

Policy on Data Protection

Date Policy Agreed by Area Meeting Trustees: **relevant minute:**

Date Adopted by Area Meeting in Session: **relevant minute:**

Date for Review of Policy by Trustees:

1. Data Protection

The term “data” covers information held on a computer or other automated equipment or formally organised paper records of members and attenders as well as data in personnel folders (excluding employment references), employee records.

Such data is governed by the Data Protection Act 1998, which is designed to protect information processed by a computer or other automated equipment or formally organised, manually processed paper files. The Act is concerned only with information which relates to a living individual.

The fundamental principle of the Act is that data can be kept and used only if the individual to whom the data relates is made aware of the purposes for which the data will be kept and used and (except in certain limited cases) has consented to that use. It is important that everyone concerned is aware of the Act and abides by its rules.

The data is also governed by EU General Data Protection Regulations (GDPR) which came into force May 2018. The regulations state that personal information may only be kept for the purposes of ‘legitimate interests’. For Brighouse West Yorkshire Area Meeting (BWYAM) this includes addresses/emails and a record of posts held. This has strengthened provisions around the consent for use of personal data and reduced the time to answer a request from someone for access to personal data held about them to one month. In addition, the regulations state that permission must be asked and not assumed.

Although the United Kingdom has now left the European Union, we will continue to follow the EU GDPR until further advised by the Information Commissioners Office.

2. The Data held

Brighouse West Yorkshire Area Meeting holds data on individual people, such as members, attenders, donors, tenants, groups & individuals using the premises and employees both on computers and in paper files. This information is used for running the organisation and its membership, for nominations, and for staff management purposes.

When people are becoming members or attenders of the Society an explanation needs to be given about what information is held and the use to which it will be put. Friends need to be made aware that they are completely free to refuse permission for anything not covered by ‘legitimate interests’. Written consent for this information to be held needs to be obtained and the form to collect this data also explains how to withdraw consent for the information to continue to be kept (see Appendix 2 for form to be used).

Consent from parents/guardians for holding and use of personal data for under 18 year olds must also be obtained.

For example, the Area Meeting holds information on members and attenders which is used for mailing newsletters and other communications, contacting them at home, and printing a list of members and attenders for reference. Consent also needs to be obtained to hold information

about attenders or non-member spouses/partners and the consent needs to specify the purpose of holding this information.

In addition, the Area Meeting provides information to “Quakers in Yorkshire” which is used for contacting members and attenders at home and for printing a list of members and attenders for reference. This document is updated triennially.

The information in the Area Meeting list of members is also held on the Britain Yearly Meeting (BYM) national database and may be used by any constituent part of BYM to keep lists in order and to facilitate contact between officers and staff of BYM and the members.

The Area Meeting may also pass this information on paper to other Quaker organisations (those listed in the BYM Book of Meetings) with the proviso that the information is our property, is to be used to assist in contacting individual members on their legitimate business and should not be used to make unsolicited approaches to members.

Any data collected for the purposes of an event may only be used for that one event. Should it be required for a subsequent event then consent needs to be obtained again.

All consent forms will be kept for as long as data is kept on individuals.

3. Data Protection Policy

The Area Meeting has received advice from the Information Commissioner’s Office that we do not need to register with the Information Commissioner. However, we will meet our obligations under the Act by:

- a) Ensuring that personal data held is
- Obtained and used fairly and lawfully i.e. with the consent of the subject (except in certain limited cases).
 - Used only for purposes specified prior to obtaining the data.
 - Adequate, relevant and not excessive.
 - Accurate and kept up to date.
 - Not kept any longer than necessary.
 - Kept and used in accordance with the Data Protection rights of individuals.
 - Protected by adequate security measures, to prevent unauthorised use, or loss or corruption, and
 - Not transferred to a country outside EU without adequate protection.
- b) Ensuring that members are aware of the Area Meeting's policy on data protection and its implications for both members and attenders.

4. Scope of the Area Meeting Data Protection Policy

This policy covers members, staff, and volunteers in the Area Meeting and its constituent Local Meetings.

