

# GDPR Policy (version 3 – Reviewed August 2022)

## General Data Protection Regulation (GDPR) 25th May 2018

The General Data Protection Regulation replaces the existing law on data protection (the Data Protection Act 1998) and gives individuals more rights and protection as to how their personal data is used by organisations.

The information you provide will be held by New Day Church under the General Data Protection Regulation (GDPR) 2018. We will do all we can to protect your privacy and to make sure any personal information you share with us is stored securely.

We value and respect everyone who has a connection with us. In line with our Christian beliefs, our aim is to be as clear as possible about how and why we use the information you give us. If your questions are not fully answered by the information below, please contact us.

By providing your personal details you agree to allow New Day Church to contact you either on the basis of the consents you have given us or for our Legitimate Interests in accordance with current data protection regulations. We will not share your data with third parties outside of the church.

### 1. Who is the Data Protection Controller of New Day Church?

The Board of New Day Church is the data controller. This means that this body decides how your personal data is processed and used.

### 2. 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).

### 3. How do we collect information about you?

We collect personal information from you in a variety of ways: e.g. if you complete a consent form, if you become a member, make a donation, book into an event, request a resource, give your details to a member of staff, if you complete a paper sign up form or card at an event.

### 4. How do we process your personal data?

New Day Church 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.

*\*Keeping us up to date with your details and contact preferences:*

- **Please tell us** as soon as any of your contact details change so that we can keep our records up to date.
- **You can change the way we contact you** or the kind of material we send you at any time by contacting us by mail or email using the contact details in Section 11 below.
- **You can unsubscribe** from our regular emails at any time by using the 'unsubscribe' or 'change preferences' links on the email you have received.

## 5. How do we use your personal data?

- To administer membership records;
- To inform you of news, events, activities and services at New Day Church.
- To process donations you may give us and maintain our own accounts and records (including the processing of gift aid applications);
- To organise rotas and other administrative tasks.
- To ask for financial and non-financial support, such as prayer.
- To customise the information we send to ensure we work in the most cost-effective way and only send information which is appropriate to you.
- To record your attendance or involvement at a New Day Church event.
- To enhance or improve your experience on our website. When you indicate your preferences through the use of our site, we may use this information to personalise the site to better meet your needs.
- New Day Church may carry out analysis of the personal information we collect about you to create a profile of your interests and preferences so we can contact you in the most appropriate way and with the most relevant information.

## 6. How long do we keep your personal data?

- We retain contact details as long as you are a member of New Day Church and for up to 1 year thereafter in case of any need to contact you in relation to your time at New Day Church.
- Gift aid declarations and associated paperwork (including contact details) for up to 6 years after the calendar year to which they relate;
- New Day Church Records of dedications, baptisms, marriages and funerals permanently.
- We retain attendance registers indefinitely in order to satisfy our Safeguarding Policy, procedures and guidelines, as set out by Thirtyoneeight. Attendance registers are kept by various streams/ministries, e.g. children, youth etc. More information about our Safeguarding Policy can be found on our website or by contacting: [admin@newdaychurch.uk](mailto:admin@newdaychurch.uk)

## 7. Viewing the Information we hold about you

You may request details of all the information that New Day Church holds about you by submitting a written request to our Board. Please write to: The Data Protection Controller, Board of New Day Church, Ward Street, Lostock Hall, Preston, PR5 5HR.

## 8. Who sees your information?

The Board and Administrator of New Day Church, solely for purposes connected with our church and its activities, have access to your contact details. Your personal data will be treated as strictly confidential and will be shared only with other members of the church and **only** with your express permission. We will **not** share your data with third parties outside of New Day Church.

## 9. 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:

- **The right to be informed** about the identity of New Day Church and how the church intends to use your information (this is usually achieved through the Data Privacy Notice);
- **The right of access** to your personal data which New Day Church holds about you;
- **The right to be forgotten (erasure)** - to request that your personal data be erased where it is no longer necessary for New Day Church to retain such data;
- **The right to withdraw** your consent to the processing at any time;
- **The right to rectification (correction)** - to request that New Day Church corrects any personal data if it is found to be inaccurate or out of date;

- **The right to data portability** - request that the data controller provide the data subject with his/her 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 to object** to the processing of personal data, (where applicable);  
*[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.

## **10. Further Processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a 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.

## **11. Contact Details**

To exercise all relevant rights, queries or complaints please write to: The Data Protection Controller, Board of New Day Church, Ward Street, Lostock Hall, Preston, PR5 5HR.

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.

## APPENDIX 1

### GDPR: Subject Access Requests

Requests may be for one or more of the following: -

- Right of Access
- Right of Rectification
- Right of Erasure
- Right to Restrict Processing
- Right to Data Portability
- Right to Object
- Rights related to automated decision making including profiling.

#### **How to recognise a subject access request and when the right of access applies.**

The GDPR does not specify how to make a valid request, a subject access request can be verbally or in writing. It can also be made to any part of NDC (including by social media) and does not have to be to a specific person or contact point.

A request does not have to include the phrase 'subject access request' or Article 15 of the GDPR, just needs to be clear that the individual is asking for their own personal data we hold.

#### **We have a policy for how to record requests we receive verbally.**

A record should be kept of all SAR requests. Where the request is made verbally a check should be made with the requester that we have understood their request. This can help avoid later disputes about how we have interpreted the request.

Requests data should be held securely, either on paper or electronically.

#### **We understand when we can refuse a request and are aware of the information we need to provide to individuals when we do so.**

In most circumstances the information requested would be made available. However, there are exemptions and the Information Commissioner's Office website should be consulted to check if an exemption is appropriate.

We can refuse to comply with a subject access request if it is:

- manifestly unfounded; or
- excessive.

In order to decide if a request is manifestly unfounded or excessive each request should be considered on a case-by-case basis. We do not have a blanket policy. We must be able to demonstrate to the individual why we consider the request is manifestly unfounded or excessive and, if asked, explain our reasons to the Information Commissioner.

#### **Supplementary information we may need to provide in response to a subject access request.**

A copy of NDC Privacy Notice should be sent with the response.

#### **Response Timescale**

Responses should be made without undue delay and at the latest within one month of the receipt of the request or (if later) within one month of receipt of any information requested to confirm the requester's identity.

Response due dates must be monitored in the recording system to ensure due dates are achieved.

**Extending the time limit to respond to a request.**

We can extend the time to respond by a further two months if the request is complex or we have received a number of requests from an individual. We must let the individual know within one month of receiving their request and explain why the extension is necessary.

**Disclosing Information to a Child.**

Replies to a child should be written in clear and plain language with no assumption that they have an understanding of GDPR terminology.

**If a request includes information about others.**

The ICO guidance states "Responding to a subject access request may involve providing information that relates both to the individual making the request and to another individual.

The DPA 2018 says that you do not have to comply with the request if it would mean disclosing information about another individual who can be identified from that information, except if:

- \*the other individual has consented to the disclosure; or
- \*it is reasonable to comply with the request without that individual's consent.
- \* In determining whether it is reasonable to disclose the information, you must take into account all of the relevant circumstances, including:
  - the type of information that you would disclose;
  - any duty of confidentiality you owe to the other individual;
  - any steps you have taken to seek consent from the other individual;
  - whether the other individual is capable of giving consent; and
  - any express refusal of consent by the other individual."

For further detail please refer to the ICO website.