



**The Diocese of Northampton**

# **GENERAL PRIVACY NOTICE**

Version 1.4 November 2019

Registered Charity No. 234091



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### GENERAL PRIVACY NOTICE FOR THE DIOCESE OF NORTHAMPTON

#### 1 INTRODUCTION

1.1 The Diocese of Northampton (the "Diocese") is a charity registered with the Charity Commission in England and Wales. Our charity number is 234091, and our registered address is Bishop's House, Marriott Street, Northampton NN2 6AW.

In this Notice, references to 'we' and 'us' mean the Diocese and includes all the Parishes and Pastoral Areas of the Diocese, together with named projects and initiatives undertaken by the Diocese and the Parishes which are not themselves separate Charities or legal entities. It does NOT include Voluntary Aided Schools or Academy Trusts which count as Data Controllers themselves.

1.2 When you provide us with Personal Data in order to engage with us and/or benefit from our services, we will keep a record of the data you give to us in order to enable us to comply with our statutory obligations and to achieve our charitable objects of advancing and maintaining the Roman Catholic religion through the operation of our parishes and our other activities.

1.3 For the purpose of the General Data Protection Regulation 2016/279 (GDPR), and the Data Protection Act 2018, (together called the "Data Protection Rules") the Diocese, through its Trustees, will be a Data Controller in respect of your Personal Data. In some cases, the Diocese may be a *joint* Data Controller of your Personal Data (e.g. where your data is shared between the Diocese and another organisation for a particular purpose, such as tax reclaims). Please be aware that our parishes form part of the Diocese and are not separate legal entities. *Parishes are not Data Controllers*, nor do they process Personal Data on behalf of the Diocese as a Data Processor (see Glossary at end).

1.4 Everyone has rights with regard to how their Personal Data is handled by organisations. The Diocese is committed to ensuring that Personal Data is properly and securely managed in accordance with the relevant Data Protection Rules, and believes this is an important part of achieving trust and confidence between the Diocese and those with whom it interacts. Please read this Notice to understand how we use and protect the information that you provide to us or that we obtain or hold about you, and to understand what your rights are in relation to information that we hold. This Notice applies to information about living identifiable individuals only.

#### 2 WHAT PERSONAL DATA DO WE HOLD ABOUT YOU?

2.1 We *may* hold the following types of Personal Data – though it will be rare for us to hold *all* these types of data about any individual:

2.1.1 Name, address and contact details;

2.1.2 Gender, age, date of birth, marital status and nationality;

2.1.3 Information about your education/work history and professional qualifications (job applicants);

2.1.4 Information about your family and any dependants;

2.1.5 Information about your current involvement in Diocese activities and events (e.g. booking details for events you are attending);

- 2.1.6 Financial information (e.g. bank details) and details of any donations you have made to us in the past;
- 2.1.7 Information obtained as a result of any background checks on staff and volunteers;
- 2.1.8 CCTV recordings and photographs;
- 2.1.10 Medical and psychological information, spiritual history (for clergy applicants);
- 2.1.11 Dietary and health information necessary for events, residential and trips; and
- 2.1.11 Any other information which you choose to provide to us.

2.2 Some of the data we hold will constitute “Special Categories of Personal Data” (e.g. information about your religious beliefs, information about your health and wellbeing, and, rarely, information revealing racial or ethnic origins, and sexual orientation, or, in the case of background checks, information about criminal records or proceedings).

2.3 We may also receive Personal Data about you from third parties, for example, your family members, other parishioners, other dioceses, medical professionals, the police and other law enforcement bodies.

### **3 HOW AND WHY DO WE PROCESS YOUR PERSONAL DATA?**

3.1 The Personal Data which we hold about you, whether it is collected directly from you or whether we receive it from a third party, may be used (“processed”) in a number of ways, for example:

- 3.1.1 to communicate with you in relation to our activities, services and events, including seeking feedback and informing you of any changes to our services;
- 3.1.2 to carry out the services that we offer, from weddings and funerals to general pastoral and spiritual care and parish activities;
- 3.1.3 to process donations that you may make to us, or other payments where, for example, you hire facilities belonging to the Diocese;
- 3.1.4 to administer, support, improve and develop the administration of the Diocese's work and operations and to keep the Diocese's or any parish's accounts and records up-to-date;
- 3.1.5 to process applications from you, including grant applications, and applications for a role within the Diocese;
- 3.1.6 for audit and statistical purposes (e.g. for the annual audit undertaken by the Bishops' Conference of England and Wales);
- 3.1.7 to ensure we comply with our legal obligations (e.g. by providing information to the Charity Commission or carrying out safeguarding activities);
- 3.1.8 in the case of CCTV recordings, to prevent or detect crime, and to help create a safer environment for our staff, parishioners and visitors; and
- 3.1.9 to carry out contractual obligations, e.g. for paying Diocesan and parish employees

