

## DATA PROTECTION POLICY

### THE CONGREGATION OF TAIN AND FEARN OF THE FREE CHURCH OF SCOTLAND IN NORTHERN PRESBYTERY

#### 1 Purpose and scope

- 1.1 We process personal data about office holders, employees, volunteers, members, former members, adherents, contractors, suppliers, and other individuals who interact with us. Personal data refers to information that identifies a person, directly or indirectly, including names, contact details, opinions, and intentions about individuals.
- 1.2 Processing includes collecting, editing, storing, disclosing, sharing, viewing, recording, deleting, and other actions involving personal information. We are committed to processing personal information lawfully and appropriately according to the Data Protection Act 2018 ("the 2018 Act") and the UK General Data Protection Regulation ("UK GDPR").
- 1.3 This policy outlines data protection principles, handling special category data, our legal bases for processing data, data security measures, sharing data, managing data breaches, and the rights of data subjects. This policy applies to everyone involved in processing personal information for the congregation.
- 1.4 We maintain a separate Privacy Notice and Data Retention Policy available upon request or via our noticeboard and website. This policy does not form part of employment or service contracts and will be reviewed regularly to comply with data protection laws.
- 1.5 Non-compliance with this policy may result in disciplinary action, including dismissal for gross misconduct.

#### 2 Data Protection Principles

- Processed lawfully, fairly, and transparently.
- Collected for specific, explicit, legitimate purposes.
- Adequate, relevant, and limited to necessary purposes.
- Accurate and updated as necessary.
- Retained no longer than necessary.

- Securely processed to protect against unauthorised or unlawful processing and accidental loss.

### 3 Special categories of personal data

3.1 Special categories of data require additional protections. These include data on racial or ethnic origin, political opinions, religious beliefs, trade union membership, genetic and biometric data, health, sexual orientation, and sex life. Much of our data may imply religious beliefs, thus falling into this category.

## 4. Legal Bases for processing personal information and special categories of personal information

4.1 We process personal data based on:

- Consent provided by the individual.
- Legitimate interests that do not override individuals' rights.
- Performance of contracts.
- Compliance with legal obligations.

4.2 For special category data, we process when:

- Processing is part of our legitimate religious activities, restricted within our congregation, and not disclosed externally without explicit consent.
- Explicit consent is provided.
- Necessary to protect individuals from harm, especially those under 18 or vulnerable adults.

## 5. Access to personal information and keeping it secure

5.1 All personnel handling personal data must comply with this policy, our Data Retention Policy, and Privacy Notice. Specific rules include:

- Accessing data only when necessary.
- Limiting access to authorised individuals.
- Ensuring accuracy and timely updates.
- Securely storing data (lockable storage, secure passwords).
- Encrypting personal data when stored electronically or transported.

- Regularly updating and safeguarding passwords.
- Ensuring no joint or shared email addresses are used for personal data.
- Using secure disposal methods for confidential waste.
- Avoiding personal data transfers outside the UK without approved safeguards under UK GDPR.

## **6. Sharing personal data**

6.1 Personal data may be shared within the Free Church of Scotland, strictly for legitimate interests and safeguarding purposes. Any sharing beyond this will comply with UK GDPR standards.

6.2 We will not send personal data outside the UK without suitable protections or explicit notification and consent.

## **7. If there is a data security breach**

7.1 A data breach includes accidental loss, theft, unauthorised access, or destruction of data. If a breach occurs with risk to individuals' rights, we will inform the ICO within 72 hours, coordinated by the Data Protection Officer and Session Clerk.

## **8. Subject access requests**

8.1 Individuals may request their personal data in writing. Requests should be directed to the Session Clerk, with responses provided within 30 days.

8.2 Concealing or destroying data related to a request is a criminal offence.

## **9. Rights of Data subjects**

9.1 Individuals have rights under UK GDPR, including accessing their data, rectifying inaccuracies, requesting erasure when data is no longer needed, and withdrawing consent. Such requests should be sent to the Data Protection Officer or Session Clerk.

## **10. Training**

10.1 We will ensure that all those engaged in processing personal information for the congregation receive adequate training in their data protection responsibilities

## **11. Contracts**

11.1 If any processing of personal information is outsourced to an external data processor we will enter into a contract with them to ensure compliance with data protection law.

## 12. Data Protection Policy Review

12.1 This policy will be reviewed regularly to remain current with legal requirements.

Adopted: [Insert Adoption Date]

**Implementation Responsibility:** Congregation Trustees

Tain and Fearn Free Church of Scotland, Scottish Charity Number: SC013392