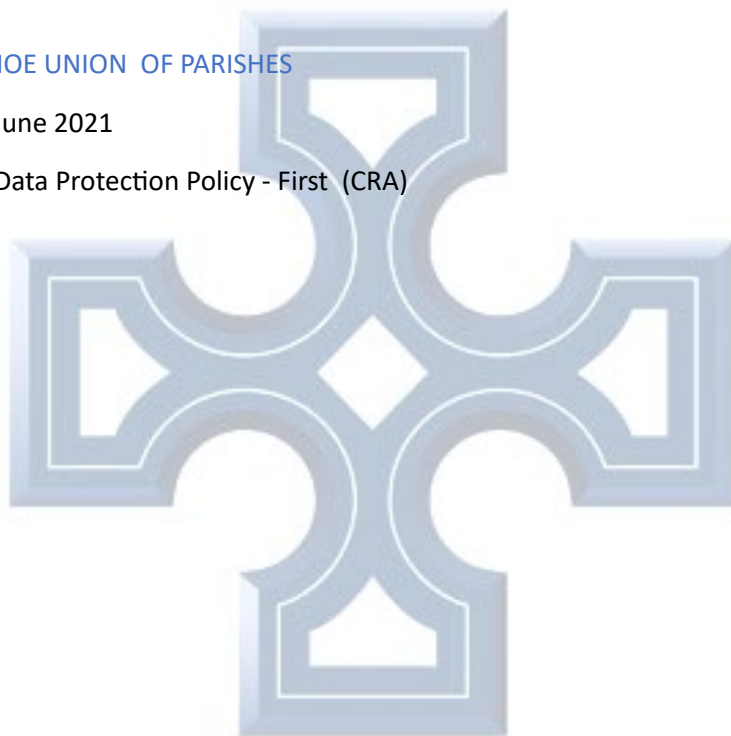




DATA PROTECTION POLICY

- Charity Name: [KILMOE UNION OF PARISHES](#)
- Date Adopted: 8th June 2021
- Minute Reference: Data Protection Policy - First (CRA)



1. Introduction

We, Kilmoe Union of Parishes, are committed to protecting the privacy rights of individuals in relation to the processing of their personal data and confer rights on individuals as well as responsibilities on those processing personal data. This policy outlines our approach to compliance with the General Data Protection Regulation (GDPR) and all other relevant data protection legislation. This policy is effective as and from 8th June 2021

1.2 The scope of this policy

This policy applies to all personal data created or received in the course of our work in all formats, across all time periods. This may be in paper, physical and electronic formats or communicated verbally in conversation or over the telephone. It applies to all locations where personal data is held by the parish and its data processors.

1.3 Roles & responsibilities

The parish is a data controller. The parish commits to acting in a transparent manner and is responsible for determining the purposes and means of all data processing undertaken by and on behalf of:

- The Clergy
- General Vestry
- Select Vestry
- Employees, Contractors and volunteers

Canon Paul Willoughby (priest in charge) is responsible for answering questions in relation to this data protection policy and the parish's approach to privacy. For any questions about this policy, including any request to exercise legal rights, please contact: Canon Paul Willoughby

2. Definitions of Personal Data

Personal data is any information that can identify an individual either directly or indirectly in conjunction with other information. This includes a name, location data or a postal address, online browsing history, images or anything relating to the physical, physiological, genetic, mental, economic, cultural or social identity of a person.

Special categories of data can only be processed under specific circumstances and appropriate safeguards must be in place to protect this data. Special categories include: racial or ethnic origin, political opinion, religious or philosophical beliefs, sexual orientation or information concerning a person's sexual nature and information about children.

The parish may collect, use, store and transfer different kinds of personal information and use it for a variety of different purposes. This personal information may include:

- Address, email address, telephone numbers
- Name, date of birth, PPSN / NIN, marital status, nationality, driving license, passport
- Occupation and income details
- Information concerning marital and family status
- Information on physical or mental health, religious or philosophical beliefs, political opinion and criminal convictions / offences

3. Data Protection Principles

The parish is responsible for complying with the following principles. Personal data should be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes only
- Adequate, relevant and limited to what is necessary
- Accurate and, where necessary, kept up to date
- Kept in a form which enables identification of data subjects for no longer than is necessary
- Kept safe and processed in a manner that ensures appropriate security of the personal data

4. Lawfulness of processing

The parish collects and uses personal information for a number of purposes and relies on a number of different legal bases to do this.

