



## **DIOCESE OF SODOR AND MAN**

### **PRIVACY POLICY**

This policy supersedes any previous policy of this nature. It will be reviewed as appropriate, and amended where any clarification or actions are needed, and at a minimum 2 yearly.

Date of Approval	
Date Due for review	

29/11/2020

# PRIVACY POLICY

## 1. Summary

The Diocese of Sodor and Man use personal information to carry out their many functions supporting the mission and ministry of the Church of England. Legislation requires, and sometimes empowers, the Diocese of Sodor and Man to provide goods and services to the wider church.

The Diocese of Sodor and Man therefore collects a wide range of personal data required for, or incidental to, the discharge of its functions, involving employees, clergy, lay workers, pensions, housing, public consultations, recruitment and appointment, parliamentary functions etc. The Diocese of Sodor and Man will endeavour to ensure that they use personal information in line with the expectations and interests of those with whom they come into contact, including their employees, office holders and customers, for the benefit of the church and wider society and in compliance with data protection legislation.

This policy provides guidance on the provision of information to data subjects about how their personal data is processed, in order to meet the requirements for transparency in the data protection legislation. The Diocese of Sodor and Man are committed to being open and transparent about the collection, use, sharing, storage, archiving and disposal of personal data, and will provide all necessary and relevant information about these activities to data subjects. Transparency will engender trust and will support effective business operations and minimise the risk of harm to individuals.

Adherence to this policy, in relation to Diocesan work, is mandatory for all Diocese of Sodor and Man employees, clergy, office holders, lay workers, contractors, agency workers, consultants and volunteers who use personal data held by the Diocese of Sodor and Man.

## 2. Introduction

2.1 The Diocese of Sodor and Man, as data controllers of personal data, are under an obligation of transparency concerning the processing of such data, under data protection legislation. Such transparency concerns specifically, the provision of information to data subjects about how their data is being processed, and facilitating individuals to access and understand this information. The Diocese of Sodor and Man are committed to engendering trust in the processes we undertake with regard to personal data, by enabling data subjects to understand, and if necessary, to challenge these processes, and to empower data subjects to hold us to account and to exercise their control over their personal data.

2.2 The Diocese of Sodor and Man will comply with applicable legislation, including:

- **The IOM General Data Protection Regulations and Law Enforcement Directive Implementing Regulations 2018**
- **The UK General Data Protection Regulation 2016**
- **The UK Data Protection Act 2018**
- **and other regulatory requirements and applicable guidance.**

### **3. Purpose**

- 3.1 The primary purpose of this policy is to set out the relevant legislation and to describe the steps that the Diocese of Sodor and Man are taking to comply. It is our policy to ensure that our compliance with the relevant legislation is clear and demonstrable at all times.
- 3.2 In addition, this policy is intended to establish best practice in relation to the information provided to data subjects, how and when the information is communicated, and the key principles underpinning these actions and activities.

### **4. Definitions**

**Personal Data** - Any information that relates to an identifiable living individual.

**Consent** - Consent of the data subject means "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her"

**Data processing** – Any activity relating to the collection, recording, organising, structuring, use, amendment, storage, access, retrieval, transfer, analysis, disclosure, dissemination, combination, restriction, erasure or disposal of personal data.

**Data Subject** - The individual to whom the data being processed relates.

**Data Controller** - A body or organisation that makes decisions on how personal data is being processed. May be described as the owner of

**Joint Data Controller** – A data controller in another organisation who has joint decision-making powers over how or why data is processed.

**Diocesan Data Protection Group** – The individuals identified to ensure that appropriate protocols are in place and that all areas are adhering to them at all times.

**3rd Party Data Processors** - These are parties that process data on behalf of a Data Controller, they do not have the ability to make any decisions about how the data should be processed. They must always be designated through a Contract or a Data Processing Agreement.

**Privacy Notice** - A privacy notice (also known as a transparency notice) is to inform parishioners (and other individuals that you hold information about) how their personal data is used. Providing a privacy notice is part of the obligation to process personal data fairly, which is a fundamental principle of data protection compliance.

### **5. Policy Statement about Privacy Notice**

- 5.1. Data subjects have the right to be informed personal data relating to them is processed by the Diocese of Sodor and Man, and the commonest way to be transparent and to provide accessible information is in a Privacy Notice.
- 5.2. The Diocese of Sodor and Man Privacy Notice will:

