



STREATHAM  
BAPTIST  
CHURCH

# STREATHAM BAPTIST CHURCH DATA PROTECTION POLICY

**Policy Approved by Church Leaders / Trustees:**

16<sup>th</sup> January 2024

**Communicated to all Church Staff:**

By email with read receipt

**Communicated to relevant Activity Leaders:**

By email with read receipt

**Communicated to Church Members:**

Via the Church website and a notice in the Church weekly bulletin

**Review date:**

16<sup>th</sup> January 2027, or earlier if church needs dictate

Streatham Baptist Church (SBC) is committed to protecting all information that we handle about people we support and work with and to respecting people's rights around how their information is handled. This policy explains our responsibilities and how we will meet them.

## Summary

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Much of this policy is common sense when the following six principles are applied in a balanced fashion. This means that the needs of the organisation (SBC) are balanced against the needs of individuals and against the greater importance of public safety and the safeguarding of individuals.

The following principles are laid out in great detail under the UK GDPR and form much of the basis of the SBC Data Protection Policy, as well as following church-related and Baptist-specific guidance from Baptists Together.

Article 5 of the UK GDPR sets out seven key principles which lie at the heart of the general data protection regime.

In summary, Article 5(1) requires that personal data shall be:

- i) **processed lawfully, fairly and in a transparent manner** in relation to individuals (e.g. transparency includes the publication of this DPP document, and summary privacy policy information on our printed publications and website)
- ii) **collected for specified, explicit and legitimate purposes** (e.g. not just collecting varied demographic data on anyone we encounter, but explaining why collecting information such as age and postal address can assist the organisation when planning events that cater for diverse groups of people)
- iii) **adequate, relevant and limited to what is necessary** in relation to the purposes for which they are processed ('data minimisation'); (e.g. ensuring that any data collected and/or retained, always has a specified purpose that cannot otherwise be met, without the collection and/or retention of that particular data)
- iv) **accurate and, where necessary, kept up to date**; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy'); (e.g. maintaining membership records in a timely manner and encouraging members or subscribers to update their own details through a self-service portal or by other means)

- v) **kept in a form which permits identification of data subjects for no longer than is necessary** for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes (e.g. appropriate records of church members may be kept for historical research purposes providing personal data is removed within appropriate timeframes)
- vi) **processed in a manner that ensures appropriate security of the personal data**, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')." (e.g. ensuring that volunteers or staff no longer working for the organisation have access to data removed and all data no longer required or permitted is permanently and securely destroyed.)

Article 5(2) adds that:

"The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability')." –

E.g. the publication and application of this DPP document.

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## Section A – What This Policy Is For

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### 1. Policy statement

- 1.1 Streatham Baptist Church (SBC) is committed to protecting personal data and respecting the rights of our data subjects; the people whose personal data we collect and use. We value the personal information entrusted to us and we respect that trust, by complying with all relevant laws, and adopting good practice.

We process personal data to help us:

- a) maintain accurate up to date lists of church members and regular attenders;
  - b) communicate with church members about church members' meetings and other membership matters;
  - c) provide pastoral care and support for members and others connected with our church, including prayer requests;
  - d) link people with groups they have indicated they would like to join and communicate with people about relevant groups and activities;
  - e) safeguard children and adults at risk;
  - f) recruit, support and manage paid and voluntary staff and volunteers;
  - g) maintain our accounts and records, including Gift Aid claims and event registration;
  - h) inform people about our regular church services and special events;
  - i) maintain the security of property and premises;
  - j) respond effectively to enquirers and handle any complaints.
- 1.2 This policy has been approved by the Streatham Baptist Church Leaders, who are responsible for ensuring that we comply with all our legal obligations. It sets out the legal rules that apply whenever we obtain, store or use personal data.

### 2. Why this policy is important

- 2.1 We are committed to protecting personal data from being misused, getting into the wrong hands as a result of poor security or being shared carelessly, or being inaccurate, as we are aware that people can be upset or harmed if any of these things happen.
- 2.2 This policy sets out the measures we are committed to taking as an organisation and, what each of us will do to ensure we comply with the relevant legislation.

In particular, we will make sure that all personal data is:

- a) processed lawfully, fairly and in a transparent manner;
- b) processed for specified, explicit and legitimate purposes and not in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary for the purposes for which it is being processed;
- d) accurate and, where necessary, up to date;
- e) not kept longer than necessary for the purposes for which it is being processed;
- f) processed in a secure manner, by using appropriate technical and organisational means;
- g) processed in keeping with the rights of data subjects regarding their personal data.

### 3. How this policy applies to you and what you need to know

- 3.1 **Paid and Voluntary Members of Staff, Streatham Baptist Church Leaders and other Volunteers processing personal information on behalf of the church:** – You must comply with this policy.

Before you collect or handle any personal data as part of your work (paid or otherwise) for Streatham Baptist Church, it is important that you take the time to read this policy carefully and understand what is required of you, as well as the organisation's responsibilities when we process data.