5. Responsibilities

Friends generally, and particularly clerks of Local and Area Meetings and their committees, must ensure that:

- Data which they collect, including minutes of elders, overseers and nominations committees, as well as membership information, is kept and used in accordance with this policy.
- Explicit permission for the listing or processing of personal data concerning individuals who are not members or children and young people under 18 is obtained from those concerned.

6. The Britain Yearly Meeting Membership Database

Members' and attenders' contact information is held on the BYM centrally-held electronic database. The database also holds records of all donors, so that everyone, whether Friend or non-Friend, who has given money to BYM, is listed with the necessary details of Gift Aid, tax reclaimed, etc. This is a necessary part of the BYM's accounting procedures.

Members who do not wish their contact details to be held in this way will be recorded on the database by name only (Meeting for Sufferings Minute 8 of 6 July 2002).

Changes in personal details held on the BYM membership database are made as soon as they are received. Access to the centrally-held electronic database is limited to those staff who need it and use it for updating and processing purposes. Staff are not permitted to give out personal addresses or telephone numbers without the prior consent of those concerned.

7. Access to Data

The Area Meeting will allow access to its data only to those people who have a need to use it for the declared purposes.

The Area Meeting will not respond to requests for personal information on individuals from third parties, other than police with a warrant, without the written consent of the individual concerned. This applies to requests from members of other Quaker bodies, banks, building societies, prospective employers etc.

The Act allows individuals the right to see personal data held about themselves. The procedure for access to data is outlined in the Appendix below. There is no charge for individuals to access their own personal data.

The general rule is that personal data held on an individual may be disclosed only to that individual or with the individual's consent. Failure to observe this rule could be deemed a criminal offence and the offender may be subject to prosecution. Employees may also be subject to disciplinary action by their employer.

8. Gaining consent

Consent will be obtained using the Data Consent Form in Appendix 2. If the Data Consent Form attached does not collect the data required then another method of gaining consent, in writing, can be used as appropriate for the data needing collecting, such as emergency contact details for a residential gathering. These alternative methods of collecting data must also gain consent in line with the policies outlined in this document.

Appendix 1

How to make a request to see Data about yourself

If you wish to see personal data about yourself held by your Local Meeting or Area Meeting you should contact the Area Meeting clerk.

To help locate the information please give as much detail as you can about the information you would like. Your request should be reasonable; for example, you cannot ask to see every mention of you in minutes.

If you wish to see personal data about yourself held by BYM you are advised to submit a "Request for Access to Personal Data" in writing to the relevant department at Friends House describing the information you want. If you are unsure which department to write to, please write to the Data Compliance Officer (The Recording Clerk for BYM).

You can expect the information to be provided within 1 month.

You can either make an appointment to view the data, or copies of data held will be sent by post. If you ask to view the data you can only do so in the presence of staff or officers. Copies of your data can be provided, if you wish, but data cannot be removed from files.

If you are unhappy with the way your request was handled or disagree with any detail contained within the file you should notify Area Meeting clerk or the department who has been dealing with your request. They will investigate the matter and inform you of the decision. If you are unhappy with the decision you may write to the Data Compliance Officer at Friends House (the Recording Clerk).

What to do if you receive a Request for Access to Personal Data

If you are a member of staff or officer of the Society you may receive a request from an individual to see personal data held about themselves.

You must provide the information within 1 month of receiving the request.

If it is clear what personal information is being requested and you have no reservations about giving the information then do so. You can either send copies of the data, or arrange for the person making the request to view it. If they ask to view the data, they can only do so in the presence of staff or officers.

If the request is made to the Area Meeting clerk, then you should first establish if the request is to see data held only by the Local or Area Meeting, or by BYM. Anyone making a request has a right to see personal data about themselves held by BYM. If this is what they are requesting then you should pass the request to the Data Compliance Officer at Friends House (the Recording Clerk).

If the request is to see personal data held only by the Local or Area Meeting, then the Area Meeting clerk may answer it. A record of the request should be kept for compliance purposes and in case there are any queries. The annual compliance form will ask if the Area Meeting has received any requests or not.

If you have any reservations about a request and how to handle it, then please contact the Data Compliance Officer at Friends House (the Recording Clerk).

