King’s Church Edinburgh

DATA PROTECTION POLICY

Adopted: 25 May 2018

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King's Church 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.

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Section A – What this policy is for

1. Policy statement

1.1. King's Church 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. King's Church does not use any operation or series of operations performed on personal data that is carried out by automated means, without human intervention.

We process personal data to help us:

a) maintain our list of church members and regular attendees;

b) provide pastoral support for members and others connected with our church;

c) provide services to the community including, but not limited to, room hire, toddler groups, youth clubs, befriending services, alpha courses and discipleship courses.

d) safeguard children, young people and vulnerable adults;

e) recruit, support and manage staff and volunteers;

f) undertake research about the demographics visiting our church and community services which could benefit areas we are called to serve

g) maintain our accounts and records

h) contact key suppliers and professional advisors

i) promote our services and events and to keep people up to date with what is happening at King's and

j) respond effectively to enquirers and handle any complaints.

1.2. This policy has been approved by the church's Charity Trustees who are responsible for ensuring that we comply with all our legal obligations. (The current trustee with responsibility for data protection issues will be named on the cover page.) It sets out the legal rules that apply whenever we obtain, store or use personal data.

2. Why this policy is important

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.

2.1. 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.

2.2. In particular, in accordance with the General Data Protection Regulation, 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 & what you need to know

3.1. **As an employee, trustee or volunteer** processing personal information on behalf of the church, you are required to comply with this policy. If you think that you have accidentally breached the policy it is important that you contact our Church staff member with responsibility for data protection immediately so that we can take swift action to try and limit the impact of the breach (the current Church staff member with responsibility for data protection is named on the cover page; hereafter referred to as the "GDPR Administrator").

2.3. Anyone who breaches the Data Protection Policy may be subject to disciplinary action, and may expose King's Church to regulatory action. 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. **As a team leader/manager:** You are required to make sure that any procedures that involve personal data, that you are responsible for in your area, follow the rules set out in this Data Protection Policy.

3.3. **As a data subject of King's Church:** We will handle your personal information in line with this Data Protection Policy.

3.4. **As an appointed data processor/contractor:** Companies who are appointed by us as a data processor are required to comply with this policy under the contract with us. Any breach of the policy will be taken seriously and could lead to us taking contract enforcement action against the company, or terminating the contract. Data processors have direct obligations under the GDPR, primarily to only process data on instructions from the controller (us) and to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk involved.

3.5. **Our GDPR Administrator, in conjunction with the trustees,** is responsible for advising King's 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 the development of this policy. Any questions about this policy or any concerns that the policy has not been followed should be referred to them using the contact details listed on the cover page of this document.

3.6. Before you collect or handle any personal data as part of your work (paid or otherwise) for King's 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.

3.7. 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 GDPR Administrator.

4. Training and guidance

4.1. We will provide general training at least annually for all staff to raise awareness of their obligations and our responsibilities, as well as to outline the law.

4.2. We may also issue procedures, guidance or instructions from time to time.

Section B – Our data protection responsibilities

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). This includes data we receive 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 can include information such as names and contact details, education or employment details 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.

5.4. We will not hold information relating to criminal proceedings or offences or allegations of offences unless there is a clear lawful basis to process this data such as where it fulfils one of the substantial public interest conditions in relation to the safeguarding of children and of individuals at risk or one of the additional conditions relating to criminal convictions set out in either Part 2 or Part 3 of Schedule 1 of the Data Protection Act 2018.

5.5. 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 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 legitimate interests** pursued by King's Church or another organisation, 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, we will inform them about: our identity/contact details, 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 European Union; how long the data will be stored and the data subjects' rights.

This information is commonly referred to as a 'Privacy Notice'.

This information will be given at the time when the personal data is collected. It is provided as text on our Connect Cards and via a QR code on any other hardcopy forms that collect personal data. It is provided via an online link on all online forms that collect personal data.

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 onto someone else outside of King's 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 and it will be as easy to withdraw consent as it is to give consent.

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 6.5.5) 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.

