



## MARRIAGE & BAPTISM PRIVACY NOTICE

### **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"), while Britain remains in the EU, and the Data Protection Act 2018 both before and after leaving the EU.

### **Who are we?**

This Privacy notice is provided to you by the PCC of St Mary's, Purton as the Data Controller <sup>1</sup>(contact details below). This means it decides how your personal data is processed and for what purposes.

### **What data do we process?**

We will process some or all the following where necessary to perform our tasks:

Names, titles, and aliases;

Contact details such as telephone numbers, addresses, and email addresses;

Where they are relevant to our duties, or where you provide them to us, we may process demographic information such as gender, age, date of birth, marital status, family composition, dependants, occupation or nationality;

Where you make donations, or pay for services delivered, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claims numbers.

The data we process is likely to constitute Special Category Data (formerly known as sensitive personal data) because, as a church, the fact that we process your data at all may be suggestive of your religious beliefs.

Only where you provide this information, we may also process other special category data: including racial or ethnic origin, sex life, mental and physical health, details of injuries, medication/treatment received, political beliefs, labour union affiliation, genetic data, biometric data, data concerning sexual orientation and criminal records, fines and other similar judicial records. However, such processing is dependent on you first supplying the information, so you are always in control of what special category data we process.

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

The PCC of St. Mary's, Purton 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

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<sup>1</sup> The incumbent (that is our Vicar), although being a member of the PCC is also a Data Controller in his/her own right in Pastoral matters.

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 the following purposes: -

- To enable us to meet all legal and statutory obligations (which include registering marriage and baptism in accordance with the Marriage Act 1949 (statute law), Parochial Registers and Records Measure 1978 (ecclesiastical law), and Canon Law (rules governing the conduct of the church).
- 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 deliver the Church's mission to our community, and to carry out any other voluntary or charitable activities for the benefit of the public as provided for in the constitution and statutory framework of the data controller.
- To administer membership records.
- To fundraise and promote the interests of the church as a charity.
- To maintain our own accounts and records (including the processing of Gift Aid applications).
- To inform you of news, events, activities, and services running at St Mary's.
- 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, other fundraising activities.
- To process a grant or application for a role.
- Our processing also includes the use of CCTV systems for the prevention and detection of crime.

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

There are several legal bases on which we may rely, depending on the reason for processing. These are:

- In the instance of marriage and baptism processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller namely the registration and storage of records pertaining to these ceremonies.
- Some of our processing is necessary for compliance with a legal obligation. For example, we are required by the Marriage Act 1949 to register marriages conducted by us in our parish and to convey the details of the registration to the Superintendent Registrar. Similarly we are required by the Parochial Registers and Records Measures 1978 to register every private or public baptism conducted by us in our parish and to retain the register for posterity. Church Representation Rules require us to administer and publish the electoral roll, and under Canon Law to announce forthcoming weddings by means of the publication of banns. In finance we process and share data with HMRC to claim tax relief about Gift Aid, or under employment, social security or social protection law, or a collective agreement. We process data for accounting purposes leading to the sharing of data with Companies House and the Charities Commission.
- In some instances, we may ask for your explicit consent so that we can keep you informed about news, events, activities and services and keep you informed about 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.
- Most of our data is processed because it is necessary for our legitimate interests which surround the smooth running of the organisation of the church. Included in this is small groups for study or prayer; rotas for maintenance or functions such as bell ringing and cleaning and the administration connected with fund raising. However, attempts to engage you in fund raising will only be done with your informed consent if we are contacting you by email. Other methods such as open letters may also be utilised for fund raising. Additionally, 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 when relying on this legal basis for processing your data.

- Where your information is used other than in accordance with one of these legal bases, and where another legal basis is not considered appropriate, then we will first obtain your consent to that use.

### **What is the legal basis for processing your special category data?**

Processing of personal data revealing religious beliefs shall be prohibited unless we rely on one of the following conditions:

- *The data subject has given explicit consent to the processing of those personal data for one or more specified purposes except where the law prevents this.*
- *Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent.*
- *Processing is carried out in the course of its legitimate activities with appropriate safeguards by a not-for-profit body with a religious aim provided: -*
  - *the processing relates only to members or former members of the body or to persons who have regular contact with it in connection with those purposes; and*
  - *there is no disclosure to a third party without the consent of the data subject.*
- *Processing relates to personal data which are manifestly made public by the data subject.*
- *Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

This means that we can process your personal data within the 'church family', described as members, former members and people in regular contact with us on church family matters. Disclosure to others (third parties) can only be done when that data is clearly or obviously made public by the data subject, such as in newspapers and on social network, with your explicit consent or for archiving purposes as in our obligations to make public the records of your marriage or baptism.