Appendix 2

Data consent form for a meeting to adapt

Brighouse West Yorkshire Area Meeting: Local Meeting Data Consent Form		
<p>1. Agreement to the use of data (both members and attenders)</p> <p>Quakers seek to be clear and transparent in the work that we do and, in our recording, and use of personal information. In order to nurture the life of our Meetings we would like to collect and store some items of personal data for the purposes of circulating notices and information about Meeting events and concerns. We will not forward the information we collect to third parties.</p> <p>Under data protection regulations individuals who pro-actively become members of an organisation can expect that the organisation will keep and use some items of information; the regulations assume these items to be of 'legitimate interest'. However, whether or not you are in membership, this Meeting wishes to be clear that it has your explicit consent for the storage and use of some of your data, so we ask you to indicate that you give that consent. Please would you read and complete the sections below, entering your details and indicating your agreement where applicable, and return the form to the member of Meeting whose contact details are given at the end of the form.</p> <p>This information will be seen and used by the appropriate officers and committee members of the Meetings indicated in box 3 below, and in specific cases where you give permission for its use or distribution within Meetings e.g. Meeting contact lists.</p> <p>We consider that your return of this form gives consent for the use of this information as indicated, until such time as you submit a revised form, or you contact the LM or AM Clerk about changes you wish to be made to the form. We will keep this information until you ask us to change it or no longer keep it. Please contact your data collection person if you wish to make changes.</p> <p>We work to safeguard the information that we use, and we follow Britain Yearly Meeting's Privacy Policy and Brighouse West Yorkshire Area Meeting's Data Protection and Privacy Policies which comply with the Data Protection Act 1998 and the General Data Protection Regulations which came into force in May 2018. Copies of the above Brighouse West Yorkshire Area Meeting Privacy and Data Protection Policies are available on request. Britain Yearly Meeting's Privacy Policy is available on their website (https://www.quaker.org.uk/privacypolicy), a paper copy of which can be provided upon request.</p>		
<p>2. Contact information (both members and attenders)</p> <p>a. Please enter your names and those contact details you wish to provide for Meeting to hold – if you wish to receive Meeting notices, we will normally need at least your email address.</p> <p>b. Please enter a tick in the box after each item if you give consent for it to be included on the Local Meeting distributed contact list</p>		
<p>a. Contact details <u>Note:</u> Please use a separate form for each adult.</p>		<p>b. Please tick box for consent to distribute</p>
<p><u>First Name:</u></p>	<p><u>Last Name:</u></p>	

<u>Address:</u>		
<u>Email Address:</u>		
<u>Home Phone Number:</u>		
<u>Mobile Phone Number:</u>		
3. Meetings where members and attenders contact details may be kept and used (NB members names are always kept by Local, Area and Yearly Meetings on the basis of membership)		
Local Meeting:	Yes:	No:
Brighthouse West Yorkshire Area Meeting:	Yes:	No:
Quakers in Yorkshire:	Yes:	No:
Britain Yearly Meeting: <u>Note:</u> For members of the Society, Britain Yearly Meeting keeps a list of members for each Local Meeting and Area Meeting but this does not include contact details.	Yes:	No:
4. Young people under 18 Young People, under 18, who attend Quaker activities may wish to have their details held for appropriate purposes, e.g. keeping as a record of their attendance at the meeting, and for passing on relevant notices, such as the advertisement of young people's events (Junior Holidays and Holiday School etc). When a child under the age of 18 is attending Quaker activities without their parent or legal guardian, or with someone other than their parent or legal guardian, this form still needs to be filled in by their parent or legal guardian.		
<i>Parent or Legal Guardian(s)</i>		
<u>First Name:</u>	<u>Last Name:</u>	
<u>First Name:</u>	<u>First Name:</u>	
<i>Young Person(s) Under 18</i>		
<u>First Name:</u>	<u>Last Name:</u>	<u>Date Of Birth:</u>

<u>First Name:</u>	<u>Last Name:</u>	<u>Date Of Birth:</u>
<u>First Name:</u>	<u>Last Name:</u>	<u>Date Of Birth:</u>
<u>First Name:</u>	<u>Last Name:</u>	<u>Date Of Birth:</u>