If you think that you have accidentally breached the policy it is important that you contact our Data Protection Compliance Officer immediately so that we can take swift action to try and limit the impact of the breach. See Section 3.4 for contact details.

Anyone who breaches the Data Protection Policy may be subject to disciplinary action, and where that individual has breached the policy intentionally, recklessly, or for personal benefit they may also be liable to prosecution or to regulatory action.

- 3.2 **Activity Leaders and Line Managers:** – You must follow the rules set out in this Data Protection Policy if you do anything in your area that involves personal data.
- 3.3 **Data Subjects of Streatham Baptist Church (see Schedule 1 for a definition of data subjects):** – We will handle your personal information in line with this policy.
- 3.4 **Our Data Protection Compliance Officer** is responsible for advising Streatham Baptist Church and its staff and members about their legal obligations under data protection law, monitoring compliance with data protection law, dealing with data security breaches and with development of this policy.

Any questions about this policy or any concerns that the policy has not been followed should be referred to them at [info@streathambaptist.com](mailto:info@streathambaptist.com) or by phoning 020 8769 1515.

- 3.5 Our procedures will be in line with the requirements of this policy, but if you are unsure about whether anything you plan to do, or are currently doing, might breach this policy you must first speak to the Data Protection Compliance Officer.

#### **4. Education, training, briefing and guidance**

- 4.1 We will provide general training at least annually for all paid and voluntary staff to raise awareness of their obligations and our responsibilities, as well as to outline the law.
- 4.2 We will provide appropriate education, guidance, briefing or instructions from time to time to all paid and voluntary staff, activity leaders, church leaders and church members.

## Section B – Our Data Protection Responsibilities

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### 5. What personal information do we process?

- 5.1 In the course of our work, we may collect and process information (personal data) about many different people (data subjects). Most of the data we receive is straight from the person it is about, for example, where they complete forms or contact us. We may also receive information about data subjects from other sources including, for example, previous employers.
- 5.2 We process personal data in both electronic and paper form and all this data is protected under data protection law. The personal data we process may include information such as names and contact details, dates of church membership and / or baptism, education, employment details, volunteering activities, character references, health and allergy information and visual images of people.
- 5.3 In some cases, we hold types of information that are called “special categories” of data in the GDPR. This personal data can only be processed under strict conditions.

*‘Special categories’ of data (as referred to in the GDPR) includes information about a person’s: racial or ethnic origin; political opinions; religious or similar (e.g. philosophical) beliefs; trade union membership; health (including physical and mental health, and the provision of health care services); genetic data; biometric data; sexual life and sexual orientation.*

Special category personal data does not include personal data about criminal allegations, proceedings or convictions, as separate rules apply. Other than in the circumstances described in paragraphs 5.4 to 5.8 below, information relating to criminal convictions and offences should not be processed unless the processing is authorised by law or is carried out under the control of official authority. Special category personal data can only be processed under strict conditions, including the data subject’s explicit consent (although other alternative conditions can apply in limited, very specific circumstances as described below).

- 5.4 We may process information relating to criminal proceedings or offences or allegations of offences to safeguard against any risks posed to others under Article 6(1) (f) UK GDPR where the processing is necessary for the purposes of the legitimate interests of Streatham Baptist Church but not where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.
- 5.5 We may also process special category or criminal convictions etc. data (“criminal offence data”) where it fulfils one of the substantial public interest conditions under Schedule 1, Part 2 of the Data Protection Act 2018, in particular, Conditions 10, 11, 12, 18 and 19



- 5.6 We may also seek to obtain, use and retain criminal offence data in reliance upon Condition 31 relating to criminal convictions under Schedule 1, Part 3 of the Data Protection Act 2018.
- 5.7 For the purposes of Schedule 1, Part 4 of the Data Protection Act 2018, more information about Streatham Baptist Church processing of special category and criminal convictions data under Conditions 10, 11, 12, 18, 19 and 31 can be found in the “Appropriate Policy Document” which may be found as a separate appendix to this policy.
- 5.8 The processing of special category and criminal convictions data described in paragraphs 5.4 to 5.7 will only ever be carried out on the advice of statutory authorities, the Ministries Team of the Baptist Union of Great Britain or our Regional Association Safeguarding contact person.
- 5.9 Other data may also be considered ‘sensitive’ such as bank details, but will not be subject to the same legal protection as the types of data listed above.

## 6. Making sure processing is fair and lawful

- 6.1 Processing of personal data will only be fair and lawful when the purpose for the processing meets a legal basis, as listed below, and when the processing is transparent. This means we will provide people (data subjects) with an explanation of how and why we process their personal data at the point we collect data from them, as well as when we collect data about them from other sources.