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. We will comply with official guidance issued to our sector about retention periods for specific records.

11.2. Information about how long we will keep records for can be found in our Data Retention Schedule.

12. Security of personal data

12.1. We will use appropriate 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.

Measures will include technical and organisational security measures. 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 (of varying likelihood and severity) 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;

b) measures to restrict or minimise access to data;

c) measures to ensure our systems and data remain available, or can be easily restored in the case of an incident;

d) physical security of information and of our premises;

e) organisational measures, including policies, procedures, training and audits;

f) regular testing and evaluating of the effectiveness of security measures.

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 we process data about (data subjects)

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 colleague receives any request from a data subject that relates or could relate to their data protection rights, this will be forwarded to our GDPR Administrator **immediately**.

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 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.

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 King's Church as the sender and will describe how people 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 & transferring data

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 staff 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 on the basis of a written contract that will require the processor to comply with all relevant legal requirements. We will continue to monitor the data processing, and compliance with the contract, throughout the duration of the contract.

18. Transferring personal data outside the European Union (EU)

18.1. Personal data cannot be transferred (or stored) outside of the European Union unless this is permitted by the GDPR.

18.2. We will only transfer data outside the EU where it is permitted by one of the conditions for non-EU transfers in the GDPR

19. Use of Artificial Intelligence

19.1. We will not enter any personal data (whether relating to church members, employees, or any other category) into any Large Language Model or other Artificial Intelligence system.

19.2. We will ensure our agreements with third party data processors do not allow them permission to enter personal data into AI systems without our express written consent, which will only be given following completion of a written risk assessment considering the reasons that use of AI is deemed necessary, and the appropriate mitigation of any risks this presents.

Section E – Managing change & risks

20. Data protection impact assessments

20.1. 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, trawling of data from public profiles, using new technology, and transferring data outside the EU. Any decision not to conduct a DPIA will be recorded.

20.2. 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.

20.3. DPIAs will be conducted in accordance with the ICO's Code of Practice 'Conducting privacy impact assessments'.

21. Dealing with data protection breaches

21.1. Where staff or volunteers, think that this policy has not been followed, or data might have been breached or lost, this will be reported **immediately** to the GDPR Administrator.

The GDPR Administrator will report serious data breaches to the Trustees, and if necessary in their opinion, to the ICO.

21.2. We will keep records of personal data breaches, even if we do not report them to the ICO.

21.3. 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.

21.4. 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 and useful terms

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 e.g. an external organisation which provides secure waste disposal for us. This definition will include the data processors' own staff (note that staff of data processors may also be data subjects).

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) the people we care for and support;
b) our employees (and former employees);
c) consultants/individuals who are our contractors or employees working for them;
d) volunteers;
e) tenants;
f) trustees;
g) complainants;
h) supporters;
i) enquirers;
j) friends and family;
k) 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 is limited to information about living individuals and does not cover deceased people.

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.

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:

l) Racial or ethnic origin;

m) Political opinions;

n) Religious or similar (e.g. philosophical) beliefs;

o) Trade union membership;

p) Health (including physical and mental health, and the provision of health care services);

q) Genetic data;

r) Biometric data;

s) Sexual life and sexual orientation.

Schedule 2 – ICO Registration

Data Controller: King's Church Edinburgh

Reference Number: ZA372596

Date Registered:[1] 17 May 2025

Registration Expires: 17 MAY 2026

Address:
104 Gilmore Place
Edinburgh
EH3 9PL

[1] We first registered on 17 May 2018. The Reference Number changes each year with each new yearly registration. Our registration has not lapsed since we first registered.

Schedule 3 – Data Retention

The general principle is that Data should never be retained for longer than it is necessary to hold it to fulfil the purpose for which it was collected. Whenever you start collecting data on behalf of King's Church, a data retention policy should be considered and agreed with the GDPR Administrator. It should then be added to this schedule.