4.1. To enter into and perform a contract

The parish uses personal information to carry out our obligations arising from any contracts entered into between two parties or to take the necessary steps prior to entering into a contract including:

- To administer employment, financial or legal contracts
- To pay for the services professionally provided to us

4.2. To comply with our legal obligations

The parish is required to process personal information to comply with certain legal obligations which they are subject to including:

- Providing information to An Garda Síochána/PSNI, the Revenue Commissioners/HMRC and other Government bodies or agencies when required to do so by law.
- To verify personal information and to meet legal and compliance obligations
- To carry out a statutory audit
- Where a person has exercised one of their data rights, we will retain a copy of all correspondence to demonstrate our compliance with data protection legislation
- Where a person has exercised one of their data rights and asked us not to contact them by email at a particular email address, for example, we will need to retain a copy of that email address in order to comply with the no-contact request

4.3 For legitimate business interests

Where the parish processes personal information for our legitimate interests, the parish will ensure that there is a fair balance between their legitimate interest and the data subject's fundamental rights and freedoms.

- The parish may use personal information to manage the day to day running of the parish, including accounting, internal reporting needs, to ensure appropriate IT security and to prevent fraud, in our legitimate interest. Our legitimate interest is the effective management of the administrative functions of the parish.

- The parish may use personal information to communicate with a data subject, to update them on developments within the parish, diocese or wider Church of Ireland and invite data subjects to events that we feel may be of interest to them. Our legitimate interest is to connect with and update data subjects on services provided by the parish.
- The parish may process personal information, which includes the processing of special categories of personal data, where processing is carried out in the course of their legitimate activities on condition that the processing relates solely to data subjects who are members, former members or whom have previously been involved with the parish or are an employee and/or contracted staff member.
- The parish may use personal information to contact people who are in regular contact with them in connection with their purposes.
- The legitimate interests of the parish do not override a data subject's interest. A data subject has the right, free of charge, to object to the parish using their personal information for legitimate interests. Objections should be made to Canon Paul Willoughby (priest in charge)

4.4 For the establishment, exercise or defence of legal claims

The parish occasionally processes personal information, including sensitive personal information, such as information concerning health, religious or philosophical beliefs, political opinion and criminal convictions / offences where it is necessary for the establishment, exercise or defence of legal claims.

4.5 Consent

- The parish will, in certain circumstances, rely on explicit consent to process personal data, including sensitive personal data. Where we do, the data subject has the right to withdraw their consent at any time by contacting Canon Paul Willoughby (priest in charge)

4.6 Vital Interest

The parish may, in certain circumstances, use personal data where the processing is necessary to protect someone's life.

4.7 Public Interest

- The parish may, in certain circumstances, use personal data for the performance of a task carried out in the public interest.

5. Rights of data subjects

Data subjects have a number of rights under data protection law in relation to how the parish use their personal information. They have the right, free of charge, to:

- Request a copy of the personal information the parish hold on the data subject in a structured, commonly used and machine readable format
- Rectify any inaccurate personal information the parish hold about the data subject
- Withdraw their consent where the parish has relied upon consent to process their information
- Request that the parish erase the personal information held about the data subject to certain exceptions

- If technically feasible, request to have their personal information transmitted to another data controller in a machine readable format
- Restrict processing of their personal information in certain circumstances
- Object to the parish's use of their personal information for our legitimate interests
- Not be subject to a decision which is based solely on automated processing where the decision significantly affects the data subject. The parish does not make automated decisions of this nature
- Lodge a complaint with the appropriate data protection authority if the data subject has any concerns about how we process their personal data

These rights are, in some circumstances, limited by data protection legislation. If a data subject wishes to exercise any of these rights please contact Canon Paul Willoughby (priest in charge). The parish will take measures to verify the identity of the data subject, which will be by reference to copies of acceptable identification documentation. The parish will endeavour to respond to the request within a month. If the parish is unable to deal with the request within a month we may extend this period by a further period of two months and we will provide an explanation for this.

6. Information Technology and Data Protection

The parish is responsible for implementing appropriate technical and organisational measures to demonstrate that processing is performed in accordance with GDPR.

7. Data Storage

The parish will retain personal information for as long as needed to fulfil the purposes for which it was collected. The parish will retain and use personal information for no longer than is necessary to comply with accounting, reporting or legal obligations. How long certain information is stored depends on the nature of the information we hold and the purpose for which it is processed. A copy of our Data Processing & Retention Policy is included as Appendix 1 in this document, is on the parish website kilmoeunion.com and is also available from the Parish Data Controller.

8. Managing data breaches

A personal data security breach is any event that has the potential to affect the confidentiality, integrity or availability of personal data held by us in any format. The parish is required to report serious data breaches to the Data Protection Commissioner within 72 hours of becoming aware of the data breach.

