

DATA PROTECTION

A Useful Pack for Congregations

We are currently living in the 'information age' and, due to vast advances made with technology in recent years, information - particularly digital information - is everywhere.

Whilst the Data Protection Act 1998 is not new law, given some recent high-profile enforcement actions taken by the Information Commissioner, together with the increased use of technology in churches, the Law Department is taking this opportunity to remind congregations and financial boards of their current responsibilities with regard to personal data.

The following documentation is attached:

- A Guidance Note on Data Protection for congregations
- A Draft Data Protection Policy to implement
- Style Consent forms A - C to adapt and implement

Could you please read through the enclosed information and ask your financial board to consider what personal data is held by your congregation at present, and what it is likely to obtain and retain in the future as well as the following questions:

- Are there appropriate safeguards in place for information currently stored and transmitted?
- Is there information held that is out of date and/or no longer required?
- Has, where necessary, the consent of the data subjects been obtained to store, process and transmit their information and is that appropriately recorded?
- Does the current Register of Data Controllers entry relating to your entry accurately capture all the processing being carried out by the congregation which needs to be notified*?

It is recommended that financial boards consider appointing an office bearer or a member of the congregation who expertise in this area as the congregation's Data Protection Officer to liaise with the Presbytery Clerk as and when required and annually in advance of renewal of the Presbytery's registration with the Information Commissioner. The Data Protection Officer should be "visible" within the congregation as the person to whom queries in relation to compliance with the Act can be directed in the first instance. He/she should also report any issues or concerns to the financial board and Presbytery and - ideally - be able to deliver training if necessary. A useful training video is available on the Information Commissioner's webpage and the attached guidance note contains a link to it.

Ultimately Data Protection is everyone's responsibility. There is an obligation in law to protect the personal data held about members and others and to protect the privacy of those who do not wish their details to be made public.

Please direct any queries to the Law Department. We are more than happy to assist.

*The Register entry for your Presbytery can be viewed by entering the name of the Presbytery in the "name" section of the search box at:

<http://www.ico.gov.uk/ESDWebPages/search.asp>