

Paper M3

Deputy GS (Administration & Resources)

General Data Protection Regulation

United Church 2017
Church 2017
Reformed Church 2017
Church 2017

Paper M3

Deputy GS (Administration & Resources) General Data Protection Regulation

Basic Information

Contact name and email address	Jane Baird jane.baird@urc.org.uk
Action required	Compliance – in the long term, rather than specifically in the meeting
Draft resolution(s)	

Summary of Content

Subject and aim(s)	To increase awareness of the General Data Protection Regulation (GDPR)
Main points	GDPR comes into effect in May 2018. It updates the requirements for the ways in which personal data is processed.
Previous relevant documents	Data Protection Act 1995
Consultation has taken place with...	

Summary of Impact

Financial	
External (e.g. ecumenical)	

General Data Protection Regulations

1. The new General Data Protection Regulation (GDPR) will take effect on 25 May 2018.
2. The GDPR builds on the current data protection regime in the UK, established by the Data Protection Act 1998.
3. Any organisation which handles personal data must comply with the GDPR. The GDPR defines 'personal data' as: any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.
4. The GDPR significantly restricts the use of consent as a justification for processing personal data. Under the GDPR, consent must be freely given, specific, informed and unambiguous. It must also be given by a statement or clear affirmative action. The main implications of the new regulations are that generic consents (for example, those contained in the body of an employment contract) will not be a valid legal basis to justify processing personal data.
5. Penalties for some infringements of the regulation can be the higher of 4% of annual worldwide turnover and €20 million.
6. The existing eight data principles of the Data Protection Act 1998 remain relevant.

7. Some of the key changes of the GDPR

- 7.1 **Consent to hold personal data**
Consent will have to be informed, freely given, specific and unambiguously shown.
- 7.2 **Show Data Protection compliance**
There will be increased expectations on governance and record-keeping, such as carrying out data protection impact assessments when initiating a new project or system and implementing data protection policies.
- 7.3 **Consider Data Protection**
The GDPR requires organisations to understand and consider data protection in all new projects and technology, and be able to demonstrate that the impact on individuals has been considered and taken into account.
- 7.4 **Permit Individuals to restrict how their data is used**
Individuals will have much greater rights, including increased rights to object to certain processing, and the right to be forgotten, to have data corrected and to restrict how data is used. The 'right to be forgotten' enables an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

7.5 Respond more quickly to Subject Access Requests (SAR)

Subject access requests rights will be expanded and organisations will have an obligation to comply with them without undue delay and within one month (as opposed to the current 40-day period), with a potential extension of up to two additional months.

8. The Information Commissioner provides guidance about GDPR on its website:

Preparing for GDPR –

<https://ico.org.uk/media/1624219/preparing-for-the-gdpr-12-steps.pdf>; and a readiness self-assessment tool - <https://ico.org.uk/for-organisations/data-protection-reform/getting-ready-for-the-gdpr/>

9. Implications for the United Reformed Church

The GDPR is relevant to all parts of the United Reformed Church: local churches, synods, trust bodies, committees, Church House and any other body which holds personal data. The implications of data gathering, storage, security, transfer, retention and destruction (both physical and electronic) must be understood by all parts of the Church and data processing activities modified, if necessary, to meet the requirements of the GDPR.

10. Support within the United Reformed Church

Meetings of synod trust and property staff (PLATO) on 10 October and of Synod Clerks on 19 October will both include GDPR in their agenda. Should it become clear at these meetings that a particular kind of support within the URC – a gathering to share information and good practice, a guidance document, a help line – would be both useful and achievable, we shall make this known at Mission Council, and give what information we can about specific plans.