Meetings where these Young Person(s) names and dates of birth may be recorded
(We will not include dates of birth, email addresses, or mobile phone numbers for young people under 18 in our public contacts list. DOB will be shared with overseers where included)

Local Meeting:	Yes:	No:
Brighthouse West Yorkshire Area Meeting:	Yes:	No:
Quakers in Yorkshire:	Yes:	No:
Britain Yearly Meeting: <u>Note:</u> For members of the Society, Britain Yearly Meeting keeps a list of members for each Local Meeting and Area Meeting but this does not include contact details.	Yes:	No:

I agree to the keeping and use of the information I give as indicated on this form:

<u>Name:</u>	<u>Signature:</u>	<u>Date:</u>

Please return this completed form to:

Appendix 3

GDPR – draft email to Clerks/Convenors of meetings and committees of Brighthouse West Yorkshire Area Meeting

To: clerks of LM, Premises Committee (if appropriate), Overseers, Elders, Nominations committee, Children’s Work Group, Correspondence clerks and any other relevant persons.

Dear Friend(s)

As an Area Meeting we have embarked on a process to bring ourselves in line with GDPR – “General Data Protection Regulations” – by which we aim to keep all data that’s kept by the Area and Local Meetings safe, and as private as those concerned would like it to be. So I’m writing to you as someone who is responsible for ensuring that the Area Meeting meets its GDPR requirements.

I’d like to ask you, as clerk/convenor of *[Insert meeting or committee here]*, some questions about how you collect and store personal data.

Please could you bring the questions below to your next committee meeting. There is not necessarily a need to come back to me with the answers, this is about you as a committee understanding the regulations and how you process the data you collect. But if you have any questions or need help, then please do come back to me.

There is more information about how the Area Meeting, and its associated Local Meetings and Committees, should collect and look after data in the Area Meeting’s Data Protection and Privacy Policies. There is also more information regarding GDPR on the Quakers in Britain website - <https://www.quaker.org.uk>, and the Information Commissioner’s Office (ICO) website - <https://ico.org.uk>. The ICO is “The UK’s independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.”

Not all of these questions will be applicable to every role, and committee, so don’t feel you have to find an answer to them all.

- 1) **How are your records kept: on paper, or digitally?**
- 2) **For what purpose is it collected (eg minutes of a meeting / for pastoral or spiritual care / to fill necessary offices in the Meeting)?**
- 3) **Do you ask for consent?**
- 4) **How is it stored?**
- 5) **How long is it kept?**
- 6) **What decision is made about its retention (i.e. is it permanent, or kept for a provisional period)?**
- 7) **Is it destroyed, and if so, how?**
- 8) **What is the legal basis for it being kept and processed (e.g., the legitimate interests of our organisation / vital interests like safeguarding / legal obligation / by consent / for historical archiving)?**

Many thanks.

In friendship, *[Insert your name here]*.

Appendix 4

Being aware of Friends' security when emailing

- If emailing a group of Friends who will then be having an email discussion about the topic in the email, then putting those email addresses in the "to" box is appropriate. When doing this you should know that those Friends have given permission for their addresses to be shared, or it can be reasonably assumed they expect this to happen for undertaking a task they have agreed to do, for instance, for a small group consultation.
- If emailing a group of Friends something like a newsletter, then putting your own email address into the "to" box and all the other addresses in the "bcc" box helps keep personal information secure
 - if someone on that list then forwards it on to others without deleting the email addresses section
 - if someone's computer security is compromised (it is much harder to hack addresses in the bcc box)
- Before circulating information on a particular subject to every address on your email list, ask yourselves whether this is the best way.
- If circulating a string of emails to anyone else, delete the email address section of each email in the thread thus not passing on email addresses of people who haven't given you permission to do so. Also consider deleting some of the emails leaving only the ones you are wanting people to read – and making it more likely that they will do so.
- **Please keep your computer's security protection up to date.**

Chapter 20 of *With a Tender Hand* (a resource for eldership and oversight) by Zelig Gross helped in compiling these advice notes.

