

## General Data Protection Regulations

As members of the Synod may be aware, the new Data Protection Act 2018 and the General Data Protection Regulation [GDPR] have, from the end of May, replaced the previous regime established by the Data Protection Act 1998. They build upon principles already established by the previous legislation and guidelines which we have been applying to our work and practice. Further information can be found at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/> and <http://www.parishresources.org.uk/wp-content/uploads/GDPR-PCC-Guide.pdf>.

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### What is personal data

1. Personal data only includes information relating to living individuals who:
  - can be identified or who are identifiable, directly from the information in question; or
  - who can be indirectly identified from that information in combination with other information.
2. Personal data may also include special categories of personal data or criminal conviction and offences data. These are considered to be more sensitive. For example, this includes but is not limited to personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or data concerning a person's health, sex life or sexual orientation.

### What are the National Church Institutions doing to comply with the GDPR?

3. The GDPR applies to **personal data**. All personal data must
  - be processed lawfully, fairly and transparently;
  - only be used for the specific processing purpose that the person / people to whom it refers has / have been made aware of, and for no other purpose;
  - only be collected on the basis that it is 'adequate, relevant and limited';
  - be 'accurate and where necessary kept up to date';
  - not be stored for longer than is necessary;
  - be stored safely and securely.
4. The National Church Institutions are 7 separate legal entities established under the National Institutions Measure 1998 (comprising the Archbishops' Council, the Church Commissioners for England, the Church of England Pensions Board, the Church of England Central Services, the Archbishop of Canterbury and York in

their corporate capacities and the National Society for Promoting Religious Education) but together they form a partnership to support the mission and ministry of the Church of England and are a common employer. Each is also a separate data controller. Staff employed by the National Church Institutions (NCIs) have taken part in an extensive process to audit data, ensuring all records and work practices are GDPR-compliant.

5. There has also been a significant personnel training exercise for all employees of the NCIs, so that individuals at the NCIs can recognise personal data and know what to do in order to comply with the legislation.
6. At time of writing a number of trustees, from the Archbishops' Council, Church Commissioners and Pensions Boards have also undergone training in GDPR compliance.

### **How does the Synod Office use your personal data and on what legal bases?**

7. The Synod Office, acting for and on behalf of the Archbishops' Council (who is the data controller in this context, (i.e. the body that decides the purposes for which and the manner in which any personal data are or are to be processed)), primarily holds the data of General Synod members for the purpose of **contacting members with regard to General Synod related matters**. A full list of these purposes can be found in the Privacy Notice. This data must be processed to enable the General Synod to perform its functions as outlined in the [Synodical Government Measure 1969](#) and also as a legitimate activity in order to administer membership.
8. From the start of the current quinquennium (November 2015) until May 2018, all General Synod members will have been sent a "Data Protection Declaration".
9. Although this Data Protection Declaration was sufficient under the previous legislation, it is now no longer valid under the GDPR and as a result the Synod Office has distributed a new Privacy/Data Protection Notice (referred to hereafter as the "Privacy Notice") to all General Synod members. There is no requirement to re-collect the existing data held by the Synod Office, but members must read, and if necessary, complete and return the full notice back to the Synod Office as soon as is practicable.
10. In the old declaration, members were able to indicate their consent to sharing their contact details with groups *other* than the Synod office.
11. This included the option **to receive mailings from "other (principally church-based) individuals and organisations** who feel that they have a reason to contact you as a member of the General Synod." In the years 2015 to present, the following individuals/organisations have been provided with a hard-copy set of postal address labels:
  - CCLA
  - St John's College, Nottingham

- Prayer Book Society
  - Lesbian Gay Christian Movement
  - Mrs Lorna Ashworth, former General Synod member
  - Via Media Publications
  - Seafarers UK
  - Ripon College, Oxford
12. If members had not indicated their consent to this option, or did not return the form at all, their names and addresses would not have been included in the set of labels sold.
13. All labels are sold on the basis of a single use and were not to be stored by the third-party.
14. Members were also asked within the original “Data Protection Declaration” if they wished to be included in a ‘**List of Members**’, which allowed names, addresses and email addresses to be shared with other members of General Synod.
15. Following a discussion at their May 2018 meeting, the Business Committee agreed to continue to offer the service of providing General Synod members’ postal addresses to third parties. **If you wish to be included in third-party mailings and/or in the List of Members**, please ensure you complete your Privacy Notice and return it to the Synod Office as soon as possible. If you do not do so, you will not be included in third party mailings or the List of Members.

### **Appointments Survey**

16. The **Appointments Survey** is an independent form which is completed separately to the contact information collected for the purposes listed above. Data collected from the Appointments Survey is shared only with the Appointments Committee and a limited number of staff that have a direct working relationship with the Committee.
17. Following consultation with the NCIs’ Information Governance Officer it was decided that the previous declaration attached to the Appointments Survey would suffice under the GDPR. The form has, however, been amended slightly (with no change in use or purpose) for those that have been/are elected or appointed to the General Synod from May 2018 onwards.
18. It is worth noting that the Appointments Survey collects data that is classed as a special category personal data (i.e. it is sensitive) (e.g. it may reveal a disability, ethnic origin, religious belief). Appropriate safeguards have been put in place to ensure the security of the data, which is only accessible to a very limited number of staff members (who have a direct working relationship with the Appointments Committee), and the members of the Appointments Committee.

## Conclusion

19. Members should take the time to read the new Privacy Notice, complete it and if they wish to grant consent to the additional third party processing and/or be included in the circulated List of Members, return it to the Synod Office (contact details below) either electronically or in hard copy as early as possible.
20. If members have any questions regarding their data, either historically or going forward, they are encouraged to contact the Synod Office at any time.
21. Contact details: The Synod Office, Church House, Great Smith Street, London, SW1P 3AZ; ([synod@churchofengland.org](mailto:synod@churchofengland.org)); 0207 898 1000.

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