

CHURCH ON THE STREET

Service User Data Protection

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Approved by:

Name: Hannah Emmett


Role: Treasurer

Signed: 

Date: 05/05/2023

Name: Alastair Barrie

Role: Secretary

Signed: 

Date: 05/11/2023

CHURCH ON THE STREET

Contents

Contents	2
Overview	3
Data Protection Principles	4
Definition of personal data	4
Special categories of personal data	5
Definition of processing	6
How will we process your personal data?	6
Examples of processing your data	7
Sharing your personal data	8
How long do we store data	9
How should you process personal data for COTS?	9
Dealing with data breaches	10
Subject access requests	10
Data subject rights	11

CHURCH ON THE STREET

Overview

Church on the Street (COTS) takes the security and privacy of your data seriously. We need to gather and use information or 'data' about you as part of our charitable and operational activities to help manage the relationship COTS as service provider and you as service user. We intend to comply with our legal obligations under the Data Protection Act 2018 (the '2018 Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security. We have a duty to notify you of the information contained in this policy. Further information can be found here <https://www.gov.uk/data-protection>

This policy applies to current and former service users. If you fall into one of these categories then you are a 'data subject' for the purposes of this policy. You should be made aware that this policy is available on our [website](#)

COTS is a 'data controller' for the purposes of your personal data. This means that we determine the purpose and means of the processing of your personal data.

This policy explains how COTS hold and process your information. It explains your rights as a data subject. It is intended that this policy is fully compliant with the 2018 Act and the GDPR. If any conflict arises between those laws and this policy, COTS intends to comply with the 2018 Act and the GDPR.

CHURCH ON THE STREET

Data Protection Principles

Personal data must be processed in accordance with six 'Data Protection Principles.' It must:

1. be processed fairly, lawfully and transparently
2. be collected and processed only for specified, explicit and legitimate purposes
3. be adequate, relevant and limited to what is necessary for the purposes for which it is processed
4. be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay
5. not be kept for longer than is necessary for the purposes for which it is processed
6. be processed securely

We are accountable for these principles and must be able to show that we are compliant.

Definition of personal data

'Personal data' means information which relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.

This policy applies to all personal data whether it is stored electronically, on paper or on other materials.

Personal data might be provided to us by you, or someone else (such as a former employer, your doctor, or a credit reference agency), or it could be created by us. It could be provided or created during the recruitment process or during the course of the contract of employment or after its termination. It could be created by your manager or other colleagues.

CHURCH ON THE STREET

We may collect and use the following types of personal data about you:

- Relevant support needs
- Current housing status
- Contact details including age range
- Emergency contacts
- Gender
- Images (whether captured on CCTV, by photograph or video)
- Health and wellbeing status
- Risk assessment

Definition of processing

'Processing' means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storage;
- adaption or alteration;
- retrieval, consultation or use;
- disclosure by transmission, dissemination or otherwise making available;
- alignment or combination; and
- restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

How will we process your personal data?

COTS will process your personal data in accordance with our obligations under the 2018 Act.

We will use your personal data for:

- Provisioning the support that you have requested
- complying with any legal obligation
- safeguarding of yourself, staff, and volunteers
- if it is necessary for our legitimate interests (or for the legitimate interests of someone else). However, we can only do this if your interests and rights do not override ours (or theirs). You have the right to challenge our legitimate interests and request that we stop this processing. See details of your rights below.

CHURCH ON THE STREET

We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

If you decline to provide us with the personal data you will still be able to access our support services as needed.

Examples of processing your data

We have to process your personal data in various situations including

- To decide the best support pathway for your needs
- To make sure that all partner organisations are providing you with the correct support and in an appropriate and efficient manner
- In case of potential safeguarding issues
- to defend COTS in respect of any investigation or litigation and to comply with any court or tribunal orders for disclosure
- To provide anonymous data for funding purposes
- for any other reason which we may notify you of from time to time

We will only process special categories of your personal data (see above) in certain situations in accordance with the law. For example, we can do so if we have your explicit consent. If we asked for your consent to process a special category of personal data then we would explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting the Operations Director.

Sharing your personal data

Sometimes we might need to share your personal data with partner organisations or public bodies. We require those organisations to keep your personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions. The organisations whom we share your personal data with include:

- Beacon CRM for storing case records - [website](#)

CHURCH ON THE STREET

How long do we store data

The following information provides the length of time we will hold any personal data concerning you or your employment/ volunteering at COTS.

- We will hold your data indefinitely while you are engaging with COTS
- If you are no longer engaging with any of COTS services we will hold your data for 1 year, after which it will be deleted from our database.

Dealing with data breaches

We have measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur (whether in respect of you or someone else) then we must take notes and keep evidence of that breach. If the breach is likely to result in a risk to the rights and freedoms of individuals then we must also notify the Information Commissioner's Office within 72 hours.

If you are aware of a data breach you must contact the Operations Director immediately and keep any evidence you have in relation to the breach.

Subject access requests

Data subjects can make a '**subject access request**' ('SAR') to find out the information we hold about them. This request must be made in writing. If you receive such a request you should forward it immediately to the Data Protection Manager who will respond.

If you would like to make a SAR in relation to your own personal data you should make this in writing to the Operations Director. We must respond within one month unless the request is complex or numerous in which case the period in which we must respond can be extended by a further two months.

CHURCH ON THE STREET

Data subject rights

- You have the right to information about what personal data we process, how and on what basis as set out in this policy.
- You have the right to access your own personal data by way of a subject access request (see above).
- You can correct any inaccuracies in your personal data. To do so you should contact the Operations Director.
- You have the right to request that we erase your personal data where we were not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected. To do so you should contact the Operations Director.
- While you are requesting that your personal data be corrected or erased or are contesting the lawfulness of our processing, you can apply for its use to be restricted while the application is made. To do so you should contact the Operations Director.
- You have the right to object to data processing where we are relying on a legitimate interest to do so and you think that your rights and interests outweigh our own and you wish us to stop.
- You have the right to object if we process your personal data for the purposes of direct marketing.
- With some exceptions, you have the right not to be subjected to automated decision-making.
- You have the right to be notified of a data security breach concerning your data.
- In most situations we will not rely on your consent as a lawful ground to process your data. If we do however request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the Operations Director.
- You have the right to complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk). This website has further information on your rights and our obligations.

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