## 4 ON WHAT LEGAL GROUNDS DO WE PROCESS YOUR PERSONAL DATA?

- 4.1 Under the Data Protection Rules we must have a lawful basis for processing your information; this will vary according to the circumstances of how and why we have your information but typical examples include:
- 4.1.1 the activities are within our legitimate interests in advancing and maintaining the Roman Catholic religion, including all normal Diocesan and parish activities, and in ensuring the flow of charitable funds for these purposes
  - 4.1.2 you may have given consent (which can be withdrawn at any time by contacting us using the details below) for us to process your information (e.g. to send you fundraising communications by email or text);
  - 4.1.3 we are carrying out necessary steps in relation to a contract to which you are party or prior to you entering into a contract (e.g. where you enter into a hire agreement for one of our facilities);
  - 4.1.4 the Processing is necessary for compliance with a legal obligation (e.g. where we pass on information to a local authority for safeguarding or other reasons, or submit a tax refund claim);
  - 4.1.5 the Processing is necessary for carrying out a task in the public interest (e.g. updating and maintaining the civic register of marriages); or
  - 4.1.6 to protect your vital interests (e.g. if you were unfortunate enough to fall ill or suffer an injury on our premises, then we may pass on information to the NHS for treatment purposes and to family members).
- 4.2 If we Process any Special Categories of Personal Data we must have a further lawful basis for the processing. This may include:
- 4.2.1 where you have given us your explicit consent to do so (e.g. to cater for your medical or dietary needs at an event);
  - 4.2.2 where the Processing is necessary to protect your vital interests or someone else's vital interests (e.g. passing on information to the Police);
  - 4.2.3 where the Processing is carried out in the course of our legitimate interests as a Roman Catholic Diocese, working with and supporting our current and former parishioners, and the information is not shared outside the Diocese other than with your consent (e.g. carrying out parish censuses);
  - 4.2.4 you have made the information public (e.g. by disclosing personal details and beliefs in public media, or consenting to your details appearing in a public Directory)
  - 4.2.5 where the Processing is necessary for the establishment, exercise or defence of legal claims;
  - 4.2.6 where the Processing is necessary for carrying out the Diocese's employment and social security obligations; or
  - 4.2.7 the processing being necessary for reasons of substantial public interest (e.g. where steps are taken to prevent fraud or other dishonest activity);
  - 4.2.8 Where the processing is necessary for archiving historical records (at Diocesan or parish level)

#### 4.2.9 Where it is in the substantial public interest, and necessary for the safeguarding of children or vulnerable adults

Always provided that the legal basis is proportionate to the aim pursued and provides for suitable and specific measures to safeguard your rights, or as part of our legitimate interests as a Roman Catholic diocese and charitable institution.

## 5 WHO WILL WE SHARE YOUR INFORMATION WITH?

- 5.1 We will only use your Personal Data within the Diocese for the purposes for which it was obtained, unless you have explicitly agreed that we may share your Personal Data with another organisation or unless we are otherwise permitted or required to under the Data Protection Rules or order of a Court or other competent regulatory body or as set out in this Notice.
- 5.2 We may share your information with government bodies for tax-reclaiming purposes or law enforcement agencies for the prevention and detection of crime.
- 5.3 Sometimes the Diocese contracts with third parties whom we ask to process Personal Data on our behalf (e.g. payroll agencies, IT consultants, distributors of newspapers and directories). We require these third parties to comply strictly with our instructions and with the GDPR.
- 5.4 We have in place administrative, technical and physical measures designed to guard against and minimise the risk of loss, misuse or unauthorised processing or disclosure of the Personal Data that we hold.
- 5.6 In the course of Processing your Personal Data, or disclosing it to the recipients referred to above, we may have to transfer it to countries which are outside the European Economic Area (EEA) (e.g. to the Vatican), some of which may not have laws which provide the same level of protection to your Personal Data as laws inside the EEA. In such cases we will take steps to ensure that the transfers comply with the GDPR and that your Personal Data is appropriately protected. We do so by requiring them to satisfy us that they have a code of conduct affording an adequate degree of protection for your data, approved by a competent national or international supervisory authority.

## 6 HOW LONG WILL WE KEEP YOUR INFORMATION FOR?

- 6.1 Your information will be kept in accordance with our Retention & Disposal of Records Policy (available on the Diocese website) In any event, we will endeavour to only keep Personal Data for as long as is necessary and to delete it when it is no longer so.

## 7 YOUR RIGHTS

- 7.1 You have rights in respect of the Personal Data you provide to us. In particular:
  - 7.1.1 the right to request a copy of some or all of the Personal Data that we hold about you (including, in some cases, in a commonly used, machine readable, format so that it can be transferred to other Data Controllers) . We do not make a charge for this service; but a request needs to be made in writing, which can include e-mail or other media
  - 7.1.2 if we Process your Personal Data on the basis that we have your consent, the right to withdraw that consent;
  - 7.1.3 the right to ask that any inaccuracies in your Personal Data are corrected;
  - 7.1.4 the right to have us restrict the Processing of all or part of your Personal Data;
  - 7.1.5 the right to ask that we delete your Personal Data where there is no compelling reason for us to continue to Process It (erasure or “the right to be forgotten”). This does not include the removal of factual records in baptismal registers, though they may be annotated.

