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|  | Morningside United Church15 Chamberlain RoadEdinburghEH10 4DJScottish Charity Number - SC015552 |

Data Protection Principles

## Principle (a): Lawfulness, fairness and transparency

## At a glance

* You must identify valid grounds under the GDPR (known as a ‘lawful basis’) for collecting and using personal data.
* You must ensure that you do not do anything with the data in breach of any other laws.
* You must use personal data in a way that is fair. This means you must not process the data in a way that is unduly detrimental, unexpected or misleading to the individuals concerned.
* You must be clear, open and honest with people from the start about how you will use their personal data.

## Checklist

**Lawfulness**

☐ We have identified an appropriate lawful basis (or bases) for our processing.

☐ If we are processing special category data or criminal offence data, we have identified a condition for processing this type of data.

☐ We don’t do anything generally unlawful with personal data.

**Fairness**

☐ We have considered how the processing may affect the individuals concerned and can justify any adverse impact.

☐ We only handle people’s data in ways they would reasonably expect, or we can explain why any unexpected processing is justified.

☐ We do not deceive or mislead people when we collect their personal data.

**Transparency**

☐ We are open and honest, and comply with the transparency obligations of the right to be informed.

**Principle (b): Purpose limitation**

## At a glance

* You must be clear about what your purposes for processing are from the start.
* You need to record your purposes as part of your documentation obligations and specify them in your privacy information for individuals.
* You can only use the personal data for a new purpose if either this is compatible with your original purpose, you get consent, or you have a clear basis in law.

## Checklist

☐ We have clearly identified our purpose or purposes for processing.

☐ We have documented those purposes.

☐ We include details of our purposes in our privacy information for individuals.

☐ We regularly review our processing and, where necessary, update our documentation and our privacy information for individuals.

☐ If we plan to use personal data for a new purpose, we check that this is compatible with our original purpose or we get specific consent for the new purpose.

**Principle (c): Data minimisation**

## At a glance

You must ensure the personal data you are processing is:

* adequate – sufficient to properly fulfil your stated purpose;
* relevant – has a rational link to that purpose; and
* limited to what is necessary – you do not hold more than you need for that purpose.

## Checklist

☐ We only collect personal data we actually need for our specified purposes.

☐ We have sufficient personal data to properly fulfil those purposes.

☐ We periodically review the data we hold, and delete anything we don’t need.

**Principle (d): Accuracy**

## At a glance

* You should take all reasonable steps to ensure the personal data you hold is not incorrect or misleading as to any matter of fact.
* You may need to keep the personal data updated, although this will depend on what you are using it for.
* If you discover that personal data is incorrect or misleading, you must take reasonable steps to correct or erase it as soon as possible.
* You must carefully consider any challenges to the accuracy of personal data.

## Checklist

☐ We ensure the accuracy of any personal data we create.

☐ We have appropriate processes in place to check the accuracy of the data we collect, and we record the source of that data.

☐ We have a process in place to identify when we need to keep the data updated to properly fulfil our purpose, and we update it as necessary.

☐ If we need to keep a record of a mistake, we clearly identify it as a mistake.

☐ Our records clearly identify any matters of opinion, and where appropriate whose opinion it is and any relevant changes to the underlying facts.

☐ We comply with the individual’s right to rectification and carefully consider any challenges to the accuracy of the personal data.

☐ As a matter of good practice, we keep a note of any challenges to the accuracy of the personal data.

**Principle (e): Storage limitation**

## At a glance

* You must not keep personal data for longer than you need it.
* You need to think about – and be able to justify – how long you keep personal data. This will depend on your purposes for holding the data.
* You need a policy setting standard retention periods wherever possible, to comply with documentation requirements.
* You should also periodically review the data you hold, and erase or anonymise it when you no longer need it.
* You must carefully consider any challenges to your retention of data. Individuals have a right to erasure if you no longer need the data.
* You can keep personal data for longer if you are only keeping it for public interest archiving, scientific or historical research, or statistical purposes.

## Checklist

☐ We know what personal data we hold and why we need it.

☐ We carefully consider and can justify how long we keep personal data.

☐ We have a policy with standard retention periods where possible, in line with documentation obligations.

☐ We regularly review our information and erase or anonymise personal data when we no longer need it.

☐ We have appropriate processes in place to comply with individuals’ requests for erasure under ‘the right to be forgotten’.

☐ We clearly identify any personal data that we need to keep for public interest archiving, scientific or historical research, or statistical purposes.

**Principle (f): Integrity and confidentiality (security)**

You must ensure that you have appropriate security measures in place to protect the personal data you hold.

This is the ‘integrity and confidentiality’ principle of the GDPR – also known as the security principle.

**Accountability principle**

The accountability principle requires you to take responsibility for what you do with personal data and how you comply with the other principles.

You must have appropriate measures and records in place to be able to demonstrate your compliance.