### How can we legally use personal data?

- 6.2 Processing of personal data is only lawful if at least one of these legal conditions, as listed in Article 6 of the GDPR, is met:
- a) the processing is necessary for a contract with the data subject;
  - b) the processing is necessary for us to comply with a legal obligation;
  - c) the processing is necessary to protect someone’s life (this is called “vital interests”);
  - d) the processing is necessary for us to perform a task in the public interest, and the task has a clear basis in law;
  - e) the processing is necessary for the legitimate interests of SBC, unless these are overridden by the interests, rights and freedoms of the data subject.
  - f) If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their clear consent.

### How can we legally use ‘special categories’ of data?

- 6.3 Processing of ‘special categories’ of personal data is only lawful when, in addition to the conditions above, one of the extra conditions, as listed in Article 9 of the GDPR, is met. These conditions include where:

- a) the processing is necessary for carrying out our obligations under employment and social security and social protection law;
- b) the processing is necessary for safeguarding the vital interests (in emergency, life or death situations) of an individual and the data subject is incapable of giving consent;
- c) the processing is carried out in the course of our legitimate activities and only relates to our members or persons we are in regular contact with in connection with our purposes;
- d) the processing is necessary for pursuing legal claims.
- e) If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their explicit consent.

6.4 Before deciding which condition should be relied upon, we may refer to the original text of the GDPR as well as any relevant guidance, and seek legal advice as required.

### **What must we tell individuals before we use their data?**

6.5 If personal data is collected directly from the individual (data subject), we will inform them in writing about; our identity/contact and those of the Data Protection Compliance Officer, the reasons for processing, and the legal bases, explaining our legitimate interests, and explaining, where relevant, the consequences of not providing data needed for a contract or statutory requirement; who we will share the data with; if we plan to send the data outside of the United Kingdom; how long the data will be stored and the data subjects' rights.

This information is commonly referred to as a 'Privacy Notice'. The full Privacy Notice may be found on the SBC website and the health and Safety Information Board in the church building. A short privacy notice will be provided at the time when the personal data is collected.

6.6 If data is collected from another source, rather than directly from the data subject, we will provide the data subject with the information described in section 6.5 as well as: the categories of the data concerned; and the source of the data.

This information will be provided to the individual in writing and no later than within 1 month after we receive the data, unless a legal exemption under the GDPR applies. If we use the data to communicate with the data subject, we will at the latest give them this information at the time of the first communication.

If we plan to pass the data, e.g. character reference, onto someone else outside of Streatham Baptist Church, we will give the data subject this information before we pass on the data.

## **7. When we need consent to process data**

7.1 Where none of the other legal conditions apply to the processing, and we are required to get consent from the data subject, we will clearly set out what we are asking

consent for, including why we are collecting the data and how we plan to use it. Consent will be specific to each process we are requesting consent for and we will only ask for consent when the data subject has a real choice whether or not to provide us with their data.

- 7.2 Consent can however be withdrawn at any time and if withdrawn, the processing will stop. Data subjects will be informed of their right to withdraw consent wherever they are able to give consent (usually through the display of our privacy notice or a link to access our privacy notice online) and it will be as easy to withdraw consent as it is to give consent (usually via the same method, for example completing a paper or digital contact information form, either online or in person).

## 8. Processing for specified purposes

- 8.1 We will only process personal data for the specific purposes explained in our privacy notices (as described above in section 6.5) or for other purposes specifically permitted by law. We will explain those other purposes to data subjects in the way described in section 6, unless there are lawful reasons for not doing so.

## 9. Data will be adequate, relevant and not excessive

- 9.1 We will only collect and use personal data that is needed for the specific purposes described above (which will normally be explained to the data subjects in privacy notices). We will not collect more than is needed to achieve those purposes. We will not collect any personal data “just in case” we want to process it later.

## 10. Accurate data

- 10.1 We will make sure that personal data held is accurate and, where appropriate, kept up to date. The accuracy of personal data will be checked at the point of collection and at appropriate points later on.
- 10.2 You can help us to keep your personal data up to date by one of the following methods:
- i. Accessing **MyChurchSuite online**. This is an easy self-service web page provided at the discretion of SBC to certain members and non-members to create a login and amend their personal data.
  - ii. Using **ChurchSuite Connect**. This is an easy self-service web page accessible only under supervision of SBC staff/volunteers and can be provided on a device, for example an iPad located at the Welcome Desk, or a laptop on the children’s registration desk.
  - iii. **Emailing changes** to [info@streathambaptist.com](mailto:info@streathambaptist.com)
  - iv. Completing a **paper contact information form** available from the Welcome Desk, inside a Welcome Leaflet or from the Church Office.

## 11. Keeping data and destroying it

- 11.1 We will not keep personal data longer than is necessary for the purposes that it was collected for. Information about how long we will keep records for can be found in our Data Retention Policy and Schedule. This includes guidance issued to Baptist Churches about retention periods for specific records.

## 12. Security of personal data

- 12.1 We will use appropriate technical and organisational measures to keep personal data secure at all points of the processing. Keeping data secure includes protecting it from unauthorised or unlawful processing, or from accidental loss, destruction or damage.
- 12.2 We will implement security measures which provide a level of security which is appropriate to the risks involved in the processing.

