

Gateway (York) CIO  
Registered Charity Number 1165744  
The Gateway Centre  
Front Street  
YORK  
YO24 3BZ



# Data Protection & Confidentiality Policy

Approved by the trustees of Gateway (York) CIO on: 11th September 2023  
This policy is to be reviewed no later than: 11th September 2025

Gateway Church is a working name of Gateway (York) CIO, a charitable incorporated organisation (Registered Charity Number 1165744).

Gateway, Gateway Church and Gateway (York) CIO should be read as being synonymous with each other throughout this document.

Throughout this document, capitalised terms are used to convey particular meanings as in the table, below:

Term	Meaning
MUST	This word (or the alternative terms "REQUIRED" or "SHALL") means that an action, condition or task is an absolute requirement.
MUST NOT	This phrase (or the alternative phrase "SHALL NOT") means that the action or condition is expressly prohibited.
SHOULD	This word (or the alternative term "RECOMMENDED") means that there may exist valid reasons in particular circumstances to not undertake a particular action, or that a particular condition may not be met, but the implications must be understood and carefully weighed before choosing to deviate from the recommendation.
SHOULD NOT	This word (or the alternative phrase "NOT RECOMMENDED") means that there may exist valid reasons in particular circumstances to specifically undertake a particular action, but the implications must be understood and carefully weighed before choosing to deviate from the recommendation.
MAY	This word (or the alternative terms "OPTIONAL") means that an action, condition or task is left to the reader's discretion, preference and convenience.

## Legal Context

The Human Rights Act 1998 guarantees respect for a person's private and family life, home and correspondence.

The Data Protection Act 2018 controls how personal information is used. The Act ensures that information held about any person cannot be used for purposes other than those for which it is originally supplied, without the person's consent.

Exceptions to these Acts are allowed only where this is necessary to protect a vulnerable person from harm or to comply with the law. Wherever possible and appropriate, the person will be informed that this action has been taken.

## Data Protection Policy

Gateway (York) CIO is committed to protecting personal data and respecting the rights of the people whose personal data we collect and use.

Personal data relates to a living individual who can be identified from that data. We process personal data in both electronic and paper form and all this data is protected under data protection law. The personal data we process can include information such as names and contact details, employment details, medical information, dietary requirements, and visual images of people.

We are committed to protecting personal data from being misused, getting into the wrong hands as a result of poor security or being shared carelessly, or being accurate, as we are aware that people can be upset or harmed if any of these things happen.

We will make sure that all personal data is:

- processed **lawfully, fairly and in a transparent manner**;
- collected for **specified, explicit and legitimate purposes** and not in a manner incompatible with these purposes;
- **adequate, relevant and limited to what is necessary** for the purposes for which it is being processed;
- **accurate** and, where necessary, kept up to date;
- **not kept longer than is necessary** for the purposes for which it is processed;
- processed in a **secure** manner, by using appropriate technical and organisational means;
- processed in keeping with the **rights of data subjects** regarding their personal data.

All employees, trustees and volunteers processing personal data on behalf of Gateway (York) CIO are REQUIRED to comply with this policy both while the person carries out their

role with Gateway (York) CIO and after that role comes to an end. We will provide general training to raise awareness of their obligations and responsibilities.

Any breaches of confidentiality or weaknesses in the system must be reported to your line manager, a senior manager or the Chair of Trustees. Anyone who breaches this policy may be subject to disciplinary action, and where that individual has breached the policy intentionally, recklessly, or for personal benefit they may also be liable to prosecution or to regulatory action.

Legal Bases for processing personal data and special categories of personal data

We process personal data on one or more of the following legal bases:

- a) The processing is **necessary for a contract** with the data subject;
- b) The processing is **necessary for us to comply with a legal obligation**;
- c) The processing is necessary to protect someone's life (this is called "**vital interests**");
- d) The processing is necessary for us to perform a task in the **public interest**, and the task has a clear basis in law;
- e) The processing is **necessary for legitimate interests** pursued by Gateway (York) CIO, unless these are overridden by the interests, rights and freedoms of the data subject.
- f) The data subject has given their clear **consent**.

'Special categories' of data (as referred to in the GDPR) include information about a person's racial or ethnic origin; political opinions; religious or similar (e.g. philosophical) beliefs; trade union membership; health (including physical and mental health, and the provision of health care services); genetic data; biometric data; sexual life and sexual orientation.

Where we process any 'special categories' of personal data, in addition to meeting a minimum of one of the legal bases above, we SHALL ensure that one or more of the following conditions apply:

- a) The processing is necessary for **carrying out our obligations under employment and social security and social protection law**;
- b) The processing is necessary for **safeguarding the vital interests** (in emergency, life or death situations) **of an individual** and the data subject is incapable of giving consent;
- c) The processing is carried out in the **course of our legitimate activities** and only relates to our members or persons we are in regular contact with in connection with our purposes;
- d) The processing is necessary for **pursuing legal claims**;
- e) The data subject has given their **explicit consent**.

