

## **Data protection FAQs for Almoners**

This guidance is written for Almoners to assist them to comply with data protection legislation. It is additional to data protection guidance that has already been circulated but is focussed on issues that arise specifically for Almoners. The nature of an Almoner's duties means that sensitive personal data such as healthcare or financial information may be processed. This means that Almoners need to think carefully about data protection and privacy.

### **I. Obtaining consent**

#### **Can I update the Lodge on a Brother's health?**

You should never give an update to a Lodge on a Brother's health without the express consent of that Brother. Many Brethren may expect that what they share with the Almoner will be reported to the next Lodge meeting, but this must not be assumed.

#### **Can I update the Lodge on a Brother's wife's health?**

See below

#### **How can I obtain consent?**

Consent will normally be oral, but could also be in writing or even by gesture.

#### **How specific does the consent need to be?**

Consent must be specific about how the details will be used. A consent given by saying "you may share my details with the Lodge" is insufficient. The following examples of consent could be specific enough for your purposes:

"I'm happy for you to report on my health to the Lodge in the usual way"

"Yes, include my health details in your written report"

"Do update any members who ask and let them know I hope to be at the next meeting"

"Please use my financial details to complete the application for charitable relief"

Almoner: "Are you happy for me to provide a spoken update on your health to the Lodge and to pass on anything else you tell me about it today to any members who ask?" Brother: "Yes."

#### **How should I record oral consents?**

Oral consent will normally be sufficient for almoners and it will rarely be appropriate in the circumstances for you to ask for written consent. If you rely on oral consent then record in your notes for each case:

1. who consented;
2. when they consented;
3. what they consented to; and
4. how they consented.

For example, your notes might read “16/6/18 Brother Smith said “yes” to oral report to Lodge of his health”.

### **What information do I need to provide to the Brother I am visiting?**

If you are seeking oral consent to pass on his details to your Lodge then a request for consent could be structured as follows:

1. Explain that you are the Lodge Almoner (unless he already knows this);
2. Provide your contact details (unless he already has these);
3. Explain that you won't record or pass on any information without his consent.
4. Ask if he consents to you using the information he has provided to you to give an oral/written report at the next Lodge meeting and/or an update to members who ask after him.
5. Record his response in your notes.
6. Remind him that he can change his mind at any time by letting you know.
7. Explain that if he is ever unhappy about the report then he should let you know.

Arguably, you should also explain that if he is unhappy with your response to any complaint then he has the right to complain to the Information Commissioner's Office (ICO). However, this may not naturally fit into a normal conversation and so see below for exceptions.

### **Can I provide this information in writing instead?**

Yes. You could if you wish provide the information set out in the previous answer on a calling card/ piece of paper. If you already provide contact details by way of a business card then you may wish to set out these details on the back of the card. This would save you from having to give the information orally during a visit.

### **I'm happy providing this information orally except for the bit about the ICO. Can I provide this in another way?**

If your Lodge summons normally contains your contact details as Lodge Almoner, you could arrange for a sentence to be added in small print underneath along the lines of “Please contact the Almoner if you are unhappy with how he uses your data. If he cannot resolve your complaint you have the right to complain to the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk).”. Alternatively this information could be included in your Lodge's data protection notice or on a calling card (see previous answer).

### **What if a Brother cannot give his consent?**

If the Brother has difficulty understanding your request for consent or is incapable of giving his consent then you cannot collect a valid consent unless his spouse or carer is prepared to consent on his behalf.

### **But he is my friend – why can't I gossip about him like I do with all of my friends?**

If you receive information *as a friend* and pass it on *as a friend* then you are free to act as you think appropriate. Data protection laws apply to all information you receive or share in your capacity *as*

*Almoner*. Whenever you speak during a Lodge meeting, submit written reports to the Lodge or email all Lodge members you are acting *as Almoner*.

## **II. Reporting to my Lodge**

### **Should I report orally or in writing to my Lodge?**

As long as you have consent for what you do, you can provide an oral or written Almoner's report to Lodge meetings. However, from a data protection perspective it is far preferable that you report orally. It is unlikely that every member of a Lodge will store securely and then destroy effectively a written Almoner's report.

### **What if we don't have time at meetings for oral Almoner's reports?**

If a Lodge has decided to use written Almoner's reports because oral reports are too time consuming or are not of universal interest then consider alternative approaches to make oral reports work. For example, you could report orally very briefly on each case in Lodge, or just list the names of those about whom you have updates, and invite those Brothers who would like more detail to come and speak with you afterwards.

### **My Lodge would still prefer to use written reports – is this legal?**

Yes, a Lodge can circulate a written Almoner's report if it wishes. However, the report must contain a warning that it contains highly sensitive personal data and so must be stored securely and destroyed (or deleted) after use. The Almoner should also take extra care to record the consents of the subjects of his report and ensure that they understand that their data will be published in writing and circulated to all of the Lodge.

### **How should an oral Almoner's report be minuted?**

Lodge minutes of any meeting at which an oral report was given should not include any sensitive healthcare information. For example, a typical report could be recorded in the minutes as "The Almoner gave an oral report".

### **What about details of a deceased Brother?**

Once a Brother has died then data protection legislation no longer applies to his details and instead normal etiquette applies. You are free to make such oral or written announcements as are appropriate to inform your brethren of the death, and the matter can be recorded in the minutes as the Secretary sees fit.

## **III. Consents from non-Masons**

### **Can I use or store details of widows or other dependants?**

If you wish to collect or store details about a widow or other dependants of a deceased Brother then you must obtain the consent of that widow or dependant. If they are a child, the consent of their parent or guardian is required. The consent should be clear about why you are keeping the details e.g. "to provide an update to the Lodge on your circumstances and how we are assisting you" or "to contact you to arrange my quarterly visits to you".

### **Can I use or store next of kin details?**

If a Brother provides next of kin details to you or asks you to include in an Almoner's report details of their wife/partner's health then you should ask the Brother if he has consent from his wife/partner to allow that information to be included in the report, or if you are in contact with the wife/partner you may ask them directly.

### **IV. Storing personal data**

#### **What do I need to do to keep data I hold as Almoner safe?**

You must think carefully about how you store personal data that you hold as Almoner. You must take appropriate measures to keep the data safe and secure. If you keep any notes about Brother's health on your computer then the notes should be password protected. If you keep paper notes then avoid taking them anywhere if they are not needed for that journey. For example, if you are going on a visit to a hospital then do not take with you papers relating to other Brothers who are not in that hospital.

#### **I have received a request for deletion – can I contest it?**

If any person whose personal data you store in your role as Almoner asks you to delete that data then you must do so immediately. This includes not just requests from Masons but also requests from other people such as next of kin or widows.

#### **My data protection question is not answered here – what should I do?**

At first instance please contact Metropolitan Grand Lodge/ your Province/ your District.

**These FAQs are intended to help share knowledge and guidance but are not legal advice and are not a substitute for independent legal advice on compliance, if you consider that necessary. Lodges which are not based in the UK will need to consider the impact of any local laws concerning data protection.**

**United Grand Lodge of England  
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