There is also guidance on the Information Commissioner's Office (ICO) website on sending emails to multiple recipients:

<https://ico.org.uk/for-organisations/guide-to-data-protection/encryption/scenarios/sending-personal-data-by-email/>

<https://ico.org.uk/for-organisations/guide-to-data-protection/it-security-top-tips/>

Brighthouse West Yorkshire Area Meeting Privacy Policy

Who are we?

Brighthouse West Yorkshire Area Quaker Meeting is part of Britain Yearly Meeting of the Religious Society of Friends (Quakers) known as the 'Area Meeting' or 'AM'. We are a not-for-profit religious organisation.

This privacy policy is part of the Brighthouse West Yorkshire Area Quaker Meeting Data Protection policy. The Area Meeting can be contacted through the AM Clerk or the Clerk to Trustees.

Why do we collect data?

We collect contact details and other necessary information for members, their family members, and long-term attenders, under legitimate interests, for the necessary administration of our membership organisation.

We ask for consent to collect data for the following primary purposes:

- To create shareable contact information for each local Meeting and to contribute towards a book published by 'Quakers In Yorkshire' (Book of Members)
- To pass contact details to other organisations (for example 'Quakers In Yorkshire', Britain Yearly Meeting)

What data do we collect?

We collect personal data from our members and other people closely associated with the organisation for the legitimate interests of our organisation. This includes:

- Membership information, information about people who attend regularly but who have not formally applied for membership (names, membership status, affiliation to other Quaker organisations) and children who take part in Quaker activities.
- Contact information for employees
- Information about what roles people hold within the meeting, and information required in relation to those roles (names, contact details, signatures)
- Biographical data required for nominations for roles or applications for membership
- Any information required for business meeting minutes (e.g. names of attendees, assignment of actions to named individuals)
- Room bookings customers' data.

Data concerning members and attenders is collected through completion of a data consent form. Section 2 of the Data Consent Form provides people with the opportunity to refuse their consent for personal information about themselves to be included on the Local Meeting Contact list.

Members and attenders may also choose to volunteer other information in meetings about their pastoral care needs or spiritual life. They may choose to publish these in newsletter articles etc. Families and friends sometimes provide information to the meeting about their families or life circumstances for the purpose of a special meeting such as a wedding or funeral/memorial meeting. The Meeting may also occasionally be requested to provide statements or references in support of applications for courses and so on, and may process data required to fulfil these requests. Visitors may also choose to sign a Visitors Book and disclose information about themselves which may be viewed in this book by anyone attending the Meeting House.

The data we hold may include the following 'special category data':

- Information about one's religious beliefs, in particular, membership of the Society and affiliation to other Quaker meetings
- Information provided to us for the purposes of organising events (such as dietary or accessibility requirements) which may be indicative of health conditions

- Other information that persons choose to volunteer to us (for example about an individual's mental or physical health or spiritual life).

We may temporarily hold data from individuals who have got in touch with the Meeting for the legitimate interests of our organisation. This includes:

- Information required to process financial transactions (including donations, tax relief on donations and expense claims)
- Information required to organise events (names, contacts, dietary and accessibility requirements)
- Contact information to respond to enquiries from the website or other sources
- Contact information of contractors or volunteers temporarily undertaking work for the Meeting.

Sharing data with Area Meeting and 'Quakers in Yorkshire'

Each Local Meeting within the Area Meeting shares core membership data with the Area Meeting, according to a data sharing agreement. We consider this to be part of the legitimate interests of our organisation. This is a two-way relationship, which means that membership information may flow back and forth between Area Meeting and its Local Meetings.

If circumstances other than those outlined elsewhere in this document arise in which a Local Meeting wishes to share personal data with the Area Meeting (or others) we will discuss this with the Friend(s) concerned and seek their consent (unless there are exceptional circumstances, such as where we are legally obliged to share information).

Each Local Meeting will publish a list of members and regular attenders including contact details which is circulated to all members in the Meeting. Details of members may also be shared with members of Brighouse West Yorkshire Area Meeting, 'Quakers In Yorkshire' and Britain Yearly Meeting. Anyone who is a member and whose data is held will have completed a data consent form. This form includes an explanation of the groups to whom the data is shared. Section 2 of the form provides the opportunity to refuse consent for the contact information etc. to be published in different contexts.

