If more letters mean more money why not ‘spray and pray’; spray out as many letters as possible and pray that people respond! Technology makes this easy to do but as a strategy it has three weaknesses.

First, good stewardship literature needs a good mailing list: a differentiated database. Differentiation is respectful, avoiding the easier, one size fits all option. Rather it takes seriously diversity in our congregation, community and relationships, helping people make an appropriately generous response for where they are in their faith, financial situation and relation to the church.

Second, pastoral sensitivity is always at a premium. We should avoid, for example, the hurt of letters to the wrong people, people left out, or inappropriate giving requests to people entirely new to the church or who never attend but addressed as though they do.

Third, we must respect the privacy of the individual which from May 2018 is governed by the General Data Protection Regulations (GDPR). Churches must comply with the law.

A brief disclaimer
This paper has a very limited focus: how to build a differentiated database that is pastorally sensitive and data protection compliant. This paper does not constitute definitive or authoritative guidance but conveys our best understanding and interpretation of the implications of GDPR. Finally, this guidance applies mainly to hard copy, paper communications. The use of legitimate interest/consent also applies to email (and phone) communications, but there are further considerations covered by other legislation which GDPR complements.

About GDPR
GDPR is complex European legislation with a simple underlying purpose: to protect people’s privacy and ensure appropriate and justifiable data processing of personal data. Contrary to popular perception, GDPR is not just about individual consent which is one of six lawful bases for data processing. For example, Gift Aid claims are processed on the basis of legal obligation.

The guidance here focuses on two lawful bases for data processing: legitimate interest and consent. The approach here is to proceed on the basis of legitimate interest. However, as noted below, some churches will have taken the decision to seek the consent of individuals and will proceed on that basis.

Legitimate interest as a lawful basis
The legitimate interest - of the church or of church members - is a lawful basis for processing data providing the purpose is one people might reasonably expect and that it has minimal impact on their privacy.
Building the database

If someone is on the Electoral Roll of an Anglican church or is a church member of a free church (henceforth “on Roll/member”) it is reasonable to assume an expectation of communications about the life of the church they join. The same is true for those who join the church planned giving scheme. To illustrate, the Information Commissioner’s Office (ICO) suggests a ‘three legged stool’ approach.

1. **Identify a legitimate interest:** that of both the organisation and the individual to maintain sacred space for worship as a public benefit, to finance ministry and mission and to grow generous communities in line with biblical teaching.

2. **The processing is necessary:** personal communication is key to fundraising and church is about relationships and building community. We seek to respect relationships with and expectations of the local church. We are thanking people for support, seeking to understand and to mature giving and create a sustainable church able to achieve charitable goals.

3. **Balance legitimate interest with individual privacy:** we do not over-communicate, honour requests not to be contacted and never share personal information.

The approach here is to proceed on the basis of legitimate interest and the step by step guidance below will help construct a differentiated database. Please note two additional considerations:

1. **Your church privacy policy**
   Every church must have a privacy policy available on the website and available for inspection. Where legitimate interest is a lawful basis for processing data there must be specific reference to this in the church privacy policy. A form of words to use or adapt can be found at the Building the Database tab under Preparing the Literature.

2. **Frequency of contact**
   Legitimate interest constrains the frequency of your stewardship communications. It is appropriate for stewardship programme such as Giving in Grace every two or three years, for any annual review of giving which includes personalised letters and for an annual ‘thank you’ letter. But more frequent contact, say monthly, may well require consent as the lawful basis.

**Consent as a lawful basis**
A good number of churches have sought to respond to GDPR by using consent as the primary lawful basis.

They have sought and secured consent via consent forms and helpful consent form templates are readily available. As a lawful basis for data processing consent aims to give individuals control and choice and to build trust and engagement. Good stewardship has nothing to fear from this. The caveats are that your consents are clear, explicit and on an opt-in basis and your administration strong enough to avoid mistakes.

To build a differentiated database where consent is the lawful basis, simply take your list of given consents and differentiate your leaders, planned and plate givers following the broad guidelines below.

