

## PRIVACY NOTICE FOR PROVINCIAL OFFICE

**Date: October 2018**

### **What is the purpose of this document?**

We, **Sisters of the Cross and Passion (registered charity number 1038483) (Charity)** are committed to protecting the privacy and security of the personal information of our people. Such people will include:

1. Members of the Charity's Province and Congregation;
2. The Charity's Sisters and Former Sisters;
3. The Charity's Associate Members;
4. Member's of the Charity's Provincial Leadership Team; and
5. Member's of the leadership teams (including trustees) of the Charity's associated charity's, committees and organisations.

This privacy notice describes how we collect and use personal information about our people through our Provincial Office at Sisters of the Cross and Passion, Provincialate, Cross and Passion Convent, 299 Broadshaw Road, Middleton, Manchester M24 2PF, in accordance with the General Data Protection Regulation (**GDPR**).

The Charity is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about our people. We are required under data protection legislation to notify our people of the information contained in this privacy notice.

This notice applies specifically to current and former of our people. It does not form part of any contract to provide goods and/or services. We may update this notice at any time.

It is recommended that our people read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about our people, so that they are aware of how and why we are using such information.

### **Data protection contact**

We have appointed a data protection contact (**DPC**), Sister Anne Hammersley, to oversee compliance with this privacy notice and the processing by us of personal information about our people. If our people have any questions about this privacy notice or how we handle the personal information referred to in it, they should contact our DPC (via [pltcpersisters@gmail.com](mailto:pltcpersisters@gmail.com)). If our people have any complaints about the processing of the personal information referred to in this privacy notice, they have the right to make a complaint to the Information Commissioner's Office (**ICO**) ([www.ico.org.uk](http://www.ico.org.uk)), the regulator and supervisory authority for data protection in the UK.

### **Data protection principles**

We will comply with data protection law. This says that the personal information we hold about our people must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to them and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told them about and limited only to those purposes.

4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told them about.
6. Kept securely.

### **The kind of information we hold about our people**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about our people:

#### **1. Members of the Charity's Province and Congregation**

- Chapter documents
- Minutes
- Correspondence (including letters and emails)
- Names
- Email addresses
- Addresses
- Telephone numbers (including mobile)
- Case notes (safeguarding)

#### **2. The Charity's Sisters and Former Sisters**

- Birth certificate
- Religious beliefs
- Next of kin
- Confidential reports
- Advanced statement
- CVs
- Sabbatical information
- Travel information
- Budgets
- Motor insurance and breakdown cover
- Claims

- Correspondence (including letters and emails)
- Names
- Email addresses
- Addresses
- Telephone numbers (including mobile)
- Case notes (safeguarding)

**3. The Charity's Associate Members**

- Correspondence (including letters and emails)
- Names
- Email addresses
- Addresses
- Telephone numbers (including mobile)
- Case notes (safeguarding)

**4. Member's of the Charity's Provincial Leadership Team**

- Reports
- Correspondence (including letters and emails)
- Names
- Email addresses
- Addresses
- Telephone numbers (including mobile)

**5. Member's of the leadership teams (including trustees) of the Charity's associated charity's, committees and organisations**

- Reports
- Correspondence (including letters and emails)
- Names
- Email addresses
- Addresses
- Telephone numbers (including mobile)

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about our people's race or ethnicity and religious beliefs.
- Information about our people's health, including any medical condition, health and sickness records.

### **How is the personal information of our people collected?**

We collect personal information about our people at various points during their involvement with the Charity.

### **How we will use information about our people?**

We will only use the personal information about our people when the law allows us to. Most commonly, we will use their personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with them.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and their interests and fundamental rights do not override those interests.
4. Where we have their consent to do so.

We may also use the personal information about our people in the following situations, which are likely to be rare:

1. Where we need to protect their interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

### **Situations in which we will use the personal information of our people**

We need all the categories of information in the list above (see *the kind of information we hold about our people*) to allow us to perform our contract with our people<sup>1</sup>, to enable us to comply with our legal obligations<sup>2</sup>, to pursue legitimate interests of our own or those of third parties<sup>3</sup>, provided the interests and fundamental rights of our people do not override those interests and where we have our people's consent to do so<sup>4</sup>. The situations in which we will process our people's personal information are listed below. We have indicated numerically the lawful purpose or purposes for which we are processing or will process the personal information of our people.

