

GDPR – LAWFUL BASES FOR PROCESSING DATA

1. **Consent** – individuals give us clear consent for us to process their personal data for a specific purpose. Consent can only be given under these legal bases. That consent must be given in the following terms:
 - a. Consent must be given explicitly and freely
 - b. Giving consent must be opt-in and never opt-out
 - c. We keep a record of who gave consent, who recorded it, when, here and how
 - d. Requests for consent must be very clear and precise - what are we going to do with the data? Who is going to see it? How will it be stored, and for how long? Members must have access to this information
 - e. Consent should be on a subject by subject basis and not a blanket assumption of permission
 - f. Valid consent cannot be given under duress
 - g. We must make it easy for consent to be withdrawn, and make the process clear
 - h. We must be clear that permission may have to be re-visited in some circumstances

2. **Contract** – to complete and fulfil a contract with an individual (*an Office holder or employee*) we need to process their data. Office holders and employees, through a process of application, have taken the 'first steps'. Where we have a contract with a company, their information is sent by them and retained by us to meet the terms of that contract for supply or services

3. **Legal Obligation** – We will usually rely on legal obligation as our lawful basis for processing in cases where that obligation is imposed on you by another institution, for example:
 - a. Donation and Gift Aid information which must be disclosed to HMRC
 - b. Cooperating with a police investigation
 - c. Compliance with a court order

We will keep records of the institutions concerned and the specific legal obligation

4. **Vital interests** – we will use personal information in order to save their life, i.e. in cases of sudden and extreme illness, or if we believe that someone may come to harm. This Lawful Basis only applied where the subject is unable to make that decision on their own behalf

5. **Public task** – this Lawful Basis concerns the need to process data in order to serve the public interest. This includes keeping records of baptism, marriages and burial of mortal remains. Where they may also be kept for archiving purpose, we would need to seek consent to do that

6. **Legitimate interest** – we hold and process data in the way that the individual might reasonably expect, and which apply to the relationship of controller and subject – i.e. sending communications about the activities of the church community to which the subject belongs. We can only use data for the purpose for which it was given, where there is a minimal risk of impact to the subject's privacy, as well as sensitivity around 'special category data'¹

¹ Special category data includes things like race, trade union membership, or political affiliation, as well as religious belief.