**Building a differentiated database**
A differentiated database will seek to honour the privacy of the individual, the need for pastoral sensitivity and the gospel challenge to generous living and giving as disciples of Jesus Christ.

**Step 1: Leaders**
The definition of the leader grouping is dependent on the local church situation. It must be broad enough to reflect who actually leads but small enough to be meaningful. The core of this Leader grouping will be your formal church leaders. For Anglicans this means PCC or DCC members and arguably also includes Readers, retired clergy and any licensed or employed workers. For free churches this will mean trustees, deacons, elders, retired clergy, local preachers etc. For this grouping there will often be a legal and always a moral responsibility for effective church leadership.

Many churches will include informal leader roles such as home/cell group leaders or ‘heads of department’, such as the main leader of children’s ministry or pastoral care. Your goal is a pastorally sensitive, coherent and meaningful grouping of Leaders based on observable behaviour (they hold a position, formal or informal) as opposed to subjective assessment (‘she is a great leader, let’s include her’).

Where leaders, formal and informal, are on Roll/members then legitimate interest is a justifiable and appropriate lawful basis for data processing. Electoral Roll or church membership should cover the vast majority, if not all leaders but there are possible exceptions. However, if leaders are not on Roll/members they may be planned givers: read on!
Step 2: Planned givers
The second grouping in a differentiated database is easiest. There will already be a list of planned givers for administrative purposes, those who give by weekly envelope, standing order, payroll giving or a charitable giving account from Stewardship or elsewhere. vii Include those giving by Direct Debit via the Parish Giving Scheme or the Church in Wales scheme, *Rhoi yn Syth* (Gift Direct). viii

Pastorally you need to do two things:
• First, remove from this planned giving list those already in your Leader grouping so they are not included twice. You may well find, arguably should find that Leaders who are not on Roll/members are regular planned givers and so come under legitimate interest.
• Second, carefully remove from the planned giving list (*this is for Giving in Grace purposes only*) those planned givers who only infrequently or never attend worship. Some churches are blessed by financial support from Friends, see below. ix

Legitimate interest is the justifiable lawful basis for processing data because planned givers have voluntarily supplied personal details to financially support the church. If someone requests not to be contacted then although consent is not the basis for our communications we honour the request.

Step 3: the Plate grouping
This can be complicated and requires the interplay of a clear definition of what is meant by Plate giving, pastoral sensitivity and privacy considerations. Plate givers are defined as those who are in church regularly, at least bi-monthly, and would give cash or cheque on the offering plate. They would be familiar to clergy, to some folks in the church and there would be some kind of relationship – perhaps a visit from clergy, attendance at a welcome evening, an Alpha or confirmation course.

This careful definition distinguishes - for pastoral considerations - our plate givers from that wider hinterland of folks connected to and supportive of the church, sometimes financially supportive, but who worship very infrequently, if ever. As above, these are our Friends.

With a clear definition of our Plate grouping how do we complete our database with due regard to both *privacy and pastoral considerations*? The following options are available and you must take a view from your own church situation on the best way to proceed.

1 Consent
If the church is proceeding on the basis of consent then from your list of consents you will already have identified your leader and planned giver groupings. The next step is to identify the plate givers from the remaining names on your consent lists. These will be those defined as Plate givers above – regular attenders at worship who give cash or cheque on the offering plate. The remaining names on your consent list are likely your church Friends, those who love and value their church but rarely, if ever, attend worship.

2 A broad view of legitimate interest
Sounds complicated but read on! You have defined your leader and planned grouping and can write to them under legitimate interest as members of the church Roll or planned giving scheme. But you will also be aware of many people who worship regularly and are active in church life but are not on Roll/members and do not give in any planned manner. You may take a view that such warm engagement would, amongst other things, reasonably create an expectation of a stewardship communication. Indeed, some may be offended if they do not receive a letter!

The national Church of England guidance takes such a broad view, applying legitimate interest beyond the Electoral Roll to include, ‘other regular members of the church’. x Accordingly you can compile an informal or pastoral list of those who would be in the Plate grouping – attending with some degree of regularity and have a relationship with the church but not on Roll - and write to them under this broader interpretation of legitimate interest.