- 5.2.1. Provide individuals with explicit and required privacy information before or at the start of the data processing i.e. at the time they collect or obtain the personal data, this will be in the form of a privacy notice;
  - 5.2.2. If the Diocese of Sodor and Man obtains personal data from other sources, they will provide individuals with privacy information within a reasonable period of obtaining the data and no later than one month;
  - 5.2.3. Provide information that is concise, transparent, intelligible, easily accessible, and that uses clear and plain language;
  - 5.2.4. Provide information in a format that is appropriate for the data subjects e.g. children, vulnerable adults etc;
  - 5.2.5. Provide privacy information to people using a combination of different techniques and methods to ensure accessibility i.e. on-line, hard copy, verbally etc.;
  - 5.2.6. Notify data subjects if there is a change to the data processing and Privacy Notice;
  - 5.2.7. Take all reasonable steps to communicate with data subjects to ensure they are informed, unless exempt from doing so by legislation;
  - 5.2.8. Regularly review and update privacy information.
  - 5.2.9. Take active steps to furnish the information, ensuring that data subjects are not themselves obliged to search for Privacy Notices, to ensure that information is provided at different times and at appropriate points during their interaction with data subjects.
- 5.3. As a default, all Privacy Notices issued in writing or by electronic means by the Diocese of Sodor and Man will contain the following information:
- The right to withdraw consent and how consent may be withdrawn (if applicable);
  - The name and contact details of the Diocese of Sodor and Man (data controller);
  - The name and contact details of the Diocese of Sodor and Man representative (only applicable if the data controller is not based in the EU but processes the personal data of EU residents);
  - Contact details for the department/team issuing the Privacy Notice;
  - Contact details for the Diocese of Sodor and Man Data Protection Manager;
  - Purpose of processing for which the personal data are being collected;
  - Lawful basis for the processing;
  - The recipients or categories of recipients of the personal data, if any;
  - The details of transfers of personal data to any third country and the necessary safeguards (if applicable);
  - The rights of the data subject in respect of the processing and how these may be exercised;
  - The sources of the personal data (if the personal data is not obtained from the individual it relates to);
  - Contact details for the Information Commissioners' Office are as follows  
*Isle of Man Information Commissioner, P.O. Box 69, Douglas, Isle of Man, IM99 1EQ Telephone: +44 1624 693260 Email: ask@inforights.im.*
- 5.4. Data Processors - where data is being shared with 3<sup>rd</sup> Party Data Processors, the Diocese of Sodor and Man will specify in their Privacy Notices who such processors are, where applicable.

## **6. Review of the Privacy Notice**

- 6.1. The Diocese of Sodor and Man will regularly review and, where necessary update their privacy information.
- 6.2. The Diocese of Sodor and Man will take all measures necessary to ensure that any changes to the Privacy Notice are communicated in such a way that most recipients will see that a change has been made, e.g. by email, letter, etc.

## **7. Access Requests**

- 7.1. The right of access to personal data is the fundamental right that allows you to ask for, and be provided with, the personal data that an organisation processes about you. This is a right to information that is your "personal data", not to copies of documents etc.
- 7.2. This is known as making a subject access request or SAR. A SAR does not have to be labelled as such and does not even have to mention data protection. The only requirement is that the request is made in writing, verbal requests are not valid. For example, an email from a parishioner or clergy person which simply states "Please send me copies of all emails you hold about me" is a valid SAR.
- 7.3. Information to advise the process and assist the delivery of an access request can be found here:  
<https://www.inforights.im/information-centre/data-protection-law-2018/rights/access-to-personal-data/>

## **8. Exemptions**

- 8.1. The Diocese of Sodor and Man will not provide any privacy information when collecting or obtaining personal data on the data subject if:
  - The data subject already has the information; or
  - Providing the information to the data subject would prove impossible; or
  - Providing the information to the data subject would involve a disproportionate effort;
  - Providing the information would impair the accomplishment of the purposes of the processing; or
  - The Diocese of Sodor and Man are required by law to obtain or disclose the personal data; or
  - The Diocese of Sodor and Man have a duty of professional secrecy regulated by law that covers the personal data; or
  - Where the legislation restricts the scope of data subjects' rights in relation to transparency.
- 8.2. Where exemptions apply, the Diocese of Sodor and Man will inform data subjects of such, and indicate where applicable the relevant legislative restrictions, unless doing so would be prejudicial to the purpose of the restriction e.g. the prevention, investigation and prosecution of criminal offences.

## **9. Review and complaints**

A requestor may request a review or make a complaint about how their personal data is being processed to

## **Bishop's Chaplain**

Telephone: + 44 1624 622108

Email: [chaplain@sodorandman.im](mailto:chaplain@sodorandman.im)

If a data subject is not satisfied with how the processing of their data is being conducted, or how it has been communicated, they are entitled to contact the Isle of Man Information Commissioner, P.O. Box 69, Douglas, Isle of Man, IM99 1EQ Telephone: +44 1624 693260 Email: [ask@inforights.im](mailto:ask@inforights.im) directly.

## **10. Responsibilities**

Data Protection is the responsibility of

1. The named roles (**Bishops Chaplin, Diocesan Secretary, Communications Officer, Registrar and HR Officer**) as members of the **Diocesan Data Protection Group** have joint responsible for reviewing Privacy Notices in the event of a complaint from a data subject.
2. **Parish Clergy** are responsible for ensuring that privacy information and privacy notices are developed and provided to data subjects for their parishes/churches.
3. **The Diocesan Data Protection Group** is responsible for monitoring privacy notices to ensure that teams are providing them and that they are appropriate; for supporting teams and department to create Privacy Notices; for providing guidance and templates.
4. **All staff** (including clergy, officer, employees, volunteers and contractors) are responsible for ensuring that they have issued appropriate privacy notices, and that they can provide these to data subjects on request; that they assist colleagues who are responsible for individual rights requests by providing the necessary privacy notices in a timely way.