



# Confidential Declaration Form

## Privacy Notice

**[Prior to use, the Church Body should amend as appropriate the areas highlighted throughout the form as well as then delete highlighted notes, including this one. If you are unsure, please seek advice from the relevant team/lead]**

**Commented [SG1]:** Once read this highlighted area must be deleted from the form

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

**[Church Body to insert name and address of data controller(s) below – this is the person/body who decides the purposes for which and the manner in which personal data will be processed. In the case of the Confidential Declaration Form, the data controller will depend on the nature of the position/role in question, for instance, it could be the diocesan bishop, if clergy; or it could be a diocesan body, if a diocesan volunteer or employee; or it could be the PCC, if a parish volunteer. Advice should be sought from the lead contact in the diocesan office if Body is unsure]**

**Commented [SG2]:** Once read, please delete the highlighted text. The name of your data controller is usually your PCC.

The data controller is:

**NAME:**

**ADDRESS:**

**Commented [SG3]:** Enter the name and address of your Data Controller

The data controller decides how your personal data is processed and for what purposes. For further information on the data controller please go to **[insert hyperlink to website if there is one, otherwise remove this sentence].**

**Commented [SG4]:** Please insert link to your Parish website here and delete highlighted text

### 1. Why we collect and use your personal data

The overall purpose of the Confidential Declaration Form is to ensure that **[I/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).

**Commented [SG5]:** Delete as appropriate

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 Diocesan Safeguarding Team 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.



## Confidential Declaration Form Privacy Notice

### 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)	✓	✓
Criminal allegations, proceedings or convictions (including DBS checks, barring status) (where applicable).	✓	✓

### 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).



## Confidential Declaration Form

### Privacy Notice

#### 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**

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?**

**[I/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%2015.pdf>

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

Commented [SG6]: Delete as appropriate



## Confidential Declaration Form Privacy Notice

### 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 **[insert contact name/team]** 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, **[insert name and contact details]**.

If you have any concerns or queries about how the **[insert name of Parish]** handle your personal data, please contact the **[insert contact name/team]** at: **[Insert contact details of Data Protection Officer or equivalent position in the church body]**.

You have the right to make a complaint at any time to the Information Commissioner online at: [Your personal information concerns | ICO](#) or by phone on 0303 123 1113 (local rate).

**Commented [SG7]:** Insert the name of your data controller here, this is usually your PCC, then delete the highlighted text.

**Commented [SG8]:** Please insert here details of the point of contact for queries around data protection in the parish this may be your data protection officer, if you have someone named or it may be someone else such as your PCC secretary. Then delete highlighted text.

**Commented [SG9]:** Insert the name of your Parish here and delete highlighted text.

**Commented [SG10]:** Please insert the contact details for queries around data protection in the parish, this may be your data protection officer. You have someone named, or it may be someone else such as your PCC secretary. Delete the highlighted text.