



DATA PROTECTION POLICY¹

Christ Church Network is an operating name of The Newland Christian Trust.

The Newland Christian Trust (the 'Trust') is registered with the Information Commissioner's Office (registration number ZA533323). Our Data Protection Officer is the Operations Manager and any questions about this policy should be addressed to them. This policy is for those employed by and volunteering for the Trust. It should also be read in conjunction with the Data Privacy Notice, which tells the general public how we will handle their Personal Data, the Use of Photographs policy, and the IT Security Policy.

1 Overview

- 1.1 We gather and use information or 'data' about you as part of our activities and this policy sets out the things we must tell you about data protection.
- 1.2 We take the security and privacy of your data seriously and are required to comply with our legal obligations under the Data Protection Act 2018 (the '2018 Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security.
- 1.3 This policy applies to current and former employees and volunteers who are 'data subjects' for the purposes of this policy. This policy should be read alongside your employment contract (if an employee) and any other notice we issue from time to time in relation to data usage.
- 1.4 The Trust is a 'data controller' for the purposes of your personal data. This means it decides how your personal data is processed and for what purposes, as governed by the 2018 Act and the GDPR.
- 1.5 Throughout this policy the term 'you' refers to you as a data subject. The term 'we' refers to us as data controller.
- 1.6 This policy explains how we will hold and process your information. It explains your rights as a data subject. It also explains your obligations when obtaining, handling, processing, or storing personal data while working for, or on behalf of, the Trust.
- 1.7 It is intended that this policy is fully compliant with the 2018 Act and the GDPR. If any conflict arises between those laws and this policy, the 2018 Act and the GDPR take precedence.

¹ The Christ Church Network is the operating name of the Newland Christian Trust: a Christian charity (1101648) and Limited Company (04976143)

2 Data protection principles

2.1 Personal data must be processed in accordance with the following data protection principles. It must be:

- processed fairly, lawfully and transparently
- collected and processed only for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary for the purposes for which it is processed
- accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay
- kept for no longer than is necessary for the purposes for which it is processed
- be processed securely.

As data controller, we are responsible for ensuring and demonstrating compliance with these principles.

3 Definition of personal data

3.1 'Personal data' means information which relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information which might come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.

3.2 This policy applies to all personal data whether it is stored electronically, on paper, or in/on other materials.

3.3 This personal data might be provided to us by you, or by someone else (such as a former employer, your doctor), or it could be created by us. It could be provided or created during the recruitment process or during the employment contract or after it has ended. It could be created by your manager or other colleagues.

3.4 We will collect and use the following types of personal data about you:

- Recruitment information such as your application form and CV, references, qualifications and membership of any professional bodies and details of any pre-employment assessments
- Your contact details and date of birth
- The contact details for your emergency contacts
- Your gender
- Your marital status and family details
- Information about your employment contract including start and end dates of employment, role and location, working hours, details of promotion, salary (including details of previous remuneration), pension, benefits and holiday entitlement
- Your bank details and information in relation to your tax status including your National Insurance number
- Your identification documents including passport and driving licence and information in relation to your immigration status and right to work for us

- Information relating to disciplinary or grievance investigations and proceedings involving you (whether or not you were the main subject of those proceedings)
- Information relating to your performance and behaviour at work
- Training records
- Electronic information in relation to your use of IT systems/swipe cards/telephone systems
- Your images (whether captured on CCTV, by photograph or video)
- Any other category of personal data which we may notify you of from time to time.

4 Special categories of personal data

4.1 'Special categories of personal data' are types of personal data consisting of information about:

- your racial or ethnic origin
- your political opinions
- your religious or philosophical beliefs
- your genetic or biometric data
- your health
- your sexual orientation.

We may hold and use any of these special categories of your personal data in accordance with the law.

5 Definition of data processing

5.1 'Processing' means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storing
- adaption or alteration
- retrieval, consultation or use
- disclosure by transmission, dissemination or otherwise making available
- alignment or combination
- restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

6 Processing of personal data

6.1 We will process your personal data (including special categories of personal data) in line with our obligations under the 2018 Act.

