

# **Friends of Leigh Church (FOLC)**

## **Data Processing Policy and Privacy Notice**

### **Introduction**

FOLC takes the processing of members' personal details very seriously and does its utmost to ensure they are protected.

This document sets out what information FOLC holds, why it needs to hold and process it, and how it is securely stored.

Where "FOLC" is referenced, this relates Friends of Leigh Church, a charity registered with the Charity Commission, number 1174913. The charity is governed by an elected team of Trustees.

Details of how to contact FOLC about any aspect of this data processing policy and privacy notice can be found at the end of the document.

### **How FOLC collects and uses personal data**

FOLC, a membership organisation run by volunteers, is the Data Controller for personal information provided by its members and supporters. It also processes this data. As at February 2021, responsibility for overseeing FOLC's compliance with the GDPR and the Data Protection Act 2018 sits with the Treasurer, as nominated by the Trustees.

Membership of FOLC constitutes a contract in law, which permits FOLC to contact its members about renewals, matters of governance and other membership-related matters.

However, in full compliance with the GDPR, when FOLC collects personal information from members, donors and supporters it asks individuals for explicit permission to allow it to keep in touch by e-mail and telephone with information about its work and other activities, including fundraising and events. FOLC will never use e-mail addresses or telephone numbers in this way if individuals have not given their consent. All FOLC's membership application and renewal forms and donation forms have tick boxes to enable individuals to indicate their communication preferences and consents.

Along with the majority of other membership and charity organisations, FOLC claims legitimate interest to enable it to contact members and supporters by post without seeking specific permission to do so. The Treasurer can provide a copy of FOLC's legitimate interest statement on request.

Individuals who do not wish to receive postal communications from FOLC, or who want to change their other communication preferences, can do so at any time by contacting the Treasurer. There is also an 'Unsubscribe' link in the footer of all FOLC's mass distribution e-mails.

The following table summarises the information gathered and held by FOLC, how and why it is used and the lawful basis FOLC claims for controlling and processing the information where this has been permitted by the individual:

<b>Personal Information</b>	<b>Use</b>	<b>Basis</b>
<i>Members</i>		
Name and address	To send membership information by post regarding membership including renewals, events, annual general meetings etc. and to provide updates on FOLC's work and activities	Membership contract and legitimate interest claimed by FOLC
Telephone Number	To contact the member regarding their membership including renewals, events, annual general meetings etc. and to provide updates on FOLC's work and activities, including fundraising	Only when permission has been given by the member
Email Address	To contact the member regarding their membership including renewals, events, annual general meetings etc. and to provide updates on FOLC's work and activities, including fundraising	Only when permission has been given by the member
<i>Non-members (e.g. donors, volunteers, project contractors, individuals requesting information)</i>		
Name and address	The information may be used for a variety of reasons: to acknowledge donations; to respond to requests for information; to manage volunteers' activity; for administrative purposes when liaising with contractors and other organisations connected with FOLC's projects. The information is never shared with third party organisations for use in marketing or other promotional activity.	Legitimate interest claimed by FOLC
Telephone number		Only when permission has been given by the individual
E-mail address		Only when permission has been given by the individual

Bank Details – Name of Bank, Sort Code, Account Number, Account Name	<p>To set up Standing Orders when requested to do so</p> <p>To reimburse members for loans</p> <p>To reimburse Trustees for legitimate expenditure</p>	<p>The details are destroyed as soon as the payment has been set up</p> <p>Only when permission has been given by the Trustee</p>
Gift Aid declaration	To claim Gift Aid on behalf of members and donors who are UK taxpayers	Gift Aid declarations will be retained for 7 years after the last claim made on behalf of any individual, as per HMRC's requirements. Members and supporters are advised when they make their declarations that they must inform FOLC if their Gift Aid status changes or they no longer wish to participate in the scheme. Their most recent status will nonetheless remain on their FOLC record as per HMRC's data retention requirements.

### **FOLC's responsibilities as a Data Controller**

FOLC takes its Data Controller responsibilities for complying with the GDPR and Data Protection Act 2018 very seriously.

FOLC only captures, controls and processes information which relates to FOLC's membership programme and fundraising activities. It does not capture or store any sensitive information defined as 'special category data' in article 9 of the GDPR.

All personal data relating to individuals is held in password-protected documents on secure computers or, in the case of hard copies, in locked cabinets accessible by only one person. FOLC will never share personal information with other organisations for marketing or other promotional purposes.

Some data may additionally be held on widely-used third-party platforms that comply with current data protection legislation and employ the highest levels of data security and encryption, for example, the e-mail provider Mailchimp.

