

Building the database

This longer paper looks at how to build a differentiated database or mailing list that is pastorally sensitive and data protection compliant. It is not definitive or authoritative guidance. It represents our best understanding and interpretation of the implications of data privacy regulations for churches undertaking a stewardship initiative.



Part One: the technical background

If more letters mean more money why not 'spray and pray'? Spray out as many letters as possible; 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, *differentiated* mailing list. Differentiation is respectful. It invites an appropriately generous response. It avoids the easy, one size fits all option.
- Second, pastoral sensitivity matters. We try to avoid letters to the wrong people; leaving some folks out; inappropriate requests to those new to church; addressing those who never attend as though they do.
- Third, we must respect individual privacy. This means working with privacy regulations relating to paper and electronic communications.

UK GDPR

In May 2018 new General Data Protection Regulations (GDPR) came into force. Following the UK exit from the European Union these regulations are now properly titled *UK GDPR*. It's complex legislation with a simple purpose: to protect people's privacy and ensure appropriate and justifiable processing of personal data. Please note five general observations.

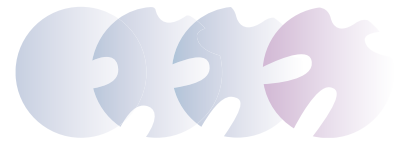
1. We must have a lawful basis for processing personal data and this is done in accordance with the privacy policy which every church must have. Processing data is not only about consent; that's one of six lawful bases. Gift Aid claims are processed under *legal obligation*.
2. Stewardship communications can proceed **on the legal basis of legitimate interest**. Please note two things. First, there must *be* a legitimate interest; see the next section. Second, legitimate interest does *not* apply to electronic stewardship communications.
3. Some churches have obtained personal data by **consent and this is their lawful basis** for processing that data. If you email stewardship communications you must have consent. See the PECR section, below.
4. We can only **process data we already hold** and which has been given to us by the individual. We can't chase contact details from third parties so we can write. We can ask the individual directly.
5. If someone requests no contact then, although consent may not be the basis for our communication, we always honour the request.

A church privacy policy

Every church must have a privacy policy, available on the web site and available for inspection. Your lawful basis for processing data must be specifically referenced in the privacy policy. A form of words to use or adapt can be found at [Building the Database](#).

About legitimate interest

Legitimate interest is a lawful basis for processing data providing that the purpose is one people might reasonably expect and there is minimal impact on privacy.



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To illustrate, the Information Commissioner's Office (ICO) suggests a 'three legged stool' approach.

1. *Identify a legitimate interest.* Both the church and the individual have an interest in maintaining 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 stewardship. Relationships are key to church and community life. We are thanking people for support, seeking to mature giving and create a sustainable church to achieve charitable goals and missional impact.
3. *Balance legitimate interest with individual privacy.* We don't over-communicate. We honour no contact requests. We never share personal information.

If someone serves on the PCC, is a regular planned giver, is on the Electoral Roll or is a member in a Free Church (henceforth 'on Roll/member'), is a regular communicant this would satisfy the threefold legitimate interest test, as above.

Note, however, that legitimate interest *constrains the frequency* of your stewardship communications. Legitimate interest is fine for a stewardship initiative every two or three years. It's fine for an annual invitation to review giving. It's fine for an annual 'thank you' letter. But more frequent contact, say monthly, may require consent as the lawful basis.

Privacy and electronic communication

Privacy in respect of electronic communications is governed by the separate Privacy and Electronic Communications Regulations (*PECR*) which sit alongside UK GDPR. PECR covers any *marketing* to individuals conducted by email, text, fax or phone.

Here's the thing. *From a PECR perspective, a stewardship programme constitutes marketing.*

Legitimate interest is not a legal basis for data processing for '*electronic mail marketing*'. You must have *consent* for using email or another electronic medium to distribute stewardship literature.

Note two other points also. First, any email you send must include an unsubscribe option. Second, some consent options may permit individuals to opt out of financial communications.

Informal digital communications

Of course, many churches use social media like Facebook and electronic communication such as email and WhatsApp groups. For general purposes

these electronic communications are fine. But without consent a church could not use these electronic channels to make a direct, personal stewardship ask.

As a guideline, *use your electronic channels to communicate about Giving in Grace*, not to make an individual ask or seek an individual response. Work your social media and digital communications hard in promoting Giving in Grace. You can reference any paper literature being circulated. You can signpost generic literature on the church website.

Part Two: a differentiated database

We turn now to the practical task of building a *differentiated* database or mailing list. Our concerns are 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

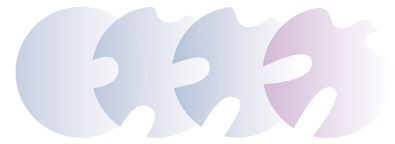
Defining the leader grouping is framed by the local church situation. It must be loose enough to reflect who actually leads but tight enough to be meaningful. The core is *formal* church leaders: PCC members, free church trustees. It may also include licenced lay ministers, retired clergy with PTO, employed staff, deacons, recognised local preachers etc.

