

Dunblane Cathedral – Data Protection – Update after discussion with Church of Scotland Legal Department on 1st February 2018

The General Data Protection Regulation (GDPR) becomes law on 25th May 2018. All organisations must be compliant by then – this includes charities like churches. Compliance with the GDPR is mandatory. Non-compliance, as well as illegal, will be going against direct rulings from Church of Scotland Law Department and Presbytery. As trustees of the Cathedral, we would be accountable for any breaches. The maximum penalty would be 4% of our “turnover” or €20,000,000, whichever is larger, at the discretion of the Information Commissioner’s Office.

GDPR states, in the following 6 principles, that personal data be:

1. processed lawfully, fairly and in a transparent manner in relation to individuals;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date;
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. processed in a manner that ensures appropriate security of the personal data.

In addition, we, Dunblane Cathedral must “be responsible for, and be able to demonstrate, compliance with the principles.”

GDPR refers only to Personal Data but extracting the Personal Data from other data is extremely complex. Therefore, we will simply treat all data the same and be compliant with the above, thus also following good data management practice. The statements in the Data Protection report presented to Dunblane Cathedral Management Committee in January 2018 are our responses to the above. Summarised, these are:

- Data to be held on-line and therefore accessible by whoever needs it and is authorised to do so. No data to be held locally on personal computers.
- To provide the ability to access, change or delete ANY and ALL data we hold on an individual, on request, within 1 month.
- To ensure we have permission to share personal details with other organisations, where applicable.
- To have clear accountability of roles for data management across Dunblane Cathedral.
- To formally appoint a “Data Protection Officer” as recommended by Church of Scotland Law Department
- To have clearly defined and documented processes and accountability as proof of compliance.
- Exceptions to the above will be recorded. Finance and Gift Aid are two areas identified where local data is required to be held due to specific software used in these areas.
- Amend and update procedures based on advice from Church of Scotland Law Department as and when provided.