

## Legal Basis for processing

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Q1: Do I have to get consent for everything?

Consent is one of several legal bases for processing data and may not be the most appropriate. The Guide to privacy notices on the Parish Resources Website explains the options available: [www.pariahresources.org.uk/wpcontent/uploads/GDPR-Privacy-Notice-and-Guidance.pdf](http://www.pariahresources.org.uk/wpcontent/uploads/GDPR-Privacy-Notice-and-Guidance.pdf)

Q2: Are we allowed to gain consent via email?

Yes, as long as it is valid consent under GDPR. Under GDPR, you must record consent so make sure you save the email.

Q3: Do we need to get all of our existing consents with people renewed?

Not necessarily. Where you rely on consent, the ICO has stated that it will not be required to obtain fresh consent from individuals if the standard of that consent meets the requirements of the GDPR, i.e. consent has been clearly and unambiguously given and you have a record of that consent. Nevertheless, it is important to review all consent mechanisms to ensure that they meet the standards required under the GDPR. If you cannot reach the high standard of consent as set out in the GDPR, you must look for an alternative legal basis for processing the data or stop processing the data in question. Under the GDPR, consent must be verifiable. This means that some form of record must be kept of how and when consent was given. Consent must be freely given, specific, informed and unambiguous (i.e. consent requires clear affirmative action from an individual (i.e. the data subject)). Silence, pre-ticked boxes or inactivity (e.g. just staying on a website or not responding to a request) will not be sufficient. Individuals must also be informed of their right to withdraw consent at any time and how they can do this. In fact, it should be no more difficult to withdraw consent as it is to grant it.

Q4: Our monthly newsletter often includes details of activities requiring contact with another parish member. Sometimes consent has been given verbally. Is verbal consent adequate under GDPR?

No, one of the requirements when gaining consent under GDPR is that it must be recorded, as this will demonstrate accountability with the regulation. You should instead get Jill to fill in a consent form.

Q5: How can we renew consent for Mailchimp lists? If we send an email asking for consent and they don't respond, can we send a reminder in, say, three weeks?

Mailchimp has its own instructions on renewing consent, which can be found here <https://kb.mailchimp.com/accounts/management/collect-consent-with-gdpr-forms> and here <https://kb.mailchimp.com/lists/manage-contacts/reconfirm-a-list> You can send a reminder, but remember if you still do not receive a reply, then you can no longer send them emails.