

## **Privacy Notice**

St Leonard's Parish Church of Scotland, St Andrews, SCO13586  
(the "Congregation")

### **Purpose of this Notice**

This Privacy Notice outlines the way in which the Congregation will use personal information provided to us. Personal information includes any information that identifies you personally, such as your name, address, email address or telephone number. This information may have been given by members, employees, volunteers, donors and other associates.

The Congregation recognises the importance of your privacy and personal information and we have therefore outlined below how we use, disclose and protect this information. The Congregation, jointly with the Presbytery of St Andrews is the data controller, because we decide how your data are processed and for what purpose. Contact details for us are provided below.

### **How We Collect Information**

The congregation receives and stores personal information provided by members, employees, volunteers, donors and other associates. This information can be supplied to us:

- i) in writing or via email, by telephone conversation or on our website (e.g. when an individual is becoming a member); or
- ii) by otherwise associating with the congregation or its organisations, (e.g. by enquiring about our work, activities, employment and volunteering opportunities); or
- iii) when donating money to the congregation or its organisations.

We may also receive information about you from third parties.

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### **How we use information**

We use the information you give to us:

- ☐ to administer membership records, including a Communion Roll and Supplementary Roll (if any);
- ☐ for pastoral care purposes;
- ☐ in relation to participation in Congregational activities ;
- ☐ to provide you with information about news, events, and activities within the Congregation or the wider Church of Scotland;
- ☐ to provide the services of a parish church to the local community;
- ☐ to fulfill contractual or other legal obligations;
- ☐ to manage our employees;
- ☐ to further our charitable aims, for example through fundraising activities;
- ☐ to maintain our accounts and records (including the processing of Gift Aid applications);

### **Disclosure of information**

The Congregation will only share your personal information where this is necessary for the purposes set out above. Information will not be shared with any third party out with the Church of Scotland without your consent unless we are obliged or permitted to do so by law.

The Congregation has appointed Destination66 Ltd to manage the Congregations Email database according to the agreement specified in Annex1.

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### **Basis for processing personal information**

The General Data Protection Regulations 2018 includes an exemption from the absolute requirement to obtain explicit consent for the processing of sensitive personal data. The exemption applies where the processing of the data is "carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other non-profit body with a political, philosophical, religious or trade-union aim and on condition that the processing relates solely to members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the data are not disclosed outside that body without consent."

The Congregation processes your information in the course of its legitimate activities, with appropriate safeguards in place, as a not-for-profit body with a religious aim and on the basis that our processing relates solely to members, former members or people who have regular contact with us, and that this information is not disclosed to any third party without your consent.

We also process information where this is necessary for compliance with our legal obligations; where processing is necessary for the purposes of our legitimate interests and such interests are not overridden by your interests or fundamental rights and freedoms; and where you have given consent to the processing of your information for a particular purpose.

### **Storage and security of personal information**

The Congregation will strive to ensure that personal information is accurate and held in a secure and confidential environment. We will keep your personal information for as long as you are a member or adherent or have regular contact with us or so long as we are obliged to keep it by law or may need it in order to respond to any questions or complaints or to show that we treated you fairly. We may also keep it for statistical purposes but if so we will only use it for that purpose. When the information is no longer needed it will be securely destroyed or permanently rendered anonymous.

A copy of our data retention policy is attached to this notice at Appendix A.

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### **Getting a copy of your personal information**

You can request details of the personal information which the Congregation holds about you by contacting us using the contact details given below.

### **Inaccuracies and Objections**

If you believe that any information the Congregation holds about you is incorrect or incomplete or if you do not wish your personal information to be held or used by us please let us know. Any information found to be incorrect will be corrected as quickly as possible.

You have the right to object to our use of your personal information, or to ask us to remove or stop using your personal information if there is no need for us to keep it. There may be legal or other reasons why we need to keep or use your data, but please tell us if you think that we should not be using it.

If you are a member of the Congregation and wish the Congregation to delete your information your name and details will be removed from the Church Roll and you will no longer be a member of the Congregation. If we are processing your data on the basis of your explicit consent, you can withdraw your consent at any time. Please contact us if you want to do so.