### **Sharing your personal data**

Certain personal data must by law be shared or made available to the public domain and this includes the particulars within your relevant registration certificate. This and further data supplied by you will be treated as strictly confidential and will only be shared with other members of the church to carry out a service to church members or for purposes connected with the church.

We will only share your special category data with third parties on a strictly limited basis and where we have a lawful condition in place, or you give us explicit consent to do so. It is likely that we will need to share your data with some or all the following, but only where necessary:

- The appropriate bodies of the Church of England;
- Our agents, servants and contractors. For example, we may ask a commercial provider to send out newsletters on our behalf, or to maintain our database software;
- Registrar General of Births, Deaths and Marriages in England, HMRC and the Charities Commission;
- On occasion, other churches with which we are carrying out joint events or activities.

### **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. We are unlikely to want to transfer your data abroad except where you have indicated your desire to be informed of Ministries in other countries. We may use cloud technology (such as 'Onedrive' or 'Dropbox') for the storage of data and of course these facilities are invariably located outside of the UK. Our website is also accessible

from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Clearly it is out of our control that research on the internet can reveal details of birth, death, marriages and baptisms.

### **How long do we keep your personal data?**

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 [see link below].

Specifically, we retain electoral roll data while it is still current; gift aid declarations and associated paperwork for up to 6 years after the calendar year to which they relate; and parish registers (baptisms, marriages, funerals) permanently.

In general, we will endeavour to keep data only for as long as we need it. This means that we may delete it when it is no longer needed.

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

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

1. The right to be informed about the collection and use of their personal data. This is a key transparency requirement under the GDPR.

We have complied with this by providing you with this privacy notice.

2. The right of access, commonly referred to as subject access, gives individuals the right to obtain a copy of their personal data as well as other supplementary information. It helps individuals to understand how and why we are using their data, and check we are doing it lawfully.

3. The right of rectification whereby, individuals have the right to have inaccurate personal data rectified. An individual may also be able to have incomplete personal data completed – although this will depend on the purposes for the processing. This may involve providing a supplementary statement to the incomplete data.

4. The right to erasure whereby, individuals have the right to have personal data erased. This is also known as the ‘right to be forgotten’. The right is not absolute and only applies in certain circumstances.

5. The right to restrict processing of your personal data where you have a reason for wanting the restriction. The right is not absolute and only applies in certain circumstances. This might be invoked if, for example, you have issues with the content of the information we hold or how we have processed your data. In most cases we will not be required to restrict the processing of an individual’s personal data indefinitely but will need to have the restriction in place for a certain period. This right has close links with the right to rectification and the right to object.

6. The right to data portability gives individuals the right to receive personal data they have provided to a controller in a structured, commonly used and machine-readable format. It also gives you the right to request that a controller transmits this data directly to another controller.

7. The right to object to the processing of personal data where applicable. This effectively allows individuals to ask us to stop processing their personal data. This right only applies in certain circumstances. Whether it applies depends on our purposes for processing and our lawful basis for processing.

8. Rights in relation to any automated individual decision-making (deciding solely by automated means without any human involvement); and profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process.

9. The right to withdraw your consent to the processing at any time for any processing of data to which consent was sought.

You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

10. The right to lodge a complaint with the Information Commissioner’s Office.

### **The source of personal data**

Where we receive your personal data from someone other than you, then we will advise you of this fact and from whom the information was obtained. Where we seek your personal information from you, we will advise you if you are under a contractual or legal obligation to supply the information.

### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data 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, unless some other legal basis exists, which we will convey to you prior to that processing.

### **Changes to this Notice**

We keep this Privacy Notice under regular review, and we will place any updates on this web page <http://www.stmaryspurton.org.uk/>. This Notice was last updated in February 2021.

### **Contact Details**

Please contact us if you have any questions about this Privacy Notice or the information, we hold about you, or to exercise all relevant rights, queries or complaints at:

The Data Controller, The Vicarage, 2 Kings Acre, Hyde Lane, Purton, SN5 4DU.

Email: [dataprotection@stmaryspurton.org.uk](mailto:dataprotection@stmaryspurton.org.uk)

'Keep or bin: Care of your Parish Records'. <https://www.churchofengland.org/more/libraries-and-archives/records-management-guides>

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.

*The Parochial Church Council of St. Mary's Purton is an excepted charity for registration with the Charity Commission. It has full charitable status as a Body Corporate under the Parochial Church Councils (Powers) Measure 1956. It has a registration number of X95578 with HMRC for claiming Gift Aid.*