Test and Protect Appendices

Paper Record Keeping

Attendance Registration and Data Release

Paper Version

1) Scope
   a) The procedure is to be used by congregations of the Church of Scotland as they assist the NHS Scotland Test & Protect strategy by recording attendance at church services and events. The procedure is for the paper version of attendance records.
   b) The data controller for this process will be the Assembly Trustees of the Church of Scotland.
   c) All congregations and any other Church of Scotland entities will be data processors.
2) Output
   a) The output of this process will be a Register of Attendance which can be referred to by NHS Scotland Test & Protect.
3) Effective Date
   a) 15th July 2020
4) Resources Required
   a) One A4 spiral or ring bound notebook (or more if required to cope with the number of concurrent events at any one time on the church premises).
   b) A secure storage location – Lockable cabinet, drawer or safe which can be accessed as required by the nominated officials.
5) Nominated Officials
   a) At least one person to manage the registration of visitors to each Church event (or one person per event if concurrent events).
   b) At least one person to act as liaison with Church of Scotland data protection officer (DPO) in the event of a Test & Protect enquiry by NHS Scotland.
   c) Names, contact telephone numbers and email addresses to be registered with the DPO. The DPO will contact all congregations with details of how to register, this will be an online form. A link to which is provided in the Covid-19 guidance for congregations from the Church of Scotland.
6) Data Subjects
   a) Each Register of Attendance page will record personal data belonging to the following categories of data subject:
      i) Congregation members (as noted in the Communion roll)
      ii) Visitors
      iii) Ministers
      iv) Employees
7) Personal Data To Be Collected
   Each Register of Attendance page will collect only the following items of personal data:
   a) Congregation members: **Name and telephone number**. If no telephone number, then postal address and/or email address.
   b) Visitors: **Name and telephone number**. If no telephone number, then postal address and/or email address.
   c) Ministers: **Name only** (contact information can be added to the list later in the event of a Test & Protect request).
   d) Groups (for example family groups): It is only necessary to record the name and contact details of the "lead" member of the group.
   e) Each Register of Attendance Page will also identify the location of attendance, the date and general arrival and departure times.
8) Organisational Security Measures
   a) Each register of attendance book is to be kept in lockable storage when not in use.
   b) When in use, each register of attendance book is to be in the possession of a nominated official.
   c) The register of attendance book should remain in the care of the nominated official until returned to the lockable storage.
   d) Requests for access to the register of attendance book will only be made by the Church of Scotland data protection officer (DPO). These requests will be made directly to the nominated officials noted above.
   e) Access to the register of attendance book for the purpose of sharing data is only to be made by nominated officials on receipt of a request by the Church of Scotland DPO.

f) All requests to access the data contained in the register of attendance must be referred to the Church of Scotland DPO, who will verify the nature of each request and proceed accordingly.

9) The Process
   a) The front cover of each notebook should be clearly marked with:
      i) The congregation name;
      ii) Address;
      iii) Start date of the record of attendance book.
   b) On The Day - For each new event:
      i) A new page should be prepared as follows:
      ii) Left side page: The date of the event and start time. This page should be marked "Event" and will be used to record the start and end times of the event. This page will also be retained as proof that a register attendance was taken and then destroyed 21 days later (to allow for this administration, the retention period for paper records only can be extended to 28 days).
      iii) Right side page: Should be marked with the event date and time and headed "register". This page will be used to record the names and contact details of all those attending.
      iv) You may wish to number the pages in the notebook as you go.
   c) As **congregation members** arrive: Their attendance is registered by the person in charge of the register of attendance book using the right hand page, recording name and telephone number, clearly IN CAPITAL LETTERS.
   d) As **visitors arrive**: Their name and telephone number is written on the right hand page, clearly IN CAPITAL LETTERS.
   e) **Members of the clergy**: Those in regular attendance can have their name appended on the register page. Each congregation can choose how to do this, but the names must be recorded.
   f) BEFORE visitor or congregation member personal data is collected and recorded, the **Privacy Notice** must be either presented to the visitor or read out to them. Copies of the Privacy Notice can be printed out and laid on a table allowing them to be read.
   g) On subsequent visits, congregation members or visitors who have seen the Privacy Notice before do not need to see it again (they are deemed to have been informed).
   h) There is no need for anyone in attendance to acknowledge that they have read the Privacy Notice.
   i) A copy of the Privacy Notice used should be kept as part of the record of registration (we may be asked how people were informed).
   j) At the conclusion of the event, the departure time of those attending should be noted next to the start time (this should be a general finish/departure time, it does not need to be specific for each attendee – we recommend the time at which the hall/room/church is seen to be empty).
   k) Each register of attendance book should be returned to the lockable storage.

