



## **PRIVACY NOTICE – The Bishop of Derby’s Office**

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Bishop’s PA: [pa@bishopofderby.org](mailto:pa@bishopofderby.org) Data Contact: [asst@bishopofderby.org](mailto:asst@bishopofderby.org)

### **YOUR DATA**

All individuals (“Data Subjects”) whose information (“Personal Data”) is processed by the Bishop of Derby’s Office fall within the scope of this Privacy Notice. This Notice outlines in full what Personal Data we require, what we use it for, and why, as well as detailing your rights as a Data Subject and how, if necessary, you may make a complaint.

### **WHO ARE WE?**

The Bishop of Derby (or a person designated with their episcopal duties during a vacancy in See) is the Data Controller. This means the Bishop of Derby and their Office decides how your personal data is processed and for what purposes.

### **WHAT WE NEED**

In order to provide the Bishop’s services, the Bishop of Derby’s Office requires your Personal Data. Using and storing (“processing”) Personal Data is governed by the General Data Protection Regulation 2016/679 (the “GDPR”) and the Data Protection Act 2018 (the “DPA 2018”).

Under the EU’s General Data Protection Regulation, ‘Personal Data’ is defined as:

*“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.*

This Personal Data could include details such as your name, your address, your date of birth, and your National Insurance number, amongst many other pieces of information including your financial and family information, including details of any dependants.

The Bishop of Derby’s Office may also require certain pieces of information about you that are deemed by the GDPR and DPA 2018 to be “Special Category”. The following types of Personal Data are classified as ‘Special Category’):

- Racial
- Ethnic origin
- Political Opinions
- Religious Beliefs
- Trade-union membership
- Genetic Data
- Biometric Data
- Health Data
- Data concerning a person's sex life
- Sexual orientation
- Other

### **THE LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA**

If we process your Personal Data in relation to clergy personal files, this is performed under the legal basis of legitimate interests. It is in the legitimate interests of the Bishop of Derby in accordance with their responsibilities under the Canons, including their general responsibilities as chief pastor of the diocese and in order to be able to develop, support, administer, regulate, and manage clergy through their ministries to process your data. Any Special Category data or data relating to criminal convictions or offences is also processed as a legitimate activity in order to manage and administer internal functions in relation to membership of the Church of England and/or those with whom the Bishop has regular contact. None of your Personal Data is shared externally outside the institutional bodies that comprise the Church of England without your consent, **except** for the provision of Episcopal References and Clergy Current Status Letters (“CCSLs”).

Episcopal References and CCSLs are processed on the basis that they are a legitimate activity as established by the Promoting a Safer Church House of Bishops Policy Statement (2017). However, if the Episcopal References and/or CCSLs contain Special Category Data or criminal conviction and offence data, these are processed on the basis that the processing is necessary for reasons of substantial public interest based on UK law. The Episcopal Reference and CCSL will be disclosed for posts both within the Church of England and externally where you have applied for a ministerial post in another diocese or church outside the Church of England. This is performed in order to protect members of the public from harm, including dishonesty, malpractice, and other seriously improper conduct or safeguarding purposes as established by the Safer Recruitment: Practice Guidance (2016).

If we process your Personal Data for reasons other than in relation to clergy personal files, this is performed under the legal basis of legitimate interests. It is in the legitimate interests of the Bishop of Derby to process your data. Any Special Category data or data relating to criminal convictions or offences is also processed as a legitimate interest in order to manage and administer internal functions in relation to membership of the Church of England and/or those with whom the Bishop has regular contact. In this instance, none of your Personal Data is shared externally outside the institutional bodies that comprise the Church of England without your consent.

If you provide us with Personal Data about somebody else, it is your responsibility to ensure you have a legal basis for doing so and that they have read and understood this Privacy Notice. Please note that we will take reasonable steps to provide any such person with a copy of this Notice.

A legitimate interest assessment has been undertaken for all the above areas. Should you wish to see a copy of this assessment, please contact [asst@bishopofderby.org](mailto:asst@bishopofderby.org).

## **WHY WE NEED YOUR PERSONAL DATA**

In order for the Bishop of Derby to exercise their legal and pastoral responsibilities as your diocesan Bishop, we need to collect Personal Data.