3 A limited view of legitimate interest
You may feel more comfortable restricting legitimate interest to those on Roll/members. Having removed those assigned to the Leader and Planned groupings you now identify those remaining names on the Roll who fall into the carefully defined Plate grouping – regular attenders with a relationship with the church. The remaining names may well be your Friends.
Building the database

Limiting legitimate interest in this way will leave you aware of a number of people regularly in church, giving via the offering plate when they are there and who have a relationship with the church. But you don’t have consent to write them and you don’t consider legitimate interest to be appropriate because they have not voluntarily joined the church Roll. What can you do?

4 Generic, unaddressed literature
The final option simplifies matters by not using personalised, named and addressed literature packs for the plate grouping. Instead make available generic, unaddressed literature. Letter are addressed, ‘dear friend’ and literature packs contain no name or address. Packs can be left at the back of church with warm explanations as to why the packs for some are not named and invitations to pick them up - as indeed regularly happens in church after church. It is also possible to include a generic, unaddressed pack along with, say, the mailing of a church magazine. And, of course, you could also include a consent form in the literature pack stating that you would like to keep in touch.

The Friends grouping
Finally and briefly, several times above we have touched on church Friends, that hinterland of supportive people such as Friends from a baptism, weddings or funerals. They may be those who attend pensioner clubs, interest groups, toddler groups or uniformed organisations. They love their church, may support it financially on occasion, but they don’t attend worship and are not members in any sense. We deeply value these Friends and we honour them as such. In a rural community this may well be a very strong association. You might capitalise on such warm support through a more formal Friends group, such as ‘The Friends of St Luke’s’.

We must communicate with our Friends as the friends they are, not as regular worshippers or lapsed members. Our letter must connect with their engagement with your church and can be based on the template Plate letter found at the Clergy Ask Letter tab under Preparing the Literature.

Practically some Friends may be on Roll/members and we can write to them under legitimate interest but arguably as they are not regular worshippers this may not be their expectation. It is safest to use generic literature which can be delivered to every house in the village or left with permission and explanation for parents of the toddler group or uniformed organisations. The more critical question is just how appropriate such communication around stewardship might be and that requires a local judgement call.

Conclusion
As with the principle of differentiation building your communication database is not a ‘one size fits all’ action. How your church approaches its solution is likely to be different from a neighbouring church. These questions aside, building a good, pastorally intelligent database can and will enhance the impact of your stewardship programme.

Notes and Resources
i On differentiation see the documents under Key Principles at the Differentiate tab.
http://www.givingingrace.org/differentiation
ii The ICO, the Information Commissioner’s Office, has generic guidance at https://ico.org.uk; Anglican guidance, helpful for other denominations, is at www.parishresources.org.uk/gdpr
iv A template for a legitimate interest privacy statement is at www.givingingrace.org/Communication-Database
v http://www.parishresources.org.uk/gdpr/consent
vi For example, retired clergy cannot be on an Anglican electoral roll; a treasurer is not always a PCC member and so may not be on the ER and this may be true also of co-opted PCC members. In such cases it is very likely that they are planned givers to the church so legitimate interest is still valid but you do need to check in a small number of cases. If in doubt see the sections in this paper on consent and blank, generic literature
vii See http://www.givingingrace.org/Charity-Accounts
viii Parishes using the Parish Giving Scheme (PGS) or Rhoyn Syth can contact those who give using this medium. The church council has formally assented to this as a medium of giving, the donor clearly stipulates his or her intended church and the PGS constitution requires the gift to be given as stipulated. The exception, of course, is those who make their gift anonymously, as has always been the case.
ix See below and see also the papers at the Differentiation tab under Key Principles
x www.parishresources.org.uk/wp-content/uploads/GDPR-and-Giving-Reviews.pdf - see page 1, point 2 and the reference to ‘other regular members of the church’
xii www.givingingrace.org/Ask-Letter