Membership Information is shared with 'Quakers In Yorkshire' and is included in their triennial Book Of Members and Attenders unless Friends have specified on their Data Consent Form that they do not wish it to be so included.

What do we do with the data we hold?

The Area Meeting only uses data for purposes which members and attenders might reasonably expect us to use it, or for which explicit consent has been given. This may include:

- Managing a mailing list with notices and details of events and which is used to organise meetings.
- Maintaining our membership records.
- Organising events.
- Administration for our organisation (the processes of appointing role holders, maintaining minutes and so on).
- Processing financial transactions, including donations, expense claims and grants.
- Responding to enquiries.
- Processing membership applications.
- Other purposes related to the functioning of the meeting which we may discuss with the Friend concerned.

We will never sell any personal data. If a circumstance arises when disclosure to another jurisdiction arises, we will discuss this with the Friend(s) concerned.

We store all personal data on PCs, laptops and mobile devices of our volunteer role holders.

We store some data in paper form.

We will take appropriate measures to ensure data we collect is kept securely. This includes:

- Keeping certain data in locked storage areas
- Securely shredding personal data
- Ensuring only the relevant people have access to personal data

- Taking measures to ensure security of data on digital systems such as ensuring our devices are password protected and have up to date anti-virus soft-ware.

We have selected some meeting records for permanent archiving and these are regularly transferred to the Brotherton Library in Leeds. Our records in the Brotherton Library are closed to the public for 50 years. All other data is destroyed securely when no longer required.

Data retention

Membership data, minutes, records of the marriages of members and information about applications to become Members may be retained as permanent records of the Meeting.

E-mail addresses on mailing lists will continue to be used unless individuals request otherwise; though we might contact Friends if we are aware that their circumstances may have changed, to confirm if they wish to remain on a mailing list.

Information provided on a temporary basis – such as for website enquiries, or for the organisation of events - is not retained after those purposes are fulfilled and are deleted within a reasonable period after the enquiry or event taking place.

Accounting information may be retained for seven years or more.

Other data will be retained only so long as it is required for the operation of the meeting and is subject to the ongoing consent of the Friend(s) concerned.

Who will have access to personal data within the Area Meeting?

Except where Friend(s) are advised otherwise, personal data will be held only by those who need it to fulfil the function and purposes of the organisation. At the time of writing, this includes:

- the clerk, assistant clerk, correspondence clerk and data protection clerk manage enquiries, complete the mailing list, process membership information and organise meetings.
- the treasurer, book-keeper and independent examiner process information in relation to financial transactions

We are a small group and share tasks amongst ourselves, which means that other members may have data on a need-to-know basis for organising events (for example dietary information if they are organising catering).

It is the responsibility of all members and attenders of the Area Meeting who undertake administration on its behalf to use personal data only for the purpose for which it is provided, and to abide by the AM's policy as set out here.

Data Protection Rights

Under the Data Protection Act 2018, any person having dealings with the Area Meeting has the following rights:

- the right to information about what data we collect about each person and how we use it
- the right to access the data we hold about any person
- the right to object to processing of data for direct marketing purposes
- the right to object to the processing of data on the grounds of public interest
- the right to object to processing of data for historical or scientific purposes
- the right to require us to rectify any incomplete or inaccurate data that we hold
- the right to erasure of data
- the right to restrict the processing of data
- the right not to be subject to decisions based on automated processing
- the right to information concerning the movement, copying or transfer of data from one database, storage or IT environment to another.

Any person can find out more about their rights and has a right to withdraw consent to us holding data about them at any time.

If any person is unhappy with how their personal data has been managed, they should contact the Local Meeting Clerk in the first instance and they can also contact the Clerk to the Trustees if they are still not happy.

Appendix 6

Further reading from Britain Yearly Meeting.

There is more information on the Britain Yearly Meeting website, see link below. The website has lots of information for meetings including, among other useful resources, the “BYM Data Protection Handbook for Meetings.”

<https://www.quaker.org.uk/our-organisation/support-for-meetings/data-protection>