6.2 We will use your personal data:

- for performing the employment contract (or contract for services) between us
- for complying with any legal obligation
- if it is necessary for our legitimate interests (or for the legitimate interests of someone else). However, we can only do this if your interests and rights do not override ours (or theirs). You have the right to challenge our legitimate interests

and request that we stop this processing. See details of your rights in section 12 below.

- 6.3 We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.
- 6.4 If you choose not to give us certain personal data, we may not be able to carry out some parts of the contract between us. For example, if we do not have your bank account details, we may not be able to pay you. It might also prevent us from complying with certain legal obligations and duties, such as to pay the right amount of tax to HMRC or to make reasonable adjustments in relation to any disability you may have.

7 Examples of when we might process your personal data

- 7.1 We have to process your personal data in various situations during your recruitment, employment/engagement and even following termination of your employment/engagement. For example (see section 7.4 for the meaning of the asterisks):
- to decide whether to employ (or engage) you
 - to decide how much to pay you, and the other terms of your contract with us
 - to check you have the legal right to work for us
 - to carry out the contract between us including, where relevant, its termination
 - to train you and review your performance*
 - to decide whether to promote you
 - to decide whether and how to manage your performance, absence or conduct*
 - to carry out a disciplinary or grievance investigation or procedure in relation to you or someone else
 - to determine whether we need to make reasonable adjustments to your workplace or role because of any disability*
 - to monitor diversity and equal opportunities*
 - to monitor and protect the security (including network security) of the Network, you, other staff, and others
 - to monitor and protect the health and safety of you, our other staff, customers and third parties*
 - to pay you and provide pension and other benefits in accordance with the contract between us*
 - to pay tax and National Insurance
 - to provide a reference upon request from another employer
 - to monitor compliance by you, us and others with our policies and our contractual obligations*
 - to comply with employment law, immigration law, health and safety law, tax law and other laws which affect us*

- to answer questions from insurers in respect of any insurance policies which relate to you*
 - for the prevention and detection of fraud or other criminal offences
 - to defend the Network in respect of any investigation or litigation and to comply with any court or tribunal orders for disclosure*
 - and for any other reason which we may notify you of from time to time.
- 7.2 We will only process special categories of your personal data (see section 4) in certain situations in accordance with the law. For example, we can do so if we have your explicit consent. If we ask for your consent to process a special category of personal data, then we will explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting the Data Protection Officer.
- 7.3 We do not need your consent to process special categories of your personal data when we are processing it for the following purposes:
- where it is necessary for carrying out rights and obligations under employment law
 - where it is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent
 - where you have made the data public
 - where processing is necessary for the establishment, exercise or defence of legal claims
 - where processing is necessary for the purposes of occupational health or for the assessment of your working capacity.
- 7.4 We might process special categories of your personal data for the purposes in paragraph 7.1 which have an asterisk beside them. In particular, we will use information in relation to:
- your race, ethnic origin, religion, sexual orientation or gender to monitor equal opportunities
 - your sickness absence, health and medical conditions to monitor your absence, assess your fitness for work, to pay you benefits, to comply with our legal obligations under employment law including to make reasonable adjustments and to look after your health and safety
- 7.5 We do not take automated decisions about you using your personal data or use profiling in relation to you.

8 Sharing your personal data

- 8.1 Sometimes we might share your personal data with others to carry out our obligations under our contract with you or for our legitimate interests.
- 8.2 We require those people and companies to keep your personal data confidential and secure, and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.
- 8.3 We do not send your personal data outside the European Economic Area. If this changes, we will tell you. We will also explain the protections that are in place to protect the security of your data.