In assessing what measures are the most appropriate we will take into account the following, and anything else that is relevant:

- a) the quality of the security measure;
  - b) the costs of implementation;
  - c) the nature, scope, context and purpose of processing;
  - d) the risk to the rights and freedoms of data subjects;
  - e) the risk which could result from a data breach.
- 12.3 Measures may include:
- a) technical systems security, e.g., group access policy to the file server;
  - b) measures to restrict or minimise access to data, e.g., individual IT accounts with password access;
  - c) measures to ensure our systems and data remain available, or can be easily restored in the case of an incident, e.g., backup procedures;
  - d) physical security of information and of our premises, e.g., locked filing cabinets, limited access to keys and intruder alarm;
  - e) organisational measures, including policies, procedures, training and audits, e.g., training about safe email, mobile phone usage, text messaging, WhatsApp, etc.;
  - f) regular testing and evaluating of the effectiveness of security measures, e.g., data protection policy implementation audits.

## 13. Keeping records of our data processing

- 13.1 To show how we comply with the law we will keep clear records of our processing activities and of the decisions we make concerning personal data (setting out our reasons for those decisions).

## Section C – Working With People Whose Data We Process (Data Subjects)

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### 14.Data subjects' rights

- 14.1 We will process personal data in line with data subjects' rights, including their right to:
- a) request access to any of their personal data held by us (known as a Subject Access Request);
  - b) ask to have inaccurate personal data changed;
  - c) restrict processing, in certain circumstances;
  - d) object to processing, in certain circumstances, including preventing the use of their data for direct marketing;
  - e) data portability, which means to receive their data, or some of their data, in a format that can be easily used by another person (including the data subject themselves) or organisation;
  - f) not be subject to automated decisions, in certain circumstances; and
  - g) withdraw consent when we are relying on consent to process their data.
- 14.2 If a paid or voluntary member of staff, activity leader, church leader or any other church member receives any request from a data subject that relates or could relate to their data protection rights (Schedule 3, Step 1) this will be dealt with according to **Schedule 3 – Subject Access Requests**. Step 2 would immediately follow such a request.
- 14.3 We will act on all valid requests as soon as possible, and at the latest within *one calendar month*, unless we have reason to, and can lawfully extend the timescale. This can be extended by up to two months in some circumstances.
- 14.4 All data subjects' rights are provided free of charge.
- 14.5 Any information provided to data subjects will be concise and transparent, using clear and plain language.

### 15.Direct marketing

- 15.1 We will comply with the rules set out in the **UK** GDPR, the Privacy and Electronic Communications Regulations (PECR) and any laws which may amend or replace the regulations around direct marketing. This includes, but is not limited to, when we make contact with data subjects by post, email, text message, social media messaging, telephone (both live and recorded calls) and fax. SBC direct marketing includes promotion of special events.

*Direct marketing means the communication (by any means) of any advertising or marketing material which is directed, or addressed, to individuals. "Marketing" does not need to be selling anything, or be advertising a commercial product. It includes contact made by organisations to individuals for the purposes of promoting the organisation's aims.*

- 15.2 Any direct marketing material that we send will identify Streatham Baptist Church as the sender and will describe how people (data subjects) can object to receiving similar communications in the future. If a data subject exercises their right to object to direct marketing, we will stop the direct marketing as soon as possible.

## Section D – Working with Other Organisations and Transferring Data

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### 16. Sharing information with other organisations

- 16.1 We will only share personal data with other organisations or people when we have a legal basis to do so and if we have informed the data subject about the possibility of the data being shared (in a privacy notice), unless legal exemptions apply to informing data subjects about the sharing. Only authorised and properly instructed paid and voluntary staff and Church Leaders are allowed to share personal data.
- 16.2 We will keep records of information shared with a third party, which will include recording any exemptions which have been applied, and why they have been applied. We will follow the ICO's statutory [Data Sharing Code of Practice](#) (or any replacement code of practice) when sharing personal data with other data controllers. Legal advice will be sought as required.

### 17. Data Processors

- 17.1 Before appointing a contractor who will process personal data on our behalf (a data processor) we will carry out due diligence checks. The checks are to make sure the processor will use appropriate technical and organisational measures to ensure the processing will comply with data protection law, including keeping the data secure, and upholding the rights of data subjects. We will only appoint data processors who can provide us with sufficient guarantees that they will do this.
- 17.2 We will only appoint data processors who have provided written confirmation that they comply with all relevant legal requirements.
- 17.3 We will keep a current list of data processors in the Church Office and update it when required, so that it is available to view on request.

### 18. Transferring personal data outside the United Kingdom (UK)

- 18.1 Personal data cannot be transferred (or stored) outside of the United Kingdom unless this is permitted by the UK GDPR. This includes storage on a "cloud" based service where the servers are located outside the UK GDPR.
- 18.2 We will only transfer data outside the UK where it is permitted by one of the conditions for non-UK transfers in the UK GDPR.

