

## Consent – guidance

Data processing on the legal basis of consent is necessary in certain circumstances but is not the main basis on which we process data in respect of members of our congregations. There are difficulties in applying consent as the legal basis for processing, not least of which is obtaining that consent on the first instance, and these difficulties should not be underestimated. Nonetheless it will be the appropriate approach in a number of situations, for example; where attending an event is concerned, on joining some organisations, or where a non-member is involved or perhaps when specific consent is required from a member so that their personal data may be processed in a way or for a purpose which is not normal, for example; where we are creating a church video for use on our website and want to use their image and recorded voice on the video.

In practice much of this information will become apparent when you complete your Personal Data Audit and Inventory - guidance and templates have been provided.

At the point where a person's data is acquired, you must offer a clear statement that indicates why you want their data and how you will use their data. Where possible, give people options so that they can select what they are consenting to, for example; I'm happy for you to contact me by email (tick), but not by phone. Getting your privacy policy right is a big part of GDPR readiness and acquiring consent legally, again guidance and templates have been provided.

If consent is required to be obtained, organisations will need to be able to prove that they received informed, specific, unambiguous and freely given consent from data subjects, meaning the responsibility is placed firmly with the data processors and controllers to demonstrate compliance.

### Children

Under GDPR anyone under the age of 13 is considered a child for the purpose of obtaining consent for personal data processing (in the Republic of Ireland this is under the age of 16). The Presbyterian Church in Ireland believes that it is helpful for parents or guardians to discuss with their children the importance of understanding the significance of personal data and the intention of this type of legislation, and would encourage this dialogue.

In legal terms where a child is under 13 years of age in the UK or under 16 in the Republic of Ireland then where consent is required this must be obtained from a person holding 'parental responsibility.' For children in the UK aged 13 and above (in the Republic of Ireland aged 16 and above) consent may be given by the individual themselves.

Bearing these facts in mind and taking into consideration the desirability of having consistency across the PCI we will so design our consent forms so that where children are involved:

- For children under the age of 16 there is the opportunity for sign-off by both parent/guardian and the child
- For children aged 16 and over sign-off is by the individual themselves

# **Consent Policy**

## [Enniskillen Presbyterian Church]

Where consent is required we will ensure that we obtain consent in such a way that it is:

- freely given,
- specific,
- informed and
- unambiguous.

We will obtain consent by a positive opt-in and will not infer it from silence, pre-ticked boxes or inactivity. Example templates of GDPR compliant consent forms are provided in this policy and can be added to in future so that a consistent approach is used.

We will put in place and communicate simple ways for people to withdraw consent should they wish to do so.

Where we as a congregation are supplied with a form of consent by a third party (such as BB, Event Organiser, Taking Care, etc.) we will review it for GDPR compliance before using it. Where we are solely responsible for designing a form of consent we will do so in a manner which is consistent with the Data Protection guidelines.

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# Visitor Consent

## [Enniskillen Presbyterian Church]

We are delighted that you have come here today and hope you feel at home. If you would like to be informed of future events and other church news please sign below and let us have your contact details.

Signature \_\_\_\_\_

Name \_\_\_\_\_

Phone \_\_\_\_\_

Email Address \_\_\_\_\_

We may add you to our mailing list. You can unsubscribe at any time, either by clicking on the unsubscribe link at the bottom of our emails, or by contacting the Church Office (church.office1@btinternet.com, ☎ 028 6632 5759).

You might also like to visit our website at: [www.eknpres.org](http://www.eknpres.org)

For more information about how we hold your data and your rights under Data Protection legislation please go to [[www.eknpres.org](http://www.eknpres.org)]

(Enniskillen Presbyterian Church is a Registered Charity, No XN47222)

**N.B.** - For the most part we will rely on 'legitimate interest of the congregation' and 'activities of a religious not for profit body where data is not disclosed outside that body without consent' as the legal bases for processing a member's data. Where however specific consent is required, for example where a video is being made for church use and their consent is required to use their image and voice recording for dissemination on the church website, then this template might be useful for that purpose.

## Church Member Explicit Consent

We, [Enniskillen Presbyterian Church], are the data controller for the purposes of data protection legislation.

### Information we collect and how we use it

We comply with our obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes: -

- To enable us to provide pastoral care.
- To administer membership records;
- To fundraise and promote the interests of the charity;
- To manage our employees and volunteers;
- To maintain our own accounts and records (including the processing of gift aid applications);
- To inform you of news, events, activities and services running at or run by us; and
- To share your contact details with the Presbyterian Church in Ireland so they can keep you informed about news and events, activities and services that will be occurring and in which you may be interested.

### We are asking for your explicit consent for the following:

We would like to use your:

[BRIEF DESCRIPTION OF PERSONAL DATA, NAME, CONTACT DETAILS, IMAGE etc.]

For the purposes of:

[BRIEF DESCRIPTION OF PURPOSES]

If you agree then please sign below to indicate your consent. You can withdraw consent at any time by contacting the Church Office (✉ church.office1@btinternet.com, ☎ 028 6632 5759).

Signature \_\_\_\_\_

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# Attending an Event or Joining an Organisation

We, [Enniskillen Presbyterian Church], are the data controller for the purposes of data protection legislation.

## Information we collect and how we use it

We require the following information from you to allow us to register you for [INSERT THE NAME OF THE EVENT OR ORGANISATION]. We are collecting this information to enable the church to run the event/organisation [DELETE AS APPROPRIATE] safely, allow for protection of you interests in respect of dietary and medical requirements, and ensure we can contact you (or other nominated adult) in case of an emergency. Data Protection legislation allows us to process this information as we regard it as being in the church's legitimate interest. If you are unable to supply the information requested then we will be unable to accept your participation. We encourage parents and children to discuss the importance of personal data protection – a child for data protection purposes in the UK is under 13 (under 16 in RoI). Where your child is aged 13 – 15 we encourage both parent/guardian and child to sign, under 13 it must be parent/guardian, aged 16 and over it can be just the child.

## Information [ADD/DELETE OR AMEND AS NECESSARY]

Name:

Address:

Age/Date of Birth (for children):

Contact number:

Emergency contact number:

Email:

Special dietary requirements:

Medical information (allergies, etc.):

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Signature of Parent/Guardian

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Signature of Child

If you would like to be kept informed of other similar events please tick to select from the following boxes  
post  phone  email

We might also wish to use any photographs, video or audio on our website or publications or to share within the Presbyterian Church in Ireland. If you consent to this would you please indicate by ticking the following box:

I give permission for images and audio to be used

You can withdraw consent at any time by contacting the Church Office  
(✉ church.office1@btinternet.com, ☎ 028 6632 5759).

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