



The Church of Scotland

Faith Nurture Forum – Initial Ministerial Education (IME) Student Policy

Data Protection

1. Introduction

The Faith Nurture Forum of The Church of Scotland (Faith Nurture Forum) is committed to being transparent about how it collects and uses the personal data of students participating in the IME programme, and to meeting its data protection obligations.

2. Purpose & Scope

This policy applies to all current and prospective students. The purpose of this policy is to set out the Faith Nurture Forum commitment to data protection, and student rights and obligations in relation to that data.

3. Terminology

"Personal data" is any information that relates to a living individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric data.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

4. Roles and Responsibilities

Faith Nurture Forum through The Church of Scotland has an appointed data protection officer. Their role is to inform and advise Faith Nurture Forum on its data protection obligations. Further requests for further information, should be directed to the Church of Scotland Law Department LAWDEPT@churchofscotland.org.uk, with the Subject "FAO Data Protection Officer".

Students are responsible for helping Faith Nurture Forum keep their personal data up to date. Students should let Faith Nurture Forum know if data provided to Faith Nurture Forum changes, for example if a student moves house or changes his/her bank details.

5. Data Protection Principles

Faith Nurture Forum processes student personal data in accordance with the following data protection principles:

- The processing of student personal data in a lawful, fair and in a transparent manner.
- The collection of student personal data only for specified, explicit and legitimate purposes.
- The processing of student personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.
- Keeping accurate student personal data and taking all reasonable steps to ensure that inaccurate student personal data is rectified or deleted without delay.
- Keeping student personal data only for the period necessary for processing.
- Adopting appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.

Faith Nurture Forum will tell students the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process personal data of students for other reasons. Where Faith Nurture Forum relies on its legitimate interests as the basis for processing data, it will carry out an assessment to ensure that those interests are not overridden by the rights and freedoms of students.

Where Faith Nurture Forum processes special categories of personal data or criminal records data to perform obligations or to exercise rights in employment law, this is done in accordance with a legitimate reason to do so.

Faith Nurture Forum will update student personal data promptly if a student advises that his/her information has changed or is inaccurate.

Personal data gathered during the IME programme is held in the student's personal file (in hard copy or electronic format, or both), and on an IME student database. Faith Nurture Forum only holds student related personal data for as long as is necessary in connection with training needs in line with our data retention policy. For example: Electronic training files for Graduate candidate (those who are free to apply for charges or appointments) are retained for 5 years, their application will be retained for the full duration of their Ministry.

Faith Nurture Forum seeks to ensure a record of its processing activities in respect of student personal data in accordance with the requirements of the General Data Protection Regulation (GDPR) 2018.

6. Individual Student Rights

As a data subject, students have a number of rights in relation to their personal data.

Subject access requests

Students have the right to make a subject access request. If a student makes a subject access request, Faith Nurture Forum will tell him/her:

- whether or not his/her data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the student;

- to whom his/her data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long his/her personal data is stored (or how that period is decided);
- his/her rights to rectification or erasure of data, or to restrict or object to processing;
- his/her right to complain to the Information Commissioner if he/she thinks Faith Nurture Forum has failed to comply with his/her data protection rights; and
- whether or not Faith Nurture Forum carries out automated decision-making and the logic involved in any such decision-making.

Faith Nurture Forum will also provide the student with a copy of the personal data undergoing processing. This will normally be in electronic form if the student has made a request electronically unless he/she agrees otherwise.

If the student wants additional copies, Faith Nurture Forum will charge a fee, which will be based on the administrative cost to Faith Nurture Forum of providing the additional copies.

To make a subject access request, the student should send the request to the Church of Scotland Law Department LAWDEPT@churchofscotland.org.uk, with the Subject "FAO Data Protection Officer" in some cases, Faith Nurture Forum may need to ask for proof of identification before the request can be processed. Faith Nurture Forum will inform the student if it needs to verify his/her identity and the documents it requires.

Faith Nurture Forum will normally respond to a request within a period of one month from the date it is received. In some cases, such as where Faith Nurture Forum processes large amounts of the student's data, it may respond within three months of the date the request is received. Faith Nurture Forum will write to the student within one month of receiving the original request to tell him/her if this is the case.

If a subject access request is manifestly unfounded or excessive, Faith Nurture Forum is not obliged to comply with it. Alternatively, Faith Nurture Forum can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which Faith Nurture Forum has already responded. If a student submits a request that is unfounded or excessive, Faith Nurture Forum will notify him/her that this is the case and whether or not it will respond to it.

Other rights

Students have a number of other rights in relation to their personal data. They can require Faith Nurture Forum to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if the student's interests override Faith Nurture Forum's legitimate grounds for processing data (where Faith Nurture Forum relies on its legitimate interests as a reason for processing data);

- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not the student's interests override Faith Nurture Forum's legitimate grounds for processing data.

To ask Faith Nurture Forum to take any of these steps, the student should send the request to the Data Protection Officer.

7. Data Security

Faith Nurture Forum takes the security of student personal data seriously. Faith Nurture Forum has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties. Where Faith Nurture Forum engages third parties to process personal data on its behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

8. International data transfers

Student personal data may be transferred to countries outside the EEA. The obligation of Faith Nurture Forum is to ensure that any organisation to whom we send information outside of EEA have in place sufficient safeguards for the protection of data.

9. Data breaches

If Faith Nurture Forum discovers that there has been a breach of student personal data that poses a risk to the rights and freedoms of students, it will report it to the Information Commissioner within 72 hours of discovery. Faith Nurture Forum will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of students, it will tell affected students that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

10. Monitoring and Review

The impact of this policy will be monitored and the policy is subject to amendments as necessary. The policy will be reviewed every two years as a minimum.

Date First Published:	September 2018
Date of Last Review:	December 2020

Frequency of Review:	2 years
Approved by:	E&S Committee