7.1.6 the right to object to us Processing your Personal Data for direct marketing purposes e.g. in relation to fundraising carried out by the Diocese

7.2 Please note that the above rights may be limited in some situations – for example, where we can demonstrate that we have a legal requirement to Process your Personal Data. Also, we may need you to provide us with proof of identity for verification and data security purposes before you can exercise your rights.

7.3 Please also note that parents / guardians / family members do not have a right to see information about their children or other family members (or any other third parties) and rights may only be exercised by a individual (including children from 12 years upwards) or with their express permission

## 8 CHANGES TO THIS NOTICE

We may make changes to this Notice from time to time as our organisational practices and/or applicable laws change. We will not make any use of your personal information that is inconsistent with the original purpose(s) for which it was collected or obtained (if we intend to do so, we will notify you in advance wherever possible) or otherwise than is permitted by the Data Protection Rules.

## 9 CONTACT DETAILS

9.1 If you have any questions, require further information about how we protect your Personal Data, if you wish to exercise any of the above rights or if you would like to provide feedback or make a complaint about the use of your information, please contact the Diocesan Any queries regarding this Policy should be addressed to the Diocesan Data Protection Manager, Brin Dunsire, who can be contacted by email at [brin@nrcdfinance.com](mailto:brin@nrcdfinance.com), by telephone on 01494 865574 or 01604 712065, or at the following address:

The Data Protection Manager, c/o Bishops House, Marriott Street, Northampton NN2 6AW

9.2 Any complaints will be dealt with in accordance with the Diocese's usual Complaints procedure

9.3 We hope that we can satisfy any queries you may have about the way in which we Process your Personal Data. However, if you have unresolved concerns you also have the right to complain to the Information Commissioner ('ICO') ([www.ico.org.uk](http://www.ico.org.uk)).

## 10 COOKIES

10.1 Cookies, also known as browser or tracking cookies, are small text files that are added to your computer when you visit a website. They help websites to perform certain functions e.g. to recognise your ID if you log into a restricted part of a website, to record your preferences when using websites, to pre-complete info in facilities like "shopping carts", and for web-browsing-behaviour tracking purposes. They do NOT capture any data identifying your personally, except, if you choose, for forms or purchase completion .

10.2 The Diocese only uses Google analytics cookies on the website for tracking purposes. The cookies allow us to understand general traffic to our website, for example, number of visitors and length of time on site. This process does collect data, but in an anonymous form, to help us make improvements, develop the website and enhance the user experience.]

10.3 If you would like to opt-in or opt-out of using cookies then you should be able to do so using your browser. You can review your cookie settings at any time.

## 11 GLOSSARY

"Data Controller" means a person, organisation or body that determines the purposes for which, and the manner in which, any Personal Data is processed. A Data Controller is responsible for complying with the Data Protection Rules and establishing practices and policies in line with them.

"Data Processor" means any person, organisation or body that Processes personal data on behalf of and on the instruction of the Diocese. Data Processors have a duty to protect the information they process by following the Data Protection Rules.

"Data Subject" means a living individual about whom the Diocese processes Personal Data and who can be identified from the Personal Data. A Data Subject need not be a UK national or resident. All Data Subjects have legal rights in relation to their Personal Data and the information that the Diocese holds about them.

"EEA" is the European Economic Area, consisting of the countries of Austria, Belgium, Bulgaria, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, **Iceland**, Ireland, Italy, Latvia, **Liechtenstein**, Lithuania, Luxembourg, Malta, Netherlands, **Norway**, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom. (Countries in bold are non-EU members. Switzerland is in neither, nor is the Vatican City.)

"Personal Data" means any information relating to a living individual who can be identified from that information or in conjunction with other information which is in, or is likely to come into, the Diocese's possession. Personal Data can be factual (such as a name, address or date of birth) or it can be an opinion (e.g. a performance appraisal). It can even include a simple email address. A mere mention of someone's name in a document does not necessarily constitute Personal Data, but personal details such as someone's contact details or salary (if it enabled an individual to be identified) would fall within the definition.

"Processing" means any activity that involves use of Personal Data. It includes obtaining, recording or holding the information or carrying out any operation or set of operations on it, including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring or disclosing Personal Data to third parties.

"Special Categories of Personal Data" (previously called sensitive personal data) means information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexuality. It also includes genetic and biometric data. Special Categories of Personal Data can only be processed under strict conditions and such processing will usually, although not always, require the explicit consent of the Data Subject.

"Data Breach" - A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data. It can be broadly defined as a security incident that has affected the confidentiality, integrity or availability of personal data. In short, there will be a personal data breach whenever any personal data is lost, destroyed, corrupted or disclosed; if someone accesses the data or passes it on without proper authorisation; or if the data is made unavailable, for example, when it has been encrypted by ransomware, or accidentally lost or destroyed.