In very rare and exceptional circumstances FOLC may be legally obliged to provide specific personal information if it is requested, for example by law enforcement authorities where criminal activity is suspected and is being investigated.

### **FOLC's responsibilities as a Data Processor**

FOLC may receive transfers of personal information from third-party websites used by supporters and donors, for example the well-known donation website Just Giving. Every effort is made to ensure that the security and privacy practices of these third-party websites are legally compliant and that all the appropriate consents are in place to allow FOLC to process the personal data it receives from them if and when required.

## **The rights of Individuals under the GDPR**

The GDPR has established the following rights for individuals whose personal information is held by a Data Controller:

### *Right to be Informed*

Individuals can ask FOLC at any time for information about how it keeps the personal information secure, what it uses it for and whether it is ever shared with other organisations (and, if so, for what purpose). FOLC's response to such requests is to provide a copy of this policy, as per the guidance published by the Information Commissioner's Office (ICO).

### *Right of Access*

Individuals have the right to know what information FOLC holds about them. FOLC will respond to Subject Access Requests submitted verbally or in writing (including via social media) to the Treasurer within one calendar month of receipt, in line with current legislation. FOLC reserves the right to ask for further proof of identity, or to establish the validity of the request, if it suspects the person making the request is not the individual in question.

### *Right to Rectification*

Individuals have the right to ask for any inaccurate information held about them in FOLC's records to be corrected. FOLC will respond to verbal or written requests submitted to the Treasurer within one calendar month of receipt, in line with current legislation.

### *Right to Erasure*

Individuals have the right to ask FOLC to erase information held about them in its records. This is known as 'the right to be forgotten'. This right is not absolute and can be overruled in certain legal circumstances, for example if criminal activity is suspected. FOLC will respond to verbal or written requests submitted to the Treasurer within one calendar month of receipt, in line with current legislation.

### *Right to restrict processing*

In certain circumstances, individuals have the right to ask FOLC not to process their data. If a request to restrict processing is made, FOLC is permitted to continue to store the data, but not to use it. FOLC will respond to verbal or written requests submitted to the Treasurer within one calendar month of receipt, in line with current legislation.

### *Right to data portability*

Individuals can ask FOLC, in its capacity as a Data Controller, to provide a copy of the details it holds about them and send it securely to other nominated organisations using a commonly used, machine readable format. FOLC will respond to verbal or written requests submitted to the Treasurer within one calendar month of receipt, in line with current legislation.

### *Right to Object*

Individuals have the right to object to FOLC processing their personal information, including the absolute right to stop their data being used for the purposes of direct marketing. There are certain circumstances, including in FOLC's case membership administration, where processing can continue when there is a compelling argument to support this. FOLC will respond to verbal or written requests submitted to the Treasurer within one calendar month of receipt, in line with current legislation.

### *Rights in relation to automated decision making and profiling*

Individuals can object to their personal information being used in automated decision-making and data profiling. FOLC does not use any of the personal data it holds in this way.

## **The storage and destruction of personal data held by FOLC**

FOLC retains indefinitely minutes of Trustee meetings, programmes, reports, photographs and other records, especially where these relate to funded projects. These are stored securely as described above, but may sometimes contain individuals' names and images, or other information that could be used to identify them.

Any individual wishing to have their details redacted from such documents may ask FOLC to do so by contacting the Treasurer.

In line with data protection legislation, no photographic imagery or documentation that names or shows identifiable individuals will be used in printed material or posted online without permission being sought.

The destruction schedule for other personal information relating to members, donors and supporters is as follows:

Membership Application/Renewal form	Twelve months following the end of an individual's membership/the date the membership lapsed
Gift Aid declarations	Seven years in line with HMRC's requirements
Personal bank account or other financial details	Destroyed immediately after they have been used

#### **Updating this data processing policy and privacy notice**

This document is reviewed and updated periodically. The latest version is always available at <http://www.leigh-on-mendip.org.uk/orgs/church/FOLC%20web/FOLC.html>  
Paper copies can be obtained from the Treasurer.

#### **How to contact FOLC about this data processing and policy notice**

E-mail: [folcleigh@gmail.com](mailto:folcleigh@gmail.com)

Post: The Treasurer, Friends of Leigh Church, The Dovecote, Leigh on Mendip, Radstock, Somerset BA3 5QP.

#### **Further information**

Further information about the GDPR and the Data Protection Act can be found on the ICO website <https://ico.org.uk/>

#### **Change Log**

21 October 2018 – Initial preparation by Caroline Harris

12 November 2018 – Modification following Trustee meeting

February 2021 – 3-year review and update