## Section E – Managing Change & Risks

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### 19. Data protection impact assessments

- 19.1 When we are planning to carry out any data processing which is likely to result in a high risk we will carry out a Data Protection Impact Assessment (DPIA). These include situations when we process data relating to vulnerable people (e.g. for safeguarding purposes), trawling of data from public profiles, using new technology, and transferring data outside the UK. Any decision not to conduct a DPIA will be recorded.
- 19.2 We may also conduct a DPIA in other cases when we consider it appropriate to do so. If we are unable to mitigate the identified risks such that a high risk remains we will consult with the ICO. DPIAs will be conducted in accordance with the ICO's Code of Practice 'Conducting privacy impact assessments'.

### 20. Dealing with data protection breaches

- 20.1 Where a paid or voluntary member of staff, activity leader, church leader or any other church member, thinks that this policy has not been followed, or data might have been breached or lost, they must report this immediately to the Data Protection Compliance Officer.
- 20.2 We will keep records of personal data breaches, even if we do not report them to the ICO.
- 20.3 We will report all data breaches which are likely to result in a risk to any person, to the ICO. Reports will be made to the ICO within 72 hours from when someone in the church becomes aware of the breach.
- 20.4 In situations where a personal data breach causes a high risk to any person, we will (as well as reporting the breach to the ICO), inform data subjects whose information is affected, without undue delay.

This can include situations where, for example, bank account details are lost or an email containing sensitive information is sent to the wrong recipient. Informing data subjects can enable them to take steps to protect themselves and/or to exercise their rights.



## Schedule 1 – Definitions & Useful Terms

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The following terms are used throughout this policy and have their legal meaning as set out within the GDPR. The GDPR definitions are further explained below:

**Data controller** means any person, company, authority or other body who (or which) determines the means for processing personal data and the purposes for which it is processed. It does not matter if the decisions are made alone or jointly with others.

The data controller is responsible for the personal data which is processed and the way in which it is processed. We are the data controller of data which we process.

**Data processors** include any individuals or organisations, which process personal data **on our behalf** and on our instructions.

**Data subjects** include all living individuals who we hold or otherwise process personal data about. A data subject does not need to be a UK national or resident. All data subjects have legal rights in relation to their personal information. Data subjects that we are likely to hold personal data about include:

- a) Church members;
- b) Regular attenders;
- c) Those new to the church;
- d) Volunteers;
- e) Leaders / Trustees;
- f) Those who hire the premises;
- g) Employees (and former employees);
- h) Contractors and employees working for them;
- i) Tenants;
- j) Advisers and representatives of other organisations.

**ICO** means the Information Commissioners Office which is the UK's regulatory body responsible for ensuring that we comply with our legal data protection duties. The ICO produces guidance on how to implement data protection law and can take regulatory action where a breach occurs.

**Personal data** means any information relating to a natural person (living person) who is either identified or is identifiable. A natural person must be an individual and cannot be a company or a public body. Representatives of companies or public bodies would, however, be natural persons.

Personal data can be factual (for example, a name, address or date of birth) or it can be an opinion about that person, their actions and behaviour. Personal data is limited to information about living individuals and does not cover deceased people.

**Privacy notice** means the information given to data subjects which explains how we process their data and for what purposes.

**Processing** is very widely defined and includes any activity that involves the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing can also include transferring personal data to third parties, listening to a recorded message (e.g. on voicemail) or viewing personal data on a screen or in a paper document which forms part of a structured filing system. Viewing of clear, moving or stills images of living individuals is also a processing activity.

Special categories of data (as identified in the GDPR) includes information about a person's:

- a) Racial or ethnic origin;
- b) Political opinions;
- c) Religious or similar (e.g. philosophical) beliefs;
- d) Trade union membership;
- e) Health (including physical and mental health, and the provision of health care services);
- f) Genetic data;
- g) Biometric data;
- h) Sexual life and sexual orientation.

**The Responsible Person** is referred to in Schedule 3 and is either the Communications Coordinator, the Church Manager, or their designated representative, according to Step 3.

## Schedule 2 – ICO Registration

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**Data Controller:** Streatham Baptist Church

**Registration Number:** ZA394660

**Date First Registered:** 23 May 2018

**Registration Renewal:** 22 May (annually by direct debit)

**Address:** 22 Lewin Road, London SW16 6JR

## Schedule 3 – UK GDPR Subject Access Request Procedure

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N.B. Reference should be made to the Baptists Together Data Protection Guidance: Data Subject Access Requests (DSARs) May 2023 when handling any Subject Access Requests.