Many churches will also include *informal leader roles*. This may be home/cell group leaders or 'heads of department', such as those overseeing children's ministry or pastoral care. The goal is a pastorally sensitive, coherent and meaningful grouping of Leaders. It's always *observable* leadership; someone with a role, formal or informal. It's never subjective: 'she's a great leader, let's include her'.

If using paper literature you can write to your leader grouping, either under consent if you have consent or under legitimate interest.

For email communications you must attend to your consents. You can email elected or licensed formal leadership. You can email *informal leaders* if they are members of the church planned giving scheme. Their consent is given in their election and/or submitting personal details to give regularly to the church. If you have any doubts about consents, do not send your stewardship requests by email.

Do be aware of the occasional exception. For example, retired Anglican clergy are not on the electoral roll. They may have Permission to Officiate and you can email; but not all retired clergy do.



Step 2: Planned givers

The second grouping in a differentiated database is straightforward. There will be a list of planned givers for administrative purposes: those who give via the Parish Giving Scheme (*Rhoi yn Syth/Gift Direct* in Wales); standing order or weekly envelope givers; possibly payroll givers or those who have a charitable giving account from *Stewardship* or elsewhere.

- Practically speaking, remove from this planned giving list those already in your Leader grouping. You don't want to write to them twice.
- Pastorally speaking, sensitively remove from the planned giving list (*for Giving in Grace purposes only*) regular planned givers who very infrequently or never attend worship. On our most welcome 'church friends' please see below.

If using paper literature you can write to your leader grouping, either under consent if you have consent or under legitimate interest

If using email you may email your planned givers because consent is given in submitting personal details to give regularly to the church. Just note that occasionally consents given state that people do not want to be contacted about financial matters.

Step 3: the Plate grouping

A clear definition of Plate givers is important. Plate givers are folk we would expect to see in church with some degree of regularity, ranging from weekly to perhaps bi-monthly. Their giving is gifted on the open plate, by cash or cheque.



From a pastoral perspective, plate givers will usually be known, very often to clergy and by at least some church members. From a privacy perspective we may already hold personal data, entrusted to us for pastoral and/or practical reasons. In Anglican churches a good number of Plate givers may well be the church electoral roll.

With **hard copy literature** the lawful basis for writing personally to our plate givers is legitimate interest. There is a shared legitimate interest in sustaining the

sacred space and ministry of the church and a balance of that interest with the privacy of those who worship with us. Moreover, consent may have been given by at least some plate givers and again you can send hard copy literature.

The caution here is that we must not pro-actively seek *from a third party* contact details we don't hold, so that we can write. You can, of course, ask the individual for contact details.

For **email communication**, where you have consent you can send an email with an unsubscribe option to the Plate grouping. Now, for some Plate givers you may hold an email address which was given for pastoral reasons and possibly years ago. Tread cautiously. The individual may have no expectation that their email will be used for other church business, including matters of stewardship. There is no such thing as 'implied consent'. Don't assume that because you hold an email address you have consent.

Generic, unaddressed literature

If you are unsure about writing, by hard copy or email, to some people don't forget the simple option of using generic, unaddressed literature.

Letters are addressed, 'dear friend' or similar and literature packs have no name or address. Packs can be left at the back of church with warm verbal explanations in the notices and over coffee and requests for people to take a pack. They can be handed out individually.

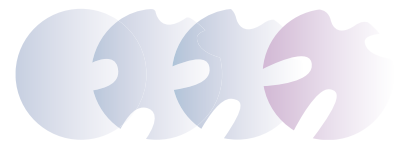
Our church friends

Our careful definition of Plate givers distinguishes them from our 'church friends'. (Please note we are using the phrase loosely and in lower case here. Churches may have recognised Friends Groups, some established as separate charities.) Our 'church friends' here are those wonderful people who deeply value their church. They may give their time and talents. Some will give money, occasionally or regularly.

Our church friends rarely attend worship. Their connection can be varied: a past baptism, wedding or funeral, a pensioner lunch club, a community interest group, a toddler group, shared care of the graveyard. There are two questions:

- *Can* we write to our church friends?
- *Should* we write to our church friends?

From a UK GDPR perspective if we have consent we can email or we can write in hard copy. Under



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legitimate interest we *may* be able to write in hard copy so long as doing so meets the threefold legitimate interest test, as above. As before, we can't chase down contact details from a third party which we don't hold.

If in doubt, err on the side of caution and don't send personalised letters. You may want to distribute generic, unaddressed letters instead. Which leads to the second question: should we write?

It's always a local call. Have we got the kind of relationship that is open to a request for financial support? Are there pastoral reasons not to write? *If we do write to our church friends then write to them as just that, church friends.* Don't presume attendance at worship for example. Don't automatically assume interest in the sustainability of mission and ministry. Church friends may chiefly value the church fabric or the vibrant community activities of the church.

A Friends letter is best adapted from the template *clergy letter* to plate givers. We always try to write in a way that reflects the kind of relationship people have with their church.

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. In all cases, a comprehensive database that is sensitive to pastoral and privacy concerns will enhance the impact of your stewardship programme