### **Contact us**

You can contact us by getting in touch with the Church Administrator at Church Office, St Leonard's Parish Church 1 Donaldson Gardens, St Andrews, KY16 9DN, Tel: 01334-478402 or Email: [stlencam@gmail.com](mailto:stlencam@gmail.com).

### **How to complain**

You have the right to complain to the Information Commissioner's Office about anything relating to the processing of your personal information by the Congregation. You can contact the ICO via its website at [www.ico.org.uk](http://www.ico.org.uk) or at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Robert McNeill  
Session Clerk  
St Leonard's Parish Church of Scotland SCO13586

1st April 2020

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### **Annex 1 Agreement between the Congregation and Destination66 Ltd on the Management of the Congregations Email Database**

#### Management of Email Database

1. Destination66 Ltd agrees to manage the email database (emails only through the MailChimp platform [or similar]) for St Leonard's Church, St Andrews. This management will include:
  - a. Periodic e-shots (at most, weekly) that share updates from the Church. St Leonard's Church will be responsible for providing the core content.
  - b. Destination66 Ltd will be responsible for the design.
  - c. No e-shots will be issued unless agreed by either the Church's Minister or the Church's Session Clerk.
2. GDPR Compliance:
  - a. The ownership/management of all emails remains with St Leonard's Church
  - b. The email's ownership/management is covered by the Church's own GDPR-compliant Privacy Policy - The Church being the recognised Data Controller under such legislation.
3. Destination66 Ltd will make no charge for providing this service.
4. Termination:
  - a. Both parties have the right to terminate on the above terms at any time with one week's written notice.
  - b. In either event, Destination66 Ltd will download all emails to a .csv file and return to the Church's office.
  - c. Destination66 Ltd will then delete all emails and analytics data from its computer(s) and file(s) that relate to this agreement.

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### **Appendix 1 DATA RETENTION POLICY**

#### **1. Introduction**

- 1.1. The Congregation gathers personal information from individuals and external organisations as well as generating a wide range of personal data, all of which is recorded in documents and records, both in hard copy and electronic form.
- 1.2. Examples of the types of information accumulated and generated are set out in Annex 1 of this policy and include but are not limited to minutes of Kirk Session meetings; membership rolls; baptismal information; employment records; newsletters and other communications such as letters and emails.
- 1.3. In certain circumstances it will be necessary to retain documents to meet legal requirements and for operational needs. Document retention is also required to evidence agreements or events and to preserve information.
- 1.4. It is however not practical or appropriate for the Congregation to retain all records. Additionally, data protection principles require information to be as up to date and accurate as possible. It is therefore important that the Congregation has in place systems for the timely and secure disposal of documents that are no longer required.
- 1.5. This Data Retention Policy was adopted by the Congregation on 1st April 2020 and will be implemented on a day to day basis.

#### **2. Roles and Responsibilities**

- 2.1. Congregational office bearers and those involved with safeguarding will adopt the retention and disposal guidance at Annex 1 of this policy and strive to keep records up to date.
- 2.2. Advice will be obtained from the Law Department or Safeguarding Department of the Church Office at 121 George Street if there is uncertainty about retention periods.

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### **3. Retention and Disposal Policy**

3.1. The Congregation will take decisions relating to the retention and disposal of data guided by:-

3.1.1. Annex1 – Document Retention Schedule – Guidance on the recommended and statutory minimum retention periods for specific types of documents and records.

3.1.2. Annex2 – Quick Guide to document retention.

3.2. In circumstances where the retention period for a specific document or category of documents has expired, a review will be carried out prior to disposal and consideration will be given to the method of disposal.

### **4. Disposal**

4.1. Documents containing confidential or personal information will be disposed of either by shredding or by using confidential waste bins or sacks. Such documentation is likely to include financial details, contact lists with names and addresses and pastoral information.

4.2. Documents other than those containing confidential or personal information will be disposed of by recycling or binning.