The Bishop of Derby's Office is committed to ensuring that the information we collect and use is appropriate for these purposes and does not constitute an invasion of your privacy.

## **WHAT WE DO WITH IT**

The Bishop of Derby's Office will process (meaning collect, store, and use) the information that you provide in a manner that is compatible with the EU's General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

We will endeavour to keep your information accurate and up to date, and you have the right to request that we correct any of your information that you deem to be inaccurate. Please see 'Right to Rectification' for further information.

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, we are committed to taking steps to ensure that the information you provide will be subject to rigorous measures and procedures to minimise the risk of loss, theft, and unauthorised access or disclosure.

The Personal Data that we collect from you will be used for purposes including but not limited to:

- Verifying your identity and the accuracy of the data you have provided to us;
- Assessing your qualifications and suitability for any particular office or ministry within the diocese;
- Providing an ongoing service of continuing care and communication;
- Administering records;
- Making arrangements for your ministerial development, including ministerial development review;
- Contacting you on a regular basis to renew your Permission to Officiate;
- Providing Episcopal References and CCSLs for posts both within the Church of England and externally where you have applied for a ministerial post in another diocese or church outside the Church of England;
- Contacting you on an ad-hoc basis with events and/or meetings invitations and arranging said events and/or meetings;
- Contacting you on an ad-hoc and/or regular basis relating to your membership of the Church of England.

As the Bishop of Derby's Office performs all the above under the lawful basis of legitimate interests, we do not require your consent in order to process your Personal Data for the above and all other purposes. You will not therefore be able to withdraw consent from us processing your Personal Data for said purposes, as the processing relates to legitimate activities.

You may, however, be able to exercise your Rights over your Personal Data (please see the section "**What Your Rights Are**").

Your Personal Data will not be used to make automated decisions.

## **HOW LONG WE KEEP IT**

We will not keep your Personal Data for longer than is reasonably necessary for the periods and purposes as set out in the Record Management Guides at the following link <https://www.churchofengland.org/more/libraries-and-archives/records-management-guides>

## WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA?

The Bishop of Derby and all employees of the Bishop of Derby's Office who interact with data subjects and their Personal Data are responsible for ensuring that said data is processed correctly and lawfully in line with the requirements of the GDPR and DPA 2018.

The Bishop of Derby's Office takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessible except by our employees in the proper performance of their duties.

## WHO ELSE HAS ACCESS TO IT?

Your Personal Data will be treated as strictly confidential. However, within the Diocese of Derby, your Personal Data may be shared in appropriate circumstances with the following, or their representatives:

- The Bishop of Repton;
- The Archdeacons of Derby and Chesterfield;
- The Diocesan Secretary;
- The Diocesan Registrar;
- The Derby Diocesan Board of Education and Derby Diocesan Academies Trust;
- The Chancellor for the Diocese of Derby;
- The Dean of Derby;
- The Diocesan Safeguarding Adviser and Safeguarding Team;
- The HR Co-ordinator;
- The Head of Finance (e.g. for stipend matters);
- The Director of Mission and Ministry or CMD Officer (e.g. for development and training needs);
- The Officer for Clergy Wellbeing (e.g. for health and wellbeing matters);
- The Warden of Readers;
- The Retirement Chaplains (e.g. for retirement contact information).

Your Personal Data will be shared only when necessary with:

- Institutional Bodies that comprise the Church of England;
- The Archbishop of Canterbury;
- Other dioceses where you hold a licence or Permission to Officiate or are applying for such permission.

Finally, your Personal Data may be shared with Third Parties to the Church of England for the purposes of data management and IT provision. These Third Parties include but are not limited to:

- Geostream Solutions Ltd – IT specialists;
- Simply Personnel – HR data management;
- Microsoft – data management.

## WHERE IT IS TRANSFERRED TO

Your Personal Data may be transferred to countries outside the European Union during the provision of services by the Bishop of Derby's Office. Transfers will usually only ever be performed to companies providing a data management service e.g. Microsoft.