We process personal data for the following purposes:

- a) To enable us to provide a voluntary service for the benefit of the public in a particular geographical area as specified in our constitution;
- b) To administer membership records;
- c) To safeguard the physical, mental and spiritual wellbeing of those in our care;
- d) To fundraise and promote the interest of the charity;
- e) To manage our employees and volunteers;
- f) To maintain our own accounts and records (including the processing of gift aid applications);
- g) To inform people of news, events, activities and services running at Gateway Church York and other relevant locations.

## Keeping Data and Destroying It

We SHALL keep personal data only for as long as we consider it necessary to carry out each activity.

Specifically, we SHALL retain membership data while it is still current; gift aid declarations and associated paperwork for up to 7 years after the calendar year to which they relate to meet tax and accounting requirements; and the official Register of Marriages permanently as required by law.

Confidential paper waste MUST be disposed of securely by shredding.

## Security of Personal Data

We SHALL use appropriate measures to keep personal data secure at all points of the processing. Keeping data secure includes protecting it from unauthorised or unlawful processing, or from accidental loss, destruction or damage.

We SHALL implement security measures which provide a level of security that is appropriate to the risks involved in the processing.

Hard copy personal data SHALL be stored securely (in lockable storage, where appropriate) and not visible when not in use. Filing cabinets and drawers and/or office doors SHALL be locked when not in use. Keys SHALL not be left in the lock of the filing cabinets/lockable storage.

Personal information being processed electronically SHALL always be password protected. Computers used to store or access personal data MUST have anti-virus software installed. All software, including anti-virus software, MUST be regularly updated. Back-ups of personal data stored electronically SHALL be kept. Any computers being used in a shared area (including in the user's home) SHALL be shut down, or the user SHALL log off, when leaving them unattended.

## Sharing Personal Data

Personal data SHALL be treated as strictly confidential and SHALL only be shared with Gateway Church staff, children's and youth team members, and other members of the church (i.e. those who have been received into membership of Gateway Church, York, by the approval of the church elders) for purposes connected with the church.

We SHALL only share personal data with other organisations or people when we have a legal basis to do so. This may require information relating to criminal proceedings or offences or allegations of offences to be processed for the protection of children or adults who may be at risk and to be shared with those within Gateway Church who have designated roles in respect of Safeguarding, or with statutory agencies.

## If there is a Data Security Breach

A data breach is where there is accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This can happen in many different ways, for example:

- Loss or theft of data or equipment on which personal information is stored;
- Unauthorised access to or use of personal information by a member of staff, volunteer or third party;
- Loss of data resulting from an equipment or systems failure;
- Human error, such as accidental deletion, alteration or transfer of data;
- Unforeseen circumstances, such as fire or flooding;
- Deliberate attacks on IT systems, such as hacking, viruses or phishing scams.

Should a data security breach occur, and if the breach is likely to result in a risk to the rights and freedoms of individuals, then we SHALL notify the Information Commissioner's Office without undue delay and, where possible, within 72 hours of the time we become aware of the breach.

In situations where a personal data breach causes a high risk to any person, we SHALL (as well as reporting the breach to the ICO), inform data subjects whose information is affected, without undue delay.

## Rights of Data Subjects

Data subjects have certain rights. These include the right to know what personal data Gateway is processing, the purposes of such processing, and the legal basis or bases for the processing.

Data subjects also have the right to request that we rectify any inaccurate or incomplete personal information, and to have their personal data erased if we are not entitled by law to

process it or if it is no longer necessary for us to process it for the purpose for which it was collected.

In situations where consent is the only legal basis which we have for processing, data subjects have the right to withdraw their consent to the processing at any time. Personal information MUST be erased if and when the individual revokes that consent.

Requests to have personal data corrected or erased can be made in writing to the Gateway Church office.

## Subject Access Requests

Individuals who are data subjects may ask us for copies of the personal information we hold about them. This request SHOULD be made in writing to the Gateway office. A response to any such request SHOULD be made within the necessary time limit (maximum 30 days).

## Procedure for Reporting Concerns

Any questions about this policy or any concerns that the policy has not been followed should be referred to:

- Gateway Church, The Gateway Centre, Front Street, York YO24 3BZ
- Email [office@gatewaychurch.co.uk](mailto:office@gatewaychurch.co.uk).

## ICO Registration

Gateway (York) CIO is registered with the Information Commissioner's Office.

Registration Reference: Z7541940

Address: The Gateway Centre, Front Street, Acomb, York YO24 3BZ