4.3. Electronic communications including email, Facebook pages, twitter accounts etc and all information stored digitally will also be reviewed and if no longer required, closed and/or deleted so as to be put beyond use. This should not be done simply by archiving, which is not the same as deletion. It will often be sufficient simply to delete the information, with no intention of ever using or accessing it again, despite the fact that it may still exist in the electronic ether. Information will be deemed to be put beyond use if the Congregation is not able, or will not attempt, to use it to inform any decision in respect of any individual or in a manner that affects the individual in any way and does not give any other organisation access to it.

4.4. Deletion can also be effected by using one of the following methods of disposal:-

- ☐ Using secure deletion software which can overwrite data;
- ☐ Using the function of "restore to factory settings" (where information is not stored in a removable format);
- ☐ Sending the device to a specialist who will securely delete the data.

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### Annex 1: Illustrative Data Retention Schedule

This Schedule is provided as a guide to common types of documents but is not exhaustive.

**NOTE:** There may be an historic interest in the Congregation's records. Kirk Session minutes are archived after 50 years. If you think that archiving other records is preferable to destruction, you should be in touch with the Department of the General Assembly, which will organise archiving where appropriate.

**Avoid retaining information if there is no reason for doing so. Consult with the Law Department if you are unsure.**

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RECORD	RETENTION PERIOD
Minutes of meetings	6 years
Kirk Session & Congregational Board meetings	50 years - permanent. After 50 years pass the minutes to the principal clerk's office, who then liaise with the National Records of Scotland for archiving.
Pre-employment enquiries/applications/notes/letters/references	6 months after completion of recruitment (unless data to be retained for a future similar opportunity, in which case 1 year)
Safeguarding - Service confirmation of advice, emails, letters	100 years



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Safeguarding - Confidentiality Agreements	100 years
Safeguarding - Covenants of Responsibility (managing those who pose a risk)	100 years
Safeguarding - Risk Assessments	100 years
Safeguarding - Complaints concerning people	100 years
Safeguarding - Audit for Congregations and Presbyteries	100 years
Congregational Roll	100 years
Certificates of Transference/Lines	100 years
Employee/appointments records including: contracts, time records etc	Duration of employment + 7 years
Volunteer records	Duration of placement + 7 years
Databases for mailing lists/distribution	Reviewed annually, delete out of date information

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Miscellaneous contact information	Delete once there is no longer a requirement to hold such information
Arranged accommodation/placements (e.g. overseas visitors)	3 years following end of event/placement
Documents relating to litigation or potential litigation	Until matter is concluded plus 7 years
Hazardous material exposures	30 years
Injury and Illness Incident Reports (RIDDOR)	5 years
Pension plans and retirement records	Permanent
Salary schedules; ranges for each job description	2 years
Payroll Records	Minimum, 7 years. No maximum
Contracts	7 years following expiration
Construction documents	Permanent
Fixed Asset Records	Permanent

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Application for charitable and/or tax-exempt status	Permanent
Sales and purchase records	5 years
Resolutions	Permanent
Audit and review workpapers	5 years from the end of the period in which the audit or review was concluded
OSCR filings	5 years from date of filing
Records of financial donations	7 years
Accounts Payable and Receivables ledgers and schedules	7 years
Annual audit reports and financial statements	Permanent
Annual plans and budgets	2 years
Bank statements, cancelled cheques, deposit slips	Minimum of 7 years
Business expense records	7 years

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Cash/cheque receipts	7 years
Electronic fund transfer documents	7 years
Employee expense reports	7 years
General ledgers	Permanent
Journal entries	7 years
Invoices	7 years
Petty cash vouchers	7 years
Tax records	Minimum 7 years
Filings of fees paid to professionals	7 years
Environmental studies	Permanent
Insurance claims/ applications	Permanent
Insurance disbursements and denials	Permanent

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Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers' Compensation)	Permanent
Leases	7 years after expiration
Property/buildings documentation (including loan and mortgage contracts, title deeds)	Permanent
Warranties	Duration of warranty + 7 years
Records relating to potential, or actual, legal proceedings	Conclusion of any tribunal or litigation proceedings + 7 years

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### Annex 2: General guidance for documents NOT included in the retention schedule.

On-going business use is subjective, but generally refers to documents still required for on-going projects, or documents that may still need to be referred to for on-going activities.

