

Winchester Cathedral – Bishop’s Review

PRIVACY NOTICE

1. Introduction

This privacy notice explains why and how personal data is processed by the Bishop of Winchester, the Rt Revd Philip Mounstephen (the “Bishop”) and Winckworth Sherwood LLP acting through Patricia Russell (the “Reviewer”) with respect to a Bishop’s review of Winchester Cathedral (the “Cathedral”).

The Reviewer is a data controller for the purpose of conducting the Bishop’s review and producing a report containing its findings for submission to the Bishop (the “Report”).

The Bishop is a data controller for the purpose of commissioning and receiving the Report and determining the actions to be taken thereafter.

The contact details are:

Reviewer

Patricia Russell
Winckworth Sherwood LLP

prussell@wslaw.co.uk

The Bishop of Winchester

c/o Revd Theresa Ricketts

theresa.ricketts@winchester.anglican.org

2. Why the Reviewer and Bishop process personal data and sharing of this personal data

The Bishop has commissioned a review of the Cathedral which was announced on 18 June 2024, exercising his statutory power under section 9(6) of the Cathedrals Measure 2021 (the “Review”). A review allows the diocesan bishop to look into matters of a cathedral’s financial affairs, governance, management, operations or mission, as the bishop considers necessary or appropriate.

The Review is being conducted to investigate and make recommendations to the Bishop concerning the following:

- (1) The leadership and management of the Cathedral’s choirs to include consideration of recent HR decision making and communications;
- (2) The culture and behaviours of the Chapter and Cathedral and the extent to which this affects Cathedral operations, specifically in relation to the Cathedral’s choirs;
- (3) Cathedral decision making processes and, in particular, the processes by which the Chapter manages risk and critical issues;
- (4) Governance structures and the efficacy of leadership at Chapter level.

The Reviewer will determine their own methodology for conducting the Review and may seek advice and assistance from external experts. The Reviewer will seek to minimise the extent of personal data featured in the Report. Accordingly, the Reviewer will anonymise the identity of individuals who have provided evidence to the extent that they consider that this does not adversely affect the utility of the report.

The final Report is to be confidential to the Bishop. However, the Bishop intends to provide the Chapter with a summary report setting out any conclusions or recommendations resulting from the

Review and a copy of the summary report will be provided to the Church Commissioners. The Bishop may also be obliged to share the summary report with the Charity Commission, the National Safeguarding Team and any person named in the summary report.

In accordance with the draft guidance published by the Church Commissioners, it is not intended that the Report or the summary report are to be public documents although key findings or recommendations from the report may be communicated publicly at the Bishop's discretion.

3. The information the Reviewer may process

The types of information the Reviewer may process include:

- Name
- Title
- Marital Status
- Gender
- Nationality
- Job title/position
- Contact information
- Employment, offices, and appointments
- Education details
- Training attendance/certification
- Human Resources records (including disciplinary records, risk assessments, confidential declaration forms, safer recruitment information e.g., DBS checks)
- Personal opinions
- Complaints or evidence of misconduct or incompetence

The Reviewer does not envisage soliciting "special categories" of information. However, an individual in giving evidence to the Reviewer may choose to provide personal data that falls under such "special categories" (whether about themselves or another individual). This includes personal data about:

- Race, nationality, ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Health data
- Sex life or sexual orientation
- Criminal convictions and offences including criminal allegations

The Reviewer may process information about:

- Current, former and retired clergy
- Current and former employees
- Current and former Chapter members
- Current and former members of Cathedral Committees
- Volunteers and members of the congregation and wider cathedral community including chorister parents
- Individuals who have raised concerns or complaints or who have been a witness to such matters
- Current and former professional advisers and consultants
- Current and former members of the Cathedral's music department

Information may be obtained by the Reviewer from a number of sources including from:

- Interviews with contributors and witnesses (interview notes will be taken)
- Emails and letters from contributors and witnesses

- Minutes of meetings
- Records of any enquiries, advice sought or provided
- Policy documents
- Terms of reference
- Peer reviews
- Notifications to external parties e.g., local authorities, Charity Commission etc
- HR, governance and safeguarding files
- Archived records and footage

4. Lawful basis for processing personal information

The “lawful basis” for processing personal data as defined by the UK GDPR, is that the information being collected is necessary to fulfil the Review at the Cathedral which is a public task that is carried out in the public interest. The Reviewer will, for example, need to process personal data to undertake investigations during the Review, in order that they may make any necessary formal recommendations to resolve any issues arising from their findings, and ensure the Cathedral is operating as it should.

Special category data

The Reviewer may also need to use information classed as “special category” above in the course of their investigations during the Review. The law provides additional protections for this information, and we are required to fulfil an additional condition before using this information. Here, the additional condition relied upon is that the information is necessary in order that the Reviewer can carry out the function that has been conferred on them by an enactment or rule of law.

The purposes for the use of the information are also considered to be in the substantial public interest – in particular this will apply when the information is necessary for:

- The exercise of a function conferred on a person by an enactment or rule of law
- The protection of members of the public generally against improper conduct or any failures in connection with the Cathedral’s activities
- Safeguarding purposes

5. How long does the data controller keep personal information?

Personal data will be retained securely by the Reviewer during the period of the Review for a reasonable period in line with legal obligation relating to retention and disposal of records and good business practice, such as for the purpose of insurance and liability management.

6. Security

The Bishop and Reviewer are committed to ensuring that your personal data is secure. Access to data will be limited to a need-to-know basis and security practices and technologies will be tested.

If a data breach does occur, each data controller will do everything in its power to limit the damage. In the case of a high-risk data breach, and depending on the circumstances, you will be informed about the breach and any remedial actions to prevent any further damage. The data controllers will also inform the Information Commissioner’s Office of any qualifying data breaches.

7. International transfers and automated processing

If the Bishop and / or Reviewer needs to share your information outside of the UK (usually because the systems used to store information use servers outside of the UK), they will ensure that the recipient data processor stores the data in a jurisdiction benefitting from adequacy regulations or, in any other case, that all necessary safeguards are in place to protect your information. These

safeguards may include the use of international data transfer agreements in a form approved by the Information Commissioner's Office.

The Bishop and Reviewer will not make any decisions about you based solely on automated means.

8. Your rights

You have the following rights regarding your personal data, subject to exemptions:

- i. The right to request a copy of your personal data
- ii. The right to rectify your data if you think it is inaccurate or incomplete
- iii. The right to request that your data is being erased, in certain circumstances
- iv. The right to restrict processing of your data, in certain circumstances
- v. The right to object to our processing of your data if the process forms part of our public tasks, or is in our legitimate interests

To exercise these rights please contact the relevant data controller using the contact details in section 1 above.

9. Complaints or concerns

If you have any concerns or queries about how your personal data is handled by the Reviewer, please contact the Reviewer using the contact details in section 1 above or Winckworth Sherwood LLP's Data Protection Officer at dpofficer@wslaw.co.uk.

If you have any concerns or queries about how your personal data is handled by the Bishop, please contact the Bishop's office using the contact details in section 1 above.

You have the right to make a complaint at any time to the Information Commissioner at:

- Online: <https://ico.org.uk/make-a-complaint/data-protection-complaints/data-protection-complaints/>
- Telephone: 0303 123 1113