- 1) An individual submits a written request by email or hand to a staff member or volunteer at the Welcome Desk or in the Church Office.
- 2) The person receiving the request ensures that the date and contact details are recorded correctly and passes the request to the Church Manager (CM) or Communications Coordinator (CC) within three working days.
- 3) The CM or CC shall inform the other member of staff that such request has been received and that they shall maintain responsibility for the request unless responsibility is passed on to the other, or a designated representative.
- 4) If there is any doubt, the responsible person shall then confirm the identity of the requester. If there is any doubt, the responsible person shall also clarify the nature of the request to cover the scope and detail required.
- 5) Once satisfied, the responsible person shall then acknowledge the request to the requester including giving a time frame for the next response.
- 6) The responsible person shall check Church Office records including subject access searches, to identify what information is held about the individual.
- 7) The responsible person shall email all Activity Leaders to request a check if they hold any information on the requester and to respond with a yes or no within five working days.
- 8) If any information is held by the activity leader, the responsible person shall request it is returned to the responsible person within five working days.
- 9) The responsible person shall determine if any information is unnecessary or contains information that would breach the rights of another data subject or of Streatham Baptist Church, in which case further guidance should be sought e.g. from the Baptists Together or Information Commissioner's Office.
- 10) The responsible person creates a written response detailing the information held by the church. The response is suitably secured (e.g., encrypted, password protected document) before sending to the requester within thirty calendar days of the date of initial receipt of the request, unless previous steps have extended the time frame.
- 11) The responsible person securely files a record of the subject access request and the response given.

# Appendix 1

## Streatham Baptist Church Appropriate Policy Document

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**Schedule 1, Part 4, Data Protection Act 2018: processing of special category and criminal offence data for the purposes of Parts 1, 2 or 3 of Schedule 1 of the Data Protection Act 2018.**

### Section A – What the SBC Data Protection Policy Is For

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#### 1. What the SBC Data Protection Policy does

- 1.1** The SBC Data Protection Policy explains how and why Streatham Baptist Church (SBC) collects, processes and shares special category personal data about you.

This includes data relating to criminal convictions etc., in order to carry out our functions, in accordance with the data protection principles set out in the UK General Data Protection Regulation (UK GDPR.) Pursuant to Part 4 of Schedule 1 of the Data Protection Act 2018 (DPA 2018), special category data (Parts 1 and 2 of Schedule 1), and data relating to criminal convictions etc. (Part 3 of Schedule 1), can only be processed lawfully if it is carried out in accordance with the SBC Data Protection Policy. Streatham Baptist Church staff, trustees and volunteers must therefore have regard to this policy when carrying out sensitive processing on our behalf.

#### 2. Our approach to data protection

- 2.1** Streatham Baptist Church (SBC) is committed to ensuring that the collection and processing of personal data is carried out in accordance with the UK GDPR and the DPA 2018. This is implemented through the provision of training for all staff, trustees and volunteers on data protection to ensure compliance with our policies and procedures.

Streatham Baptist Church has published a number of policies and processes to assist data subjects and to explain how we handle personal data. These include the SBC Data Protection Policy and the SBC Data Retention Policy and Schedule which describe what information we hold, why we hold it, the legal basis for holding it, who we share it with, and the period we will hold it for.

Streatham Baptist Church has appointed a Data Protection Compliance Officer (DPCO) who is the Communications Co-Ordinator. The DPCO has the day-to-day responsibility for ensuring that the information SBC collects is necessary for the purposes required and is not kept in a manner that can identify the individual any longer than necessary. Data protection training is provided for all new staff and volunteers and regular updates on data protection is provided to staff, trustees and volunteers, to ensure that everyone is familiar with SBC data protection policies and procedures

and in particular the processing of any special category and criminal offence data. The DPCO will review any Data Protection Impact Assessments for Streatham Baptist Church.

Due to the nature of the activities performed by SBC, the church may need to share information with other organisations e.g. the Baptist Union of Great Britain and London Baptist Association and third parties, including statutory bodies and professional advisers, details of which can be found in our privacy notice.

## **Section B – Working With People Whose Data We Process (Data Subjects)**

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### **3. Special category data and criminal convictions etc. data**

#### **3.1 Special category data**

Personal data refers to any information by which a living individual can be identified. Individual identification can be by information alone or in conjunction with other information. Certain categories of personal data have additional legal protections when being processed. These categories are referred to in the legislation as “special category data” and are data concerning:

- health
- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data
- biometric data
- sex life or sexual orientation

#### **3.2 Criminal convictions etc. data**

The processing of criminal convictions etc. data also has additional legal safeguards. Criminal convictions etc. data (“criminal offence data”) includes information about criminal allegations, criminal offences, criminal proceedings and criminal convictions.

### **4. Special category and criminal offence data we process about you**

#### **4.1 Streatham Baptist Church collects, processes and shares special category and criminal convictions data where it is necessary, in order to carry out our functions.**

This processing is usually carried by the Designated Person for Safeguarding, the Minister for Safeguarding or the Trustee for Safeguarding for the purpose of safeguarding against any risks posed to others in our church or attending our church activities by those who are involved in our church, to mitigate the risk of individuals committing criminal offences (including of a sexual nature) and to assess individuals’ suitability for ministry or other work at Streatham Baptist

Church, including by reference to risks they may pose to others. These functions and the requisite processing of personal data are matters of substantial public interest.

