

Confidential Declaration Form : Privacy Notice



This notice explains how the information you supply in your Church of England Confidential Declaration Form is used and your rights with respect to that data, as required by the UK GDPR and the Data Protection Act 2018, (the “DPA 2018”).

Data controller

The data controller is:

Name: Swaythling Parish / Swaythling PCC

Address: St Alban’s Church, Tulip Road, Southampton, SO16 3BB

The data controller decides how your personal data is processed and for what purposes. For further information on the data controller please go <https://www.swaythlingparish.org.uk/data-privacy-notice/>

1. Why we collect and use your personal data

The overall purpose of the Confidential Declaration Form is to ensure that we take all reasonable steps to prevent those who might harm children, young people and/or vulnerable adults from taking up positions where they have substantial contact with children, young people and/or vulnerable adults in accordance with the Safer Recruitment and People Management Guidance (2021).

We use your data for the following purposes:

- Appointing individuals to positions that have substantial contact with children, young people and/or vulnerable adults.
- For the Parish Safeguarding Officer or Diocesan Safeguarding Adviser to conduct a risk assessment where an applicant discloses information on the form.
- To collect information about members of your household aged 16 and over (cf. Qs.6 & 7) if your role is deemed “home-based” as defined by the DBS.
- To undertake criminal records checks both in the United Kingdom and in non-UK countries where applicable.

2. The categories of personal data we collect

The information we process for these purposes is:

Category	Applicant	Household
Name	✓	✓
Age	✓	✓
Gender	✓	✓
Contact Details	✓	X
Role	✓	X
Role Location	✓	X
Job Title	✓	X
Current and previous employment or volunteering (where applicable)	✓	X
Country of Residence	✓	X
Current or previous conduct allegations and/or investigations (where applicable)	✓	X
Social care information (where applicable)	✓	✓
Religious Belief (where applicable)	✓	✓
Health (where relevant)	✓	✓
Sex life (where relevant)	✓	✓
Sexual Orientation (where relevant)	✓	✓

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Criminal allegations, proceedings or convictions (including DBS checks, barring status) (where applicable).	✓	✓
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3. The lawful basis for using your information

We collect and use personal data under the following lawful bases:

Personal data

- **Consent (Article 6(1)(a)).** You have consented to the transfer of your data to a non-UK country when applicable in order for us to undertake an overseas criminal records check.
- **Legal obligation (Article 6(1)(c)).** We are required by law to undertake the confidential declaration process in accordance with:
 - Section 5A(3) and (4) of the Safeguarding and Clergy Discipline Measure 2016 as inserted by:
 - Safeguarding (Code of Practice) Measure 2021 (also see Safer Recruitment and People Management Guidance – Section 5 – Confidential Declarations - Requirements).

Special categories and criminal information

- **Explicit Consent (Article 9(2)(a)).** You have consented to the transfer of your data to a non-UK country when applicable in order for us to undertake an overseas criminal records check.
- **Substantial public interest (Article 9(2)(g) and Schedule 1, Part 2, paragraphs 10, 11 and 18 of the DPA 2018).** It is necessary for reasons of substantial public interest in order to prevent or detect unlawful acts and protect members of the public from harm, including dishonesty, malpractice and other seriously improper conduct or for the purposes of safeguarding children, young people and vulnerable adults.

4. Who we collect from or share your information with:

We collect your information from (where applicable or relevant):

- You
- Police
- Social Services in Local Authorities
- Current and previous employer/voluntary organisation
- Disclosure and Barring Service (UK)
- Criminal records organisations (non-UK)

Your personal data will be treated as strictly confidential and will only be shared with those involved in the recruitment/appointment process and, where appropriate, the Diocesan Safeguarding Adviser.

It may be shared outside the Church for the prevention or detection of an unlawful act; to protect members of the public from harm or safeguarding purposes with:

- Police
- Social Services in Local Authorities
- Statutory or regulatory agencies in the UK and in other countries (e.g. the Disclosure and Barring Service)

5. Your personal data will be sent to countries outside the UK

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Your data may be transferred out of the UK in order for us to undertake overseas criminal records checks where the recipient organisation is located in a third country or territory where applicable. This transfer is protected by UK adequacy arrangements, or, where necessary, your consent.

6. How long do we keep your information?

We keep your personal data, if your application is successful, for no longer than reasonably necessary for the periods and purposes as set out in the retention table below at the following link:

<https://www.churchofengland.org/sites/default/files/2017-10/Safeguarding%20Records-%20Retention%20Tool%20kit%20-Dec%202015.pdf>

If your application isn't successful, your data will be held for 6 months after the recruitment process ends, and then destroyed.

7. Your legal rights and complaints

Unless subject to an exemption under the UK GDPR or DPA 2018, you have the following rights with respect to your personal data:

- The right to be informed about any data we hold about you;
- The right to withdraw consent at any time, however, if you do so we may not be able continue with your application;
- The right to request a copy of your personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for us to retain such data;
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of your personal data (if applicable)
- The right to obtain and reuse your personal data to move, copy or transfer it from one IT system to another. [if applicable]

To exercise these rights, please contact the office or the safeguarding officer at Swaythling Parish using the contact information provided below.

8. Complaints or concerns

If you have any queries regarding this processing activity, please contact, in the first instance,

Swaythling Parish Office Tel: 023 8067 9787 Email: office@swaythlingparish.org.uk

Or email: swaythlingparishsafeguarding@gmail.com

If you have any concerns or queries about how Swaythling Parish handle your personal data, please contact the office / PCC: Tel: 023 8067 9787 / office@swaythlingparish.org.uk

You have the right to make a complaint at any time to the Information Commissioner online at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/> or by phone on 0303 123 1113 (local rate).