10) Data Retention and Disposal
   a) We are required to keep the register of attendance for only 21 days.
   b) Which means a weekly check needs to be carried out on each register of attendance book. In practice this will mean a retention period for paper records of up to 28 days. Any pages for events dated more than 21 days before the date of checking should be removed from the notebook and shredded.
      i) The right hand page containing the register of attendance should be removed and shredded.
      ii) The left hand page containing the event/gathering description should be retained and the words "Data destroyed" and the date and time of destruction noted at the foot of the page.
   c) Note: All removed pages must be shredded. They must not be disposed of in waste bins without first being shredded. Confidential waste bins are OK as long as they are part of an appropriate procedure for confidential waste disposal.

11) Responding To A Request For Register of Attendance Data
   a) The only person able to authorise a request for register of attendance data is the Church of Scotland data protection officer (DPO) or one of her nominated colleagues in the Law Department.
   b) The Church of Scotland DPO is the single point of contact with NHS Scotland Test & Protect officials on behalf of all Church of Scotland congregations. All requests must be channelled through the Law Department.
   c) The DPO will contact the nominated officials at the congregation relevant to the request and ask them to prepare a list of names and contact telephone numbers for the date/event in question.
   d) The DPO will make contact by telephone initially, but may also use email if this is appropriate.

e) If the nominated official is at all unsure about whether they are dealing with a genuine request, they should hang up the phone or cease an email interaction and start a new one using contact information they know to be correct.

12) Preparing and Sending The List
   a) The attendance register for the date/event containing names of congregation members and visitors can be prepared on a sheet of paper, a word processing document or a spreadsheet.
   b) Depending on the nature of the list, the DPO and nominated congregation point of contact will agree the best way to transmit it between them.
   c) When the list is ready, the DPO will provide instructions for the nominated official to send documents.
   d) The nominated official sends the documents to the DPO using the instructions provided.
   e) The DPO will acknowledge receipt.

Data Protection Issues
The type of personal data we are collecting is basic and minimised as far as we can.

Nevertheless, we face challenges because of the heavily distributed nature of our collection of this personal data and the fact that by its nature it suggests the religious beliefs of the data subject (and is therefore classified as "special category" data). It could also be classified as behavioural data, in that we are recording attendance at a specific location.

We are doing so for good reasons. We are stepping up to our responsibilities to support the Test & Protect strategy of NHS Scotland and in doing so we are playing our part in protecting those within our congregations and the people in our local communities.

As an organisation we need to be able to demonstrate our accountability for how we collect and process the personal data involved, upholding the rights of each data subject. This procedure has been developed. We are trying to keep this as simple and effective as possible so that people feel able to take part. It may not be perfect, so we will be keeping it under constant review throughout its deployment during the Covid-19 pandemic and associated restrictions.

Data Subject Access Requests
Recording personal data in this way may cause individuals to exercise their rights over how their personal data is used by the Church of Scotland and invoke a Data Subject Access Request (DSAR) with us.

Additional information about this is available from the Privacy section of the Church of Scotland website.

If someone makes a data subject access request directly at your congregation, you should note their name, contact details and the nature of their request and send it to the Church of Scotland DPO without delay. The DPO will deal with the request.

Data Incidents and Breaches
If you are made aware of or detect an incident or breach involving this specific process you should inform the Church of Scotland DPO without delay.

Privacy Notice - Paper Record-keeping
You are giving your personal data to The Trustees of the General Assembly of the Church of Scotland as the Data Controller.

Your Personal Data
You are being asked to supply your: Full name and contact telephone number.

Purpose
The purpose of processing the personal data we ask for is to assist with the NHS Scotland Test & Protect Strategy.

Under the Data Protection Act 2018 and GDPR, the legal basis for this processing is:

1) Article 6/1d – Processing is necessary in order to protect the vital interests of the data subject.
2) Article 9/2i – Processing is necessary for reasons of public interest in the area of public health.

Your personal data will not be used for any other purpose without your permission, except in the context of fulfilling a legal obligation to which The Church of Scotland is subject.

If you do not provide the personal data requested, we cannot register your attendance at the Church and will be unable to share your name with NHS Scotland if a relevant case of infection occurs.

Data Retention
Your personal data will be retained for up to 28 days and will then be disposed of securely.

Data Subjects
Personal data processing is carried out for Church of Scotland congregation members, visitors ministers and employees.

Sharing Your Personal Data
The purpose of the sharing is to assist with the NHS Scotland Test & Test Strategy. Your personal data will not be used for any other purpose or shared with a third party unless doing so is necessary in order to comply with a legal obligation or in order to protect your vital interests or those of another data subject.

Data Transfers
Your personal data will not be transferred outside the EEA.