- 4.2 If we process personal information about you, you are a “data subject.” Below is a non-exhaustive list of categories of data subjects who we might process information about:
- Employees, volunteers, workers or leaders/trustees of Streatham Baptist Church
  - A child or individual in membership with or associated with Streatham Baptist Church
- 4.3 Streatham Baptist Church will share this data with third parties only where strictly necessary (please see the section “Who we share your personal data with” below).
- 4.4 Special category data and criminal offence data may be collected from the following non-exhaustive list of sources:
- Data subjects
  - Church members or individuals in regular contact with the church – including the minister(s), leaders/trustees, staff or volunteers, and the church’s Designated Person for Safeguarding
  - The Baptist Union of Great Britain (BUGB) Specialist Teams, in particular the BUGB Ministries Team and National Safeguarding Team
  - London Baptists and in particular, London Baptists Safeguarding contact person
  - Police, Social Services, or the Local Authority Designated Officer for safeguarding
- 4.5 Streatham Baptist Church may also obtain and process this data for other statutory and legal obligations for example, including, but not limited to:
- responding to data subject access requests under data protection legislation
  - in connection with our duties under the Equality Act 2010

## **5. The legal basis for processing your special category or criminal convictions data**

- 5.1 Privacy Notices are available on the Streatham Baptist Church website. ([www.streathambaptist.com](http://www.streathambaptist.com)). The Privacy Notices set out the legal bases for our processing of your personal data.
- 5.2 Where we process special category and criminal offence data it will be by reference to Article 6(1)(f) UK GDPR and Conditions 10, 11, 12, 18, 19 and 31 of Schedule 1 Data Protection Act 2018, which are described below:

Article 6(1)(f) UK GDPR, where the processing is necessary for the purposes of the legitimate interests of Streatham Baptist Church, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Special category or criminal offence data may also be processed by Streatham Baptist Church where it fulfils one of the substantial public interest conditions under Schedule 1, Part 2 of the Data Protection Act 2018:

(i) Condition 10:

where the processing is necessary for the purposes of the prevention or detection of an unlawful act, it must be carried out without the consent of the data subject so as not to prejudice those purposes, and is necessary for reasons of substantial public interest.

In order to mitigate the risk of individuals committing criminal offences, including of a sexual nature, Streatham Baptist Church may undertake a risk assessment, receive, make a record of and share information about an individual who has been reported to us by another individual or a statutory authority, where there is a significant concern about their conduct and the risk they may pose to others.

(ii) Condition 11:

where the processing is necessary for the exercise of a protective function, it must be carried out without the consent of the data subject so as not to prejudice the exercise of that function, and is necessary for reasons of substantial public interest. In this paragraph, “protective function” means a function which is intended to protect members of the public against – dishonesty, malpractice or other seriously improper conduct, unfitness or incompetence, mismanagement in the administration of a body or association, or failures in services provided by a body or association.

Streatham Baptist Church may exercise protective functions in partnership with BUGB’s Safeguarding and Ministries Teams or the London Baptist Association, which include assessing individuals’ suitability for ministry or other work within Streatham Baptist Church, including by reference to risks they may pose to others. These functions are discharged by custom, practice and with the consensus of the members of Streatham Baptist Church and the requisite processing of personal data is a matter of substantial public interest.

(iii) Condition 12:

where the processing is necessary for the purposes of complying with, or assisting other persons to comply with, a regulatory requirement which involves a person taking steps to establish whether another person has committed an unlawful act, or been involved in dishonesty, malpractice or other seriously improper conduct, and in the circumstances the controller cannot reasonably be expected to obtain the consent of the data subject to the processing, and the processing is necessary for reasons of substantial public interest.

Streatham Baptist Church may, in partnership with the London Baptist Association or BUGB, investigate and risk assess an individual’s suitability for ministry or other work within or connected with Streatham Baptist Church or the Baptist family, which is in the substantial public interest and forms an integral part of “generally accepted principles of good practice” as per the definition of “regulatory requirement” in Condition 12.

(iv) Condition 18:

where the processing is necessary for the purposes of protecting an individual from neglect or physical, mental or emotional harm, or protecting the physical, mental or emotional well-being of an individual, the individual is - aged under 18, or aged 18 and over and at risk, the processing is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and (d) the processing is necessary for reasons of substantial public interest. (2) The reasons mentioned in sub-paragraph (1)(c) are – (a) in the circumstances, consent to the processing cannot be given by the data subject; (b) in the circumstances, the controller cannot reasonably be expected to obtain the consent of the data subject to the processing; (c) the processing must be carried out without the consent of the data subject because obtaining the consent of the data subject would prejudice the provision of the protection mentioned in sub-paragraph (1)(a).

Streatham Baptist Church may process criminal and special category data for the purposes of safeguarding minors and vulnerable persons or adults at risk.