9 How should you process personal data for the Network

- 9.1 Everyone who works for, or on behalf of, the Network has some responsibility for ensuring data is collected, stored, and handled appropriately, in line with this and other relevant policies.
- 9.2 You should only access personal data covered by this policy if you need it for the work you do for or on behalf of the Network and only if you are authorised to do so. You should only use the data for the specified lawful purpose for which it was obtained.
- 9.3 You should not share personal data informally.
- 9.4 You should keep personal data secure and not share it with unauthorised people.
- 9.5 You should regularly review and update personal data which you have to deal with for work. This includes telling us if your own contact details change.
- 9.6 You should not make unnecessary copies of personal data and should keep and dispose of any copies securely.
- 9.7 Your computer and any other devices on which you view or store data should be secured in line with the Network's IT Security Policy.
- 9.8 You should lock your computer screens when not at your desk.
- 9.9 Personal data should never be transferred outside the European Economic Area except in compliance with the law and authorisation of the Data Protection Officer.
- 9.10 You should lock drawers and filing cabinets. Do not leave paper that contains personal data lying about.
- 9.11 You should not take printed personal data away from your place of work without authorisation from your line manager or Data Protection Officer.
- 9.12 Printed personal data should be shredded and disposed of securely when you have finished with it.
- 9.13 You should ask for help from the Data Protection Officer if you are unsure about data protection or if you notice any areas of data protection or security we can improve upon.
- 9.14 Any deliberate or negligent breach of this policy by you may result in disciplinary action being taken against you under the Disciplinary Policy.
- 9.15 It is a criminal offence to conceal or destroy personal data which is part of a subject access request (see below). This conduct would also amount to gross misconduct under the Disciplinary Policy and you could be dismissed.

10 How to deal with data breaches

- 10.1 If this policy is followed, we should not have any data breaches. But if a breach of personal data occurs (whether in respect of you or someone else) then we must take notes and keep evidence of that breach. If the breach is likely to result in a risk to the rights and freedoms of individuals then we must also notify the Information Commissioner's Office within 72 hours, where feasible.
- 10.2 If you are aware of a data breach you must contact the Data Protection Officer immediately and keep any evidence you have in relation to the breach.

11 Subject access requests

- 11.1 Data subjects can make a 'subject access request' (SAR) to find out what information we hold about them. This request must be made in writing. If you, in the course of your work for the Network, receive a SAR you should forward it immediately to the Data Protection Officer who will coordinate a response.
- 11.2 If you wish to make a SAR in relation to your own personal data, you should write to the Data Protection Officer. We must respond within one month unless the request is complex or numerous in which case the period in which we must respond can be extended by up to two months.
- 11.3 There is no fee for making a SAR. However, if your request is manifestly unfounded or excessive, we may charge a reasonable administrative fee or refuse to respond to your request.

12 Your data subject rights

- 12.1 You have the right to information about what personal data we process, how and on what basis, as set out in this policy.
- 12.2 You have the right to access your own personal data by way of a SAR (see above).
- 12.3 You can correct any inaccuracies in your personal data by contacting the Data Protection Officer.
- 12.4 You have the right to request that we erase your personal data where we were not entitled under law to process it, or where it is no longer necessary to process the data for the purpose for which it was collected. You can request erasure by contacting the Data Protection Officer.
- 12.5 During the process of requesting that your personal data is corrected or erased, or while you are contesting the lawfulness of our processing, you can ask for the data to be used in a restricted way only. To do this, contact the Data Protection Officer.
- 12.6 You have the right to object to data processing where we are relying on a legitimate interest to do so and you think that your rights and interests outweigh our own and you wish us to stop.
- 12.7 You have the right to object if we process your personal data for the purposes of direct marketing.
- 12.8 You have the right to receive a copy of your personal data and, with some exceptions, to transfer your personal data to another data controller. We will not charge for this and will in most cases aim to do this within one month.
- 12.9 With some exceptions, you have the right not to be subjected to automated decision-making.
- 12.10 You have the right to be notified of a data security breach concerning your personal data where that breach is likely to result in a high risk of adversely affecting your rights and freedoms.
- 12.11 In most situations we will not rely on your consent as a lawful ground to process your data. If we do request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the Data Protection Officer.

12.12 You have the right to complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk). This website has more information on your rights and our obligations.

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