When transferring personal data to countries or international organisations outside the EU, the Bishop of Derby's Office will ensure that an adequate level of protection has been established as follows:

- That the country (or industry sector within that country) of the recipient is on the EU approved list of countries as set out in the *Official Journal of the European Union*;
- That the country of the recipient has adequate data protection controls by virtue of legal or self-regulatory regime;
- We have a contract in place, which uses either existing or approved data protection clauses to ensure adequate protection;
- We are making the transfer under approved binding corporate rules;
- We are relying on approved codes of conduct or certification mechanisms, together with binding and enforceable commitments in the third country or international organisation to apply the appropriate safeguards in relation to data subject rights.

## WHAT YOUR RIGHTS ARE

You as the data subject hold a number of rights over your Personal Data beneath the GDPR and the DPA 2018. These are as follows:

### Right of Access

You have the right to obtain access to, and copies of, all the information that the Bishop of Derby's Office holds relating to you. Such a request can be made free of charge; however, we reserve the right to charge an administrative fee for subsequent identical or excessive requests. These requests can be made to [asst@bishopofderby.org](mailto:asst@bishopofderby.org).

### Right to Rectification

You have the right to request that your Personal Data is rectified if it is inaccurate or incomplete. Any requests for rectification can be made to [asst@bishopofderby.org](mailto:asst@bishopofderby.org) and we shall provide a full response within one month of receipt.

### Right to Erasure

You may have the right to request that your Personal Data is fully erased and that processing ceases. Requests can be made to [asst@bishopofderby.org](mailto:asst@bishopofderby.org). We reserve the right to refuse any of these requests where our legitimate reasons for the processing of your Personal Data overrides your right to erasure.

### Right to Restrict Processing

You have the right to request that the processing of your Personal Data is temporarily restricted to only storage if you believe that it is not accurate or if you have a legitimate objection to the processing. Requests can be made to [asst@bishopofderby.org](mailto:asst@bishopofderby.org).

### Right to Data Portability

You have the right to your data being portable and easily moved. Should you request this, we will be able to transfer your data free of charge and in a structured, commonly used format to yourself, another diocese, or an individual of your choosing. Requests can be made to [asst@bishopofderby.org](mailto:asst@bishopofderby.org) and we shall provide a full response within one month of receipt.

### Right to Object

You have the right to object to the processing of your Personal Data where this is being done under the lawful basis of legitimate interests or a public task, or where you are the recipient of direct marketing. Requests can be made to [asst@bishopofderby.org](mailto:asst@bishopofderby.org). Whilst we will immediately cease any direct marketing upon receipt of a request relating to this, we reserve the right to refuse any request if, following investigation, we are able to demonstrate that our legitimate ground for processing your Personal Data override your right to object to this processing.

## CHILDREN

All individuals under the age of 18 are classed as Children. If the Bishop of Derby's Office has a requirement or need to process the Personal Data of children, this will be performed under the same legitimate interests' lawful basis as for adults.

We request that you discuss with your child the concepts of data and our processing of their data. If you would like us to provide a simplified version of this Privacy Notice for children under the age of 13 please request this from [asst@bishopofderby.org](mailto:asst@bishopofderby.org).

Children own all the same rights as adults (as listed above).

## HOW YOU CAN COMPLAIN

In the first instance we hope that you will raise any questions or concerns to the Bishop of Derby's Office directly at [asst@bishopofderby.org](mailto:asst@bishopofderby.org), who will do their best to reply as soon as possible. However, should the way that we have handled your personal data have caused you any dissatisfaction at all, you can contact us to have the matter investigated at [asst@bishopofderby.org](mailto:asst@bishopofderby.org). Any expression of dissatisfaction shall be treated as a complaint and handled in the appropriate manner.

If you are not satisfied with our response or believe we are processing your personal data in a manner that runs against the law you can complain directly to the Information Commissioner's Office at <https://ico.org.uk>, or by calling 0303 123 1113.

## CHANGES TO THIS PRIVACY NOTICE

We may revise this Privacy Notice from time to time to reflect changes to our business or the laws we are subject to. Whenever this occurs, we will publish the updated Privacy Notice on our website at [www.derby.anglican.org/bishopofderby](http://www.derby.anglican.org/bishopofderby).