

# DATA PRIVACY NOTICE

## The Incumbent (Vicar) of the Benefice of Chorley, St James

### 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?

The Incumbent of St James as the Benefice Holder is a data controller. This means that he decides how your personal data is processed and for what purposes. The Incumbent has certain legal responsibilities including the "Cure of Souls" within the parish and church of St James. This responsibility is legally distinct from his role as a member of the Parochial Church Council but in practice it is quite difficult to separate the two. Present rules require that the PCC and Incumbent should be treated as separate data controllers.

### 3. How do we process your personal data?

The Incumbent complies with his 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.

The Incumbent will also hold and process data relating to the work of the PCC of St James Chorley, for which please refer to the PCC Privacy Notice.

We use your personal data for the following purposes: -

- To exercise the ministry of an Incumbent, including the "cure of souls", as defined by law and ancient custom.
- To administer records of those to whom he ministers for pastoral purposes.

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

- There are **legal obligations** for the Incumbent, Churchwardens or PCC to maintain Parish Registers, an Electoral Roll, Gift Aid records, Finance and Accounts and Safeguarding Records. Where information is provided for these specific purposes additional consent is not required. If any of this data is to be used for other purposes the incumbent requires explicit consent.
- **Explicit consent** of the data subject to keep information relevant to pastoral ministry such as life events, family contacts, roles, gifts, training and past ministry.
- Processing is necessary to carry out the duties of an Incumbent and the better exercise of pastoral ministry.
- 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 people authorised by the Bishop of Blackburn, or the PCC of St James Chorley, to share in the legal duties and pastoral ministry of the Incumbent.

## **6. How long do we keep your personal data<sup>1</sup>?**

The Incumbent will keep data in accordance with the guidance set out in the guide “Keep or Bin: Care of Your Parish Records” which is available from the Church of England website [see footnote for link].

A particular Incumbent may keep some pastoral records for as long as they are the benefice holder.

## **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 the Incumbent holds about you;
- The right to request that the Incumbent 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 there is no legal obligation to retain it;
- The right to withdraw your consent to the processing at any time (where consent is necessary);
- The right to object to the processing of personal data;
- The right to lodge a complaint with the Information Commissioners Office.

## **8. Further processing**

If the Incumbent wishes to use your personal data for a new purpose not covered by this Data Protection Notice, then he will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, he will seek your prior consent to the new processing.

However, it is likely that any such new purpose will fall under the control of the PCC of St James rather than the Incumbent.

## **9. Contact Details**

To exercise all relevant rights, queries or complaints please in the first instance contact The Incumbent, St James Vicarage, St James Place, Chorley, PR6 0NA.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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<sup>1</sup> Details about retention periods can currently be found in the Record Management Guides located on the Church of England website at: - <https://www.churchofengland.org/about-us/structure/churchcommissioners/administration/librariesandarchives/recordsmanagementguides.aspx>