#### **1. Members of the Charity's Province and Congregation**

- Administration of the Charity, its membership and its activities<sup>3</sup>
- Provide appropriate pastoral care<sup>3</sup>
- Complying with safeguarding obligations. We may also have to disclose our people's information to third parties such as courts, the local authority or the police where legally obliged to do so<sup>2</sup>
- Safeguarding and promoting the welfare of our people and others which may include sharing our people's personal data with third parties involved in safeguarding and welfare<sup>3</sup>
- Communication about campaigns, membership, events and other activities<sup>3</sup>

- Research and archiving<sup>3</sup>

## **2. The Charity's Sisters and Former Sisters**

- Administration of the Charity, its membership and its activities<sup>3</sup>
- Provide appropriate pastoral care<sup>3</sup>
- Complying with safeguarding obligations. We may also have to disclose our people's information to third parties such as courts, the local authority or the police where legally obliged to do so<sup>2</sup>
- Safeguarding and promoting the welfare of our people and others which may include sharing our people's personal data with third parties involved in safeguarding and welfare<sup>3</sup>
- Applications for, and disbursement and administration of, financial support (including letters of thanks and reports)<sup>3</sup>
- Communication about campaigns, membership, events and other activities<sup>3</sup>
- Research and archiving<sup>3</sup>

## **3. The Charity's Associate Members**

- Administration of the Charity, its membership and its activities<sup>3</sup>
- Provide appropriate pastoral care<sup>3</sup>
- Complying with safeguarding obligations. We may also have to disclose our people's information to third parties such as courts, the local authority or the police where legally obliged to do so<sup>2</sup>
- Safeguarding and promoting the welfare of our people and others which may include sharing our people's personal data with third parties involved in safeguarding and welfare<sup>3</sup>
- Communication about campaigns, membership, events and other activities<sup>3</sup>
- Research and archiving<sup>3</sup>

## **4. Member's of the Charity's Provincial Leadership Team**

- Minutes of meetings<sup>2</sup>
- Annual accounts and reports<sup>2</sup>
- Reporting to, and filing with, the Charity Commission<sup>2</sup>
- Recording of training taken/required<sup>3</sup>
- Research and archiving<sup>3</sup>

## **5. Member's of the leadership teams (including trustees) of the Charity's associated charity's, committees and organisations**

- Minutes of meetings<sup>2</sup>

- Annual accounts and reports<sup>2</sup>
- Reporting to, and filing with, the Charity Commission<sup>2</sup>
- Recording of training taken/required<sup>3</sup>
- Research and archiving<sup>3</sup>

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of the personal information of our people.

### **If our people fail to provide personal information**

If our people fail to provide certain information when requested, we may not be able to perform the contract we have entered into with them, or we may be prevented from complying with our legal obligations.

### **Change of purpose**

We will only use our people's personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use our people's personal information for an unrelated purpose, we will notify them and we will explain the legal basis which allows them to do so.

Please note that we may process our people's personal information without their knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **How we use sensitive personal information**

”Special categories” of sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with our people's explicit written consent.
2. Where we carry our processing in the course of our legitimate activities with appropriate safeguards on condition that the processing relates solely to our members or former members or to persons who have regular contact with us in connection with our purposes and the personal data is not disclosed outside of us without the consent of our people.
3. Where we need to carry out our legal obligations and in line with our data protection policy and archiving and destruction policy.
4. Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy and archiving and destruction policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect our people's interests (or someone else's interests) and they are not capable of giving their consent, or where they have already made the information public.

### **Do we need our people's consent?**

We do not need our people's consent if we use special categories of their personal information in accordance with our written policy to carry out our legal obligations. In limited circumstances, we may approach our people for their written consent to allow us to process certain sensitive data. If we do so, we will provide them with full details of the information that we would like and the reason we need it, so that they can carefully consider whether they wish to consent. Our people should be aware that it is not a condition of any contract with us that they agree to any request for consent from us.

## **Information about criminal convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect our people's interests (or someone else's interests) and they are not capable of giving their consent, or where they have already made the information public.

We will only collect information about criminal convictions if it is appropriate and where we are legally able to do so.

## **Data sharing**

We may need to share our people's data with third parties including third-party service providers.

We require third parties to respect the security of our people's data and to treat it in accordance with the law.