Where it is determined that the breach is unlikely to result in a risk to the rights and freedoms of natural persons, then the supervisory authority will not be notified. Unless it is determined that there is a high risk to the rights and freedoms of natural persons then the data subject(s) may not be notified.

The parish will keep an internal record of the details, the means for deciding there was no risk, who decided there was no risk and the risk rating that was recorded. The parish will respond promptly and appropriately to data security breaches, including all relevant reporting obligations.

9. When and how personal information is shared

It is important to note that the parish may share personal data between the Church of Ireland's joint data controllers and their respective data processors. **The four data controllers are:** Representative Church Body & General Synod, Diocesan Council, the Bishops and the parish.

9.1 With third parties

The parish may share personal information with third party providers that perform services and functions at their direction and on our behalf, such as accountants, auditors, IT providers, printers, solicitors and providers of security and administrative services. The parish does not sell any personal information and will only share it with third parties who are facilitating the delivery or fulfilment of a service or who are working on behalf of the parish. The parish will contractually require that all suppliers protect such information from unauthorised access, use and disclosure.

10. Transfers outside the European Economic Area

The parish may transfer personal data outside the European Economic Area (EEA). However, these countries do not always afford an equivalent level of privacy protection and in such circumstances the parish will take specific steps, in accordance with data protection law, to protect personal information.

11. Principles to be followed by data processors

A strong data protection culture is essential to advance the mission and ministry of the Church of Ireland. The parish commit to:

- Understanding their responsibilities in relation to the acquisition, processing and safeguarding of personal data
- Adhering to all Data Protection policies and procedures
- Adhering to the retention guidelines and committing to keeping personal data to a minimum
- Continually assessing the personal data collected and understand any relevant risk associated with this
- Informing the Data Protection Representative of any data subject requests
- Reporting any concerns or risks to the Data Protection Representative particularly if it is suspected that anyone is being asked to act in a way which is contrary to the data protection regulations
- Reporting any data breaches to the Data Protection Representative
- Treating personal information confidentially and ensure it is locked away at the end of the day
- Attending data protection training and refresher events as requested
- Assisting the parish to demonstrate compliance during a data protection audit or inspection

Kilmoe Union of Parishes

Data Processing & Retention Policy

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 (the "GDPR").

2. Who are we?

Kilmoe Union of Parishes is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

3. How do we process your personal data?

Kilmoe Union of Parishes complies with its 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 measures are in place to protect personal data.

We use your personal data for the following purposes: -

- To enable us to provide a voluntary service for the benefit of the public in a particular geographical area as specified in our constitution;
- To administer membership records;
- To fundraise and promote the interests of the parish;
- To manage our employees and volunteers;
- To maintain our own accounts and records;
- To comply with Safeguarding Trust (Child Protection) requirements;
- To inform you of news, events, activities and services running in Kilmoe Union of Parishes
- 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.

Kilmoe Union of Parishes

Data Processing & Retention Policy

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

- Explicit consent of the data subject so that we can keep you informed about news, events, activities and services and process your donations and keep you informed about parish events
- 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

5. Sharing your personal data

Your personal data will be treated as strictly confidential and will only be shared with other members of the church in order to carry out a service to other church members or for purposes connected with the church. We will only share your data with third parties outside of the parish with your consent.

6. How long do we keep your personal data?

We keep data in accordance with the guidance set out within Irish Data Protection Legislation.

Specifically, we retain parish membership data, parish activities/organisations membership data and personal data relating to our governance structures and systems while it is still current; records of donations and tax rebates on donations over €250 p.a. and associated paperwork for up to 6 years after the calendar year to which they relate; and parish registers (baptisms, marriages, funerals) permanently.

Kilmoe Union of Parishes

Data Processing & Retention 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 Kilmoe Union of Parishes holds about you
- The right to request that Kilmoe Union of Parishes 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 Kilmoe Union of Parishes 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)

(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)

[(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 Data Protection Commissioner

8. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice. The new notice will explain the **new use** of your personal data prior to commencing the processing. It will set out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Kilmoe Union of Parishes Data Processing & Retention Policy

9. Contact Details

To exercise all relevant rights, queries of complaints please in the first instance contact the Parish Data Controller, Kilmoe Union of Parishes, Main Street, Schull, Co. Cork Email: kilmoeunion@gmail.com

You can contact the Data Protection Commissioner on +353 (0761) 104 800; via email info@dataprotection.ie or by writing to: The Data Protection Commissioner, Canal House, Station Road, Portarlinton, Co. Laois, R32 AP23