(v) Condition 19:

where the processing is necessary for the purposes of protecting the economic well-being of an individual at economic risk who is aged 18 and over and the processing is of data concerning health, is carried out without the consent of the data subject for one of the reasons listed in sub-paragraph (2), and is necessary for reasons of substantial public interest. An “individual at economic risk” means an individual who is less able to protect his or her economic well-being by reason of physical or mental injury, illness or disability. Streatham Baptist Church may seek to rely on this condition if it is required to investigate allegations of financial abuse by an individual in ministry or other work or who is involved in the life of Streatham Baptist Church, for the purpose of safeguarding vulnerable persons or adults at risk.

Streatham Baptist Church may also seek to obtain, use and retain criminal offence data in reliance upon the following additional condition relating to criminal convictions under Schedule 1, Part 3 of the Data Protection Act 2018:

(vi) Condition 31:

where the processing is carried out by a not-for-profit body with a religious aim in the course of its legitimate activities with appropriate safeguards where it relates solely to the members or former members of the body or to persons in regular contact with it in connection with its purposes, and the personal data is not disclosed outside that body without the consent of the data subjects.



## 6. Who we share your personal data with

- 6.1 We are required to share your data with third parties where we have a legal obligation to do so. We may also share information with our partner organisations with whom we have a Data Sharing Agreement, or as set out in our Privacy Notices.

The persons/organisations we may share your special category and criminal offence data with are:

- Our charity trustees, employees, contractors and volunteers on a need-to-know basis
- The BUGB Specialist Teams and the London Baptist Association
- Churches and other appointing or employing bodies as appropriate
- Counsellors, professional supervisors and risk assessment consultants
- The Police and Social Services, Local Authority Designated Officers and other statutory agencies
- The Disclosure and Barring Service and our DBS Checking Company

Before sharing information with any of the above persons or organisations, careful consideration is given to the rights and freedoms of the data subject against what is needed to be shared to achieve our overarching goal of safeguarding children, young people and adults at risk from harm within Streatham Baptist Church and to support and promote exemplary ministry. Special category and criminal offence data is only disclosed where it is reasonably necessary to do so and a record and full details of any disclosure to third parties is kept.

## 7. Automated decision making

- 7.1 Currently Streatham Baptist Church undertakes no automated decision making in relation to your personal data.

## 8. How we keep your data secure and how long we keep it for

- 8.1 Streatham Baptist Church deploys a range of technical and organisational measures to protect the personal data it holds and processes. Controls include but are not limited to:

- Annual data protection training for all staff
- Acceptable & safe use of IT equipment and systems training for all staff
- Strong defences of the Streatham Baptist Church core IT system (e.g. Firewalls, Malware Detection & Defence)
- Encryption of data both at rest and in transit across Streatham Baptist Church networks where appropriate
- Where needed, appropriate redaction takes place before witness statements, case notes or investigation reports are shared
- Robust procedures for the reporting of any data or potential data breaches

These measures are under constant review by Streatham Baptist Church.

Streatham Baptist Church has a Data Retention Policy and Schedule which lists the data we hold and how long we hold it for. To find out how long we keep your data for please see our Data Retention Schedule.

## 9. Your rights in relation to the data we hold

9.1 Data protection legislation provides you with a number of rights relating to your personal data, including your special category and criminal conviction etc. data. These rights are subject to some specific exemptions. Your rights may include:

- the right to access your data
- the right to have your data corrected if it is wrong or incomplete
- the right to request restrictions to the processing of your data
- the right to object to your data being processed
- the right to have your data erased
- the right to be informed about how your data is processed

You should keep us informed of any changes to your information so that we can be confident that the data we hold about you is accurate. To understand more about these rights and how to exercise them please see our Privacy Notice and the Information Commissioner's Office website: <https://ico.org.uk/>.

## 10. Data Protection Compliance Officer/Contact

Our Data Protection Compliance Officer is the person responsible for matters relating to the protection of personal data. They can be contacted at the address below or by email: [info@streathambaptist.com](mailto:info@streathambaptist.com) or phone: 0208 769 1515.

## 11. Your right to complain to the Information Commissioner

If you are unhappy with any aspect of the way in which we have processed your personal data, you have the right to make a complaint to the Information Commissioner's Office: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF [www.ico.org.uk](http://www.ico.org.uk) Tel: 0303 123 1113 [casework@ico.org.uk](mailto:casework@ico.org.uk)

## 12. Feedback or complaints about Streatham Baptist Church, staff or volunteers

If you want to give us feedback or make a complaint about Streatham Baptist Church, its staff or volunteers in relation to the handling of your personal data, please contact: 0208 769 1515 or [churchmanager@streathambaptist.com](mailto:churchmanager@streathambaptist.com)

## 13. Review of this policy

13.1 The SBC Data Protection Policy will be regularly reviewed and may be subject to revision. Please visit our website to check for any updates.