Your Rights
Under the Data Protection Act 2018 you have the following rights:

1. The right to be informed.
2. The right to access (your personal data).
3. The right to rectification.
4. The right to erasure.
5. The right to restrict processing
6. The right to object to processing.
7. The right to data portability.
8. Rights in relation to automated decision-making.

If you wish to invoke any of your rights, including for the purpose of a Subject Access Request (SAR), send your written request to: Data Protection Officer, Church of Scotland, 121 George Street, Edinburgh, EH2 4YN. Or email: **lawdept@churchofscotland.org.uk**

You may also advise us of an incident involving personal data or a data breach using the same contact information.

You have the right to make a complaint about our processing of your personal data to the ICO as the regulator in the UK. You can contact the Information Commissioner's Office (ICO) at:

Website: **www.ICO.org.uk**
Address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Smartphone App Recording

Attendance Registration and Data Release Using the Check In Scotland Smartphone App

1) Scope
   a) The procedure is to be used by congregations of the Church of Scotland as they assist the NHS Scotland Test & Protect strategy by recording attendance at church services and events. This procedure is for the smartphone app version of attendance records.
   b) The data controller for this process will be the operators of the app, Check In Scotland.
   c) All congregations and any other Church of Scotland entities will be data processors.
2) Output
   a) The output of this process will be a secure, encrypted electronic Register of Attendance which can be referred to by NHS Scotland Test & Protect.
3) Effective Date
   a) 15 July 2021
4) Resources Required
   a) (by congregation officials) copies of the QR code image document and Check In Scotland Privacy notice, available here: **www.mygov.scot/qr-check-in**.
   b) (by congregation members and visitors) the smartphone app known as "Check In Scotland" installed on their iPhone or Android smartphone device. Visit **www.checkin.scot** for information. The app is available in the Apple Store and on Google Play.
   c) An appropriate privacy notice, available from Check In Scotland at **www.mygov.scot/qr-check-in**
   d) User instructions as supplied by the DPO.
5) Nominated Officials
   a) At least one person to act as liaison with Church of Scotland data protection officer (DPO) for communication about registration and use of the smartphone app and in the event of a Test & Protect enquiry by NHS Scotland.
   b) Names and contact telephone numbers of congregation liaison to be registered with the DPO. The DPO will contact all congregations with details of how to register as part of the Covid-19 briefing issued by the Church of Scotland.
6) Data Subjects
   a) The smartphone app will only record personal data when it is used in conjunction with the QR codes from Check In Scotland. When used in this way it will process personal data belonging to the following categories of data subject:
      i) Congregation members (as noted in the Communion roll)
      ii) Visitors
      iii) Ministers
      iv) Employees
7) Personal Data To Be Collected
   a) The smartphone app system will collect only the items of personal data provided to it by the data subject when they registered for their app user account:
      i) Full name, telephone number.
   b) Any other personal data provided by the data subject to the smartphone app will not be collected for the purpose of creating and maintaining the register of attendance by the Church of Scotland.
   c) Each register of attendance record in the smartphone app system will also identify the location of attendance, the date and the time at which the QR code was clicked or check in occurred.
8) Technical & Organisational Security Measures
   a) The electronic register of attendance is encrypted in transit and at rest.
   b) Access to the electronic register can only be controlled by Check In Scotland
   c) Access to the register of attendance is protected by a key code known only to a limited number of Church of Scotland officials.
   d) There will be no need for congregations to access the electronic record of attendance.
   e) Any requests to access the data contained in the register of attendance must be referred to the Church of Scotland DPO, who will verify the nature of each request and proceed accordingly.
9) The Process
   a) To use Check In Scotland, your visitors need to use their mobile phones to scan a Check In Scotland QR code, displayed on a poster inside your church together with the Check In Scotland privacy notice available from Check In Scotland, here: **www.mygov.scot/qr-check-in**.

b) Once a visitor has scanned the QR code, their phone will take them either to the Check In Scotland app or the Check In Scotland web page. They can use either of these to check in at your venue.
c) When they leave, they can use the app or web page to check out.
d) If a visitor to your venue does not want to use the Check In Scotland app or web service, or are not able to use the Check In Scotland service on their phone, you must take their contact details using a pen and paper. You must keep these details for 21 days, destroying them as soon as the 21 days have passed.
e) Copies of the QR code and appropriate privacy notice should also be prominently displayed.
f) Church officials "meeting and greeting" can draw attention to the smartphone registration option and the QR codes.
g) Each person attending the Church need only register using the smartphone app and QR code once per visit, then on each subsequent visit.

   Note: Anyone can register using the paper system and the smartphone app if they want to. Duplication is not an issue, what matters is we have a record of attendance.

10) Data Retention and Disposal

    We are required to keep the register of attendance for only 21 days and the app will delete personal data after 21 days.