We may need to transfer our people's personal information outside the EU. If we do, they can expect a similar degree of protection in respect of their personal information.

## **Why might we share our people's personal information with third parties?**

We will share our people's personal information with third parties where required by law or where we have a legitimate interest in doing so.

## **Which third-party service providers process our people's personal information?**

The following activities are carried out by third-party service providers: some IT services and regulatory or statutory bodies.

## **How secure is our people's information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect our people's personal information in line with our policies. We do not allow our third-party service providers to use our people's personal data for their own purposes. We only permit them to process our people's personal data for specified purposes and in accordance with our instructions.

## **When might we share our people's personal information with third parties?**

We may need to share our people's personal information with third parties. For example, we may need to share our people's personal information with a regulatory or statutory body or to otherwise comply with the law.

## **Data transfer outside of the EU**

Whilst we do not routinely do so, we (or third parties with whom we share personal information about our people) may need to transfer our people's personal information about them outside the EU. In those cases, except where the country has been determined by the European Commission or the relevant authority in the United Kingdom (as applicable) as ensuring an adequate level of data protection, we require the recipients of personal information about our people to take appropriate measures to protect such information. For example, by requiring them to enter into a data transfer agreement in the standard form approved for this purpose by the European Commission or the relevant authority in the United Kingdom (as applicable). Further details of any such transfers, and any such protective measures, are available from our DPC.

## **Data Security**

We have put in place measures to protect the security of our people's information. Details of these measures are available upon request.

Third parties will only process our people's personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent our people's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to our people's personal information to those third parties who have a legitimate need to know. They will only process our people's personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from our DPC.

We have put in place procedures to deal with any suspected data security breach and will notify our people and any applicable regulator of a suspected breach where we are legally required to do so.

## **Data retention**

### **How long will we use our people's information for?**

We will only retain the personal information about our people for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of the personal information about our people are available in our retention policy which is available from our DPC. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of the personal data about our people, the purposes for which we process the personal data about our people and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise the personal information about our people so that it can no longer be associated with them, in which case we may use such information without further notice to them.

### **Rights of access, correction, erasure, and restriction**

#### **Our people's duty to inform us of changes**

It is important that the personal information we hold about our people is accurate and current. We ask that our people keep us informed if their personal information changes.

#### **Our people's rights in connection with personal information**

Under certain circumstances, by law our people have the right to:

- Request access to their personal information (commonly known as a “data subject access request”). This enables them to receive a copy of the personal information we hold about them and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about them. This enables them to have any incomplete or inaccurate information we hold about them corrected.
- Request erasure of their personal information. This enables them to ask us to delete or remove personal information where there is no good reason for us continuing to process it. They also have the right to ask us to delete or remove their personal information where they have exercised their right to object to processing (see below).
- Object to processing of their personal information where we are relying on a legitimate interest (or those of a third party) and there is something about their particular situation which makes them want to object to processing on this ground. They also have the right to object where we are processing their personal information for direct marketing purposes.

- Request the restriction of processing of their personal information. This enables them to ask us to suspend the processing of personal information about them, for example if they want us to establish its accuracy or the reason for processing it.
- Request the transfer of their personal information to another party.

If our people want to review, verify, correct or request erasure of their personal information, object to the processing of their personal data, or request that we transfer a copy of their personal information to another party, they should contact the DPC in writing.

### **No fee usually required**

Our people will not have to pay a fee to access their personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if their request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from our people**

In some circumstances we may need to request specific information from our people to help us confirm their identity and ensure their right to access the information (or to exercise any of their other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw consent**

In the limited circumstances where our people may have provided their consent to the collection, processing and transfer of their personal information for a specific purpose, they have the right to withdraw their consent for that specific processing at any time. To withdraw their consent, they should contact the DPC. Once we have received notification that they have withdrawn their consent, we will no longer process their information for the purpose or purposes they originally agreed to, unless we have another legitimate basis for doing so in law.

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide our people with a new privacy notice when we make any substantial updates. We may also notify our people in other ways from time to time about the processing of their personal information.

If you have any questions about this privacy notice, please contact our DPC, via email at [pltcpsters@gmail.com](mailto:pltcpsters@gmail.com), post to The Briery Retreat Centre, 38, Victoria Avenue, Ilkley, West Yorkshire LS29 9BW or telephone 01943 607287.