Data	Retention period	Person responsible
ChurchSuite Address Book	Members and regular attendees' details will be held indefinitely unless they request that their data be deleted. Former members and former regular attendees' data will continue to be held for up to 24 months and then it will be deleted unless they request that we keep their details to enable us to stay in contact.	GDPR Administrator & Church Administrator
Paper Connect Forms	Destroyed as soon as possible after entry into ChurchSuite. They will be kept no longer than 3 weeks after they are first filled in.	Church Administrator
Paper `Give Thanks' forms	Forms to be deposited in office after service on Sunday. Administrator to enter details into electronic document on their own computer, then securely destroy hard copy cards as soon as possible afterwards.	Church Administrator
News Email via King's Website Sign-Up Page	Indefinitely until individual unsubscribes.	N/A
Membership Process	Data is collected electronically through a form on ChurchSuite. Information in ChurchSuite will be held until a member's details are removed from the address book. Removal of data will happen within 24 months of the individual leaving the membership of the church, or immediately at the request of the individual.	Church Administrator & Elders
Financial Giving to King's	7 years to comply with gift-aid legal requirement	Accountant & Finance Administrator
Kids Work at King's	'New child details' forms will be destroyed as soon as possible after entry into ChurchSuite. These paper forms will be kept no longer than 3 weeks after they are first filled in. Details will be held on ChurchSuite indefinitely, or until we are notified that the child and their family no longer attends King's Church. Details will then be held for up 24 months and then deleted. Weekly paper kids work registers will be destroyed as soon as the attendance information is entered into ChurchSuite. Attendance data at our kids' work groups will be stored on ChurchSuite indefinitely, for safeguarding purposes.	King's Kids Coordinator & GDPR Administrator

Youth Work at King's	Event specific information to be destroyed as soon as possible after event, unless otherwise agreed with GDPR Administrator. General contact information should be checked annually and individuals who are no longer participating in youth work removed from ChurchSuite.	Youth Development Worker & GDPR Administrator
King's Event Attendance (including e.g. GROW, The Bible Course, and the Weekend Away)	List of attendees to be kept for 3 years to allow monitoring of patterns of attendance in order to flag pastoral issues and help King's Church gauge engagement with events among church attendees. A record of anyone's attendance at a past event will be destroyed immediately on request, or within 24 months of an individual leaving King's Church.	GDPR Administrator & Church Administrator
Path of Disciples Course ('POD')	A record of which stage participants are at in the POD course will be stored on ChurchSuite as long as participants are still associated with the church. A record of completion of the POD course will be stored on ChurchSuite indefinitely, until that individual is no longer associated with King's Church through membership or attendance, or until they request to have their data removed from ChurchSuite.	GDPR Administrator & Overseer of POD course
King's Tots (Parent & Toddler Group)	Data to be reviewed every 24 months. Details of anyone who no longer attends the group to be deleted at this point.	King's Tots Administrator
Hub104	Event specific information to be destroyed as soon as possible after event, unless otherwise agreed with GDPR . General contact information should be checked annually and individuals who are no longer attending Hub104 should be removed from ChurchSuite.	Youth Development Worker
Evergreen Café	Indefinitely until the individual requests it be deleted. Data should be reviewed every 2 years and data for people who haven't attended in over 24 months should be deleted.	Evergreen Cafe organiser
Building Hire	Paper & electronic booking forms are kept for up to 12 months after completion. Data on ChurchSuite is stored for up to 7 years as evidence of the figures in our bank accounts.	Building Manager
King's Church Employees	Contact details, appraisals and reviews will be held for 5 years after the end of employment. Financial information will be held for at least 3 years after the end of employment.	Elders & GDPR Administrator

Past areas which are not currently in operation

West Lothian Church Plant	Indefinitely until individual unsubscribes.	West Lothian Church Plant leadership team
Alpha Course	Attendees' data should be deleted within 1 month of the end of the Alpha Course, unless specific consent is granted to add someone's details to any future mailing list or news email.	Alpha Leader
New Ground Academy (Leadership	List of graduates' names to be kept indefinitely unless a specific removal request is made. Other personal data to be removed as soon as possible after completion of the	Academy Administrator

Training Course)	course, unless explicit consent is given to go on any future mailing list or news email.	