

# DATA PROTECTION NOTICE

## **Church of the Holy Cross, Davidson's Mains, Edinburgh**

*Holy Cross, Davidson's Mains, Edinburgh is a Registered Scottish Charity, No SC015766*

### **1. 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 2016/679 (the "GDPR").

### **2. Who are we?**

The Vestry of Holy Cross, Davidson's Mains and the Rector or Priest in Charge (the Clergy) are each a data controller (contact details below). This means they each decide how your personal data is processed and for what purposes.

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

The Vestry of Holy Cross, Davidson's Mains and the Clergy comply with their 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 and organisational measures are in place to protect personal data.

The Clergy will use your personal data in order to provide pastoral care to you and to administer records such as the Communicants' Roll and the Adherents' Roll.

The Vestry use your personal data for the following purposes: -

- To administer membership records;
- To fundraise and promote the interests of the charity;
- To manage our employees and volunteers;
- 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 Holy Cross and in the broader Scottish Episcopal Church;
- To share your contact details with the diocesan office so they can keep you informed about news in the diocese and events, activities and services that will be occurring in the diocese and in which you may be interested;
- To share your contact details with the diocesan office if you are appointed to a role within the congregation or diocese for the purposes of church administration;
- To share your contact details with the General Synod Office if you are appointed to a role within the congregation or diocese for the purposes of church administration;
- To enable us to provide a voluntary service for the benefit of the public.

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

Explicit consent of the data subject;

This is so that we can keep you informed about news, events, activities and services and other events throughout the Scottish Episcopal Church via e-mail, telephone and text; and share any sensitive personal data with the clergy, the Vestry, Diocesan authorities and General Synod Office, for example, the fact that you have joined the Communicants' Roll.

If you are an employee of the Vestry and the processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement;

Processing is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided: -

- the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and
- there is no disclosure to a third party without consent.

Processing is necessary for our legitimate interests. This means that we can process your personal data if (i) we have a genuine and legitimate reason; and (ii) are not harming any of your rights and interests.

Our legitimate interests include: processing for the purposes of church administration; processing your gift aid donations; fundraising; sharing information about the church.

#### **5. Sharing your personal data**

Your personal data will be treated as strictly confidential and will be shared only as set out in this section. Your personal data may be shared with members of the Vestry and clergy and staff of the congregation, the diocesan office and, if you are appointed to a role within the congregation or diocese, with the General Synod Office.

If you serve on any committee or take on any duty, rota or role within the congregation, your personal data may be shared with other members of the congregation. You will be informed if your personal data will be shared more widely.

We may also share your information or disclose it to third parties where required to comply with any court order or other legal obligation or when data is requested by government or law enforcement authorities, to enforce any agreements, or to protect the rights, property, or safety of us, members of the congregation or others.

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

We keep data in accordance with the guidance provided by the Scottish Episcopal Church.

Specifically, we retain Communicant and Adherent Roll data while it is still current and certain historic records are held in our archive for 6 years (others such as Vestry minutes are held permanently); gift aid declarations and associated paperwork for up to 7 years after the tax year to which they relate; and church registers (baptisms, marriages, funerals) and certain other records such as Vestry minutes permanently (after 30 or 50 years they will be deposited in the National Records of Scotland according to Scottish Episcopal Church records policy).

## **7. 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 request a copy of your personal data which the Clergy/Vestry of Holy Cross, Davidson's Mains holds about you;
- The right to request that the Clergy/Vestry of Holy Cross, Davidson's Mains corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the Clergy/Vestry of Holy Cross, Davidson's Mains to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to 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 [*This 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, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, where applicable [*This 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 Commissioner's Office.

## **8. 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 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.

## **9. Contact Details**

To exercise all relevant rights, queries or complaints please contact the Vestry Secretary at [web@holycrossedinburgh.org](mailto:web@holycrossedinburgh.org) or the Rector at [rector.hce@gmail.com](mailto:rector.hce@gmail.com), 0131 629 1966, or at Holy Cross Rectory, 18 Barnton Gardens, Edinburgh EH4 6AF.

You can contact the Information Commissioner's 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.