professional capacity.

**LIFE vision priority interest groups;** those who have consented to be part of a range of working or interest groups.

**Fund applicants** – information of individuals/groups applying for funding for various diocesan projects and initiatives.

### **Third parties with whom the PCC will share data:**

- **Clergy information** – with the Bishop’s Office, Archdeacons and other diocesan central officers as appropriate (eg Human Resources, Safeguarding).
- **Diocesan / Church Directory**, published with consents where appropriate, available to purchase within the diocese / church.
- **Specifically named individuals**, clergy/readers/others details where these related to those undertaking specific church roles.
- **Legal and statutory guidance and others**; In compliance with the range of our legal responsibilities; including
  - those involving land/glebe
  - Property purchases and sales
  - Tenancy arrangements
  - Employment
  - HMRC
  - The Charity Commission
  - Insurers and legal advisers as appropriate.
  - Relating to safeguarding issues, the Police, Probation, Social Care and Children’s Services.
- **CCPAS** – with regard to DBS checking processes through the central diocesan arrangements.
- **Online Faculty System (OFS)** – petitioners/objectors as it is developed within the diocese will be shared as appropriate with the offices of the Diocesan Registrar, the offices of the Chancellor of the Diocese, Statutory Consultees eg Historic England, CBC; others where this facilitates the consideration of applications for either a Faculty, or a matter not requiring a faculty, under the Faculty Jurisdiction Rules.
- **Employee information** –The PCC pays staff under contract and information will only be shared with appropriate persons to ensure our employees are paid appropriately. For those who have opted into the Pension Scheme we may need to share details as appropriate with the Pension Provider.

## **What do I have to do?**

If you would like to be informed of details of parish activities and to communicate with the church community then giving your personal data will facilitate this.

- 1) **Complete the consent form** below and, on the back, tick any areas for which you would like further information.
- 2) **Complete the Electoral Roll** form (if you wish to register as an elector and be able to vote for church officials (Wardens and PCC members) at the Annual Parochial Church Meeting.
- 3) **Return your form(s)** to the PCC Secretary via the Parish Office.

*Parish of Cirencester with Holy Trinity, Watermoor and  
St Lawrence Chesterton*

*Consent Form*

Your privacy is important to us, and we want to communicate with church members in a way which has their consent, and which is in line with UK law on data protection. As a result of a change in UK law, we now need your consent to how we contact you. Please fill in the contact details you want us to use to communicate with you:

Name \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

By signing this form you are confirming that you are consenting to the PCC of Cirencester holding and processing your personal data for the following purposes (please tick the boxes where you grant consent):-

I consent to the church contacting me by  post  phone or  email

To keep me informed about news, events, activities and services in the parish.

To keep me informed about the Planned Financial Giving scheme

To share my contact details with the Diocese of Gloucester so they can keep me informed about news, events, activities and services that will be occurring in the diocese and which are directly relevant to the role I am undertaking.

I wish to be included in the Electoral Roll, have read the terms and conditions and have signed the form.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

## Notes:

You can grant consent to all the purposes; one of the purposes or none of the purposes. Where you do not grant consent we will not be able to use your personal data; (so for example we may not be able to let you know about forthcoming services and events); except in certain limited situations, such as where required to do so by law or to protect members of the public from serious harm.

You can find out more about how we use your data from our “Privacy Notice” (see above) or which is available from our website or from the Parish Office.

You can withdraw or change your consent at any time by contacting the PCC Secretary

via the Parish Office. Gosditch Street, Cirencester, GL7 2AG  
([office@cirenparish.co.uk](mailto:office@cirenparish.co.uk), ☎ 01285 659317).

Please note that all processing of your personal data will cease once you have withdrawn consent, other than where this is required by law, but this will not affect any personal data that has already been processed prior to this point.

If you have any query regarding the process of Data Protection then please contact the Parish Office or the PCC Secretary (☎ 01285 659317).

*The Parish of Cirencester with Watermoor is a Registered Charity, No 1135068*

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The Electoral Roll form follows. We will not be using this information for marketing or requesting any form of planned giving. It is just a register of those enabled to vote at the annual meeting.

Synodical Government Measure 1969

APPLICATION FOR ENROLMENT ON THE CHURCH  
ELECTORAL ROLL OF THE PARISH OF CIRENCESTER WITH  
WATERMOOR

Full name \_\_\_\_\_

Preferred title (if any) \_\_\_\_\_

Full address \_\_\_\_\_

Postcode \_\_\_\_\_

I declare that

1 I am baptised and am aged 16 or over  
(or, become 16\* on \_\_\_\_\_)

2\*\*

A I am a member of the Church of England (or of a Church in communion with the Church of England) and am resident in the parish.

or

B I am a member of the Church of England (or of a Church in communion with the Church of England) and, not being resident in the parish, I have habitually attended public worship in the parish during the period of six months prior to enrolment.

C I am a member in good standing of a Church (not in communion with the Church of England) which subscribes to the doctrine of the Holy Trinity and also declare myself to be a member of the Church of England and I have habitually attended public worship in the parish during the period of six months prior to enrolment.

I declare that the above answers are true and I apply for inclusion on the Church Electoral Roll of the parish.

Signed \_\_\_\_\_ Date \_\_\_\_\_

\*Those who become 16 during the next 12 months may complete the form, and become eligible to be entered on the roll on their sixteenth birthday.

\*\*Tick one only of boxes 2A, B or C.

## Notes

1. The only Churches at present in communion with the Church of England are other Anglican Churches and certain foreign Churches.
2. Membership of the electoral roll is also open to members in good standing of a Church not in communion with the Church of England which subscribes to the doctrine of the Holy Trinity where those members are also prepared to declare themselves to be members of the Church of England.
3. Every six years a new roll is prepared and those on the previous roll are informed so that they can re-apply. If you are not resident in the parish but were on the roll as an habitual worshipper and have been prevented by sickness or absence or other essential reason from worshipping for the past six months, you may write 'would' before 'have habitually attended' on the form and add 'but was prevented from doing so because...' and then state the reason.
4. If you have any problems over this form, please approach the clergy or lay people responsible for the parish, who will be pleased to help you.
5. In this form 'parish' means ecclesiastical parish.

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## What is the Church Electoral Roll?

### Why have one?

It is your parish church's register of electors; it is the list of those qualified to attend and to vote at the Annual Parochial Church Meeting where the elections take place for:

- a) the parochial church council;
- b) the parish's representatives on the deanery synod.

Any person entitled to attend the Annual Parochial Church Meeting may raise any question of parochial or general church interest.

Renewal of the electoral roll takes place in 2007 and every six years thereafter. In the year of renewal, no names are carried over from the old roll and everyone must make a new application to be included on the new roll.

### What difference does it make?

By enrolling you become a voting member of the Church of England and so help to ensure that all synodical councils of the Church – the parochial church council, the deanery synod, the diocesan synod, and the General Synod – are fully representative of its members.

Synodical government gives an opportunity for partnership between bishops, clergy and laity in the life of the Church:

First, the system is intended to enable church people at every level to ensure that the laity have their place in every aspect of church life, including its doctrine and services. First, the system is intended to enable church people at every level to be in touch with the Church as a whole and to play their part in decision-making. Secondly, the system is intended to ensure that the laity have their place in every aspect of church life, including its doctrine and services.