

LATEST NEWS FROM THE LEGAL AND OPERATIONS TEAM – JANUARY 2021

Data Protection Update

We have made further changes to the Frequently Asked Questions document on our [Church Data Protection web page](#) to reflect recent government updates on international transfers of personal data.

Please see questions 22 and 23 on how Brexit impacts data protection matters for churches. Further information has also been added to our guidance for churches on handling Data Subject Access Requests (DSARs) document, found on the same web page. These changes include new details from the Information Commissioner's Office (ICO) on clarifying the scope of a request and when you can charge a fee to comply with a request.

We are updating the church template data protection policy to reflect the Brexit changes and to include new provisions relating to the processing of criminal offence data and special category data. The updated version of the policy will be available on the [Church Data Protection web page](#) from February 2021.

Charity Governance Code updated

The Charity Governance Code represents a standard of good governance practice to which the Charity Commission says that all charities should aspire. The Code can be downloaded [here](#); the version for 'smaller charities' applies to Baptist churches.

The Code has recently been refreshed. The principal changes are to the renamed *Equality, Diversity and Inclusion (EDI) Principle*; they update the *Integrity Principle* to emphasise ethics and the right of everyone who has contact with the charity to be safe.

The Code recommends four stages of practice for charities in implementing EDI – charity trustees should:

1. Think about why equality, diversity and inclusion is important for the charity and assess the current level of understanding.
2. Set out plans and targets tailored to the charity and its starting point.
3. Monitor and measure how well the charity is doing.
4. Be transparent and publish the charity's progress.

As to safeguarding, the refreshed Code includes new recommended practice that asks trustees to:

- understand their safeguarding responsibilities;
- establish appropriate procedures that are integrated with the charity's risk management approach; and
- ensure that everyone in contact with the charity knows how to speak up and raise concerns.

Please direct any follow-up questions to legal.ops@baptist.org.uk