11) Responding To A Request For Register of Attendance Data
    a) The only person able to authorise a request for register of attendance data is the Church of Scotland data protection officer (DPO) or one of her nominated colleagues in the Law Department.
    b) The Church of Scotland DPO is the single point of contact with NHS Scotland Test & Protect officials on behalf of all Church of Scotland congregations. All requests must be referred to the Law Department.
    c) The Test and Protect service will most likely contact individuals directly in the event that the Check In Scotland app registers that they have been in contact with someone who has tested positive for Covid. In the event that contact is made with the Church, the DPO will respond to NHS Scotland with the electronic register direct. The congregations have no access to the electronic record, which means the DPO will only ever be contacting the congregation nominated officials with regard to the paper register of attendance.

Data Protection Issues

The type of personal data collected is basic and is minimised as far as reasonably possible.

Nevertheless, we face challenges because of the heavily distributed nature of our collection of this personal data and the fact that by its nature it suggests the religious preference of the data subject (and is therefore classified as "special category" data). It could also be classified as behavioural data, in that we are recording attendance at a specific location.

We are doing so for good reasons. We are stepping up to our responsibilities to support the Test & Protect strategy of NHS Scotland and in doing so we are playing our part in protecting those within our congregations and the people in our local communities.

As an organisation we need to be able to demonstrate our accountability for how we collect and process the personal data involved. Upholding the rights of each data subject. Which is why this procedure has been developed. We are trying to keep this as simple and effective as possible so that people feel able to take part. It may not be perfect, so we will be keeping it under constant review throughout its deployment during the Covid-19 pandemic and associated restrictions.

The use of the smartphone app makes the attendance registration process easier for congregations to manage and for tech enthusiastic parishioners and visitors to use. Overall, the smartphone app is not intended to replace the paper-based attendance registration process. Instead it is a useful extension to it.

Data Subject Access Requests

Recording personal data in this way may cause individuals to exercise their rights over how their personal data is used by the Church of Scotland and invoke a Data Subject Access Request (DSAR) with us.

Additional information about this is available from the Privacy section of the Church of Scotland website.

If someone makes a data subject access request directly at your congregation, you should note their name, contact details and the nature of their request and send it to the Church of Scotland DPO without delay. The DPO will deal with the request.

Data Incidents and Breaches
If you are made aware of or detect an incident or breach involving this specific process you should inform the Church of Scotland DPO without delay.

Privacy Notice - Check In Scotland - Smartphone App

Privacy Notice
The Check In Scotland app has been developed on behalf of the Scottish Government and a cop of the relevant Privacy Notice can be found online, here: **www.mygov.scot/check-in-scotland-privacy-policy**

If you wish to invoke any of your rights, including for the purpose of a Subject Access Request (SAR), send your written request to: Data Protection Officer, Church of Scotland, 121 George Street, Edinburgh, EH2 4YN. Or email: **lawdept@churchofscotland.org.uk**

You may also advise us of an incident involving personal data or a data breach using the same contact information.

You have the right to make a complaint about our processing of your personal data to the ICO as the regulator in the UK. You can contact the Information Commissioner's Office (ICO) at:
Website: **www.ICO.org.uk**
Address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Check In Scotland Smartphone App User Instructions

Any visitors over the age of 12 can use the Check In Scotland service.

To use Check In Scotland, your visitors need to use their mobile phones to scan a Check In Scotland QR code, displayed on a poster inside your church together with the Check In Scotland privacy notice available from Check In Scotland, here: **www.mygov.scot/qr-check-in**

Once a visitor has scanned the QR code, their phone will take them either to the Check In Scotland app or the Check In Scotland web page. They can use either of these to check in at your venue.

When they leave, they can use the app or web page to check out.

If a visitor to your venue does not want to use the Check In Scotland app or web service, or are not able to use the Check In Scotland service on their phone, you must take their contact details using a pen and paper. You must keep these details for 21 days, destroying them as soon as the 21 days have passed.

If someone tests positive for COVID-19 after visiting your venue, Check In Scotland works with NHS Scotland's Test and Protect to alert anyone who may have been a close contact of the person.

Where to display your Check In Scotland QR code poster
You should display your Check In Scotland QR code poster and privacy notice at your church and/or halls and request any visitors scan the QR code as soon as they arrive. This includes anyone who visits your venue.

The data collected by the app will not be accessible by any congregation and access and deletion will be handled by Check In Scotland.

You can register your attendance at the church by simply scanning the QR code with a smartphone on which the Check In Scotland app has been installed. If the app is not yet installed, scanning a relevant QR code displayed in your church will start the app installation process.

Using the smartphone app with QR codes at entrance points in your church gives additional flexibility when it comes to registering attendance of those who visit the church outside regular services.

If you have any questions concerning this guidance please send an email to the Church of Scotland Law Department inbox: **lawdept@churchofscotland.org.uk**

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