

CATHOLIC SAFEGUARDING ADVISORY SERVICE (CSAS)
PRIVACY NOTICE FOR THE PROCESSING OF CRIMINAL RECORD CHECK APPLICATIONS
WITH THE DISCLOSURE AND BARRING SERVICE

1. ABOUT THIS DOCUMENT

- 1.1 During the course of our activities we process personal data (which may be held on paper, electronically, or otherwise), and we recognise the need to process such data lawfully, fairly and in a transparent manner. The purpose of this notice is to make you aware of how we will do so.
- 1.2 A separate notice applies to the personal data that we are provided with or obtain when carrying out our general activities, operating our websites and providing casework advisory services. That notice is available here [CSAS General Privacy Notice](#)

2. DETAILS ABOUT US

- 2.1 The Catholic Safeguarding Advisory Service ("CSAS") forms part of the Department of Christian Responsibility and Citizenship, which is one of the Departments of the Catholic Bishops' Conference of England and Wales, which is the permanent assembly of Catholic Bishops and Personal Ordinaries in the two-member countries. The legal entity for the Catholic Bishops' conference of England and Wales is the Catholic Trust for England and Wales ("CaTEW"), incorporated on 15 April 2003 under company no. 04734592 and registered as a charity on 12 May 2003 under charity no. 1097482. CaTEW supports the legal, financial and charitable activities of the Bishops' Conference and its departments, agencies and offices.
- 2.2 CSAS is also a **Registered Body** for the Disclosure and Barring Service ("DBS") and undertakes checks for charities and organisations that are Catholic Church based. We are authorised to submit criminal records checks where your employer or other organisation with which you wish to or do work is entitled or expected to carry out such checks for particular roles.
- 2.3 We have to comply with the Data Protection Act 2018 ("DPA") and the EU General Data Protection Regulation 2016 ("GDPR") which, together and with other guidance issued by the Information Commissioner's Office, is the "Data Protection Legislation". We are also subject to extensive legal duties and obligations as a registered body for the DBS.
- 2.4 CaTEW is the data controller and responsible for ensuring compliance with the Data Protection Legislation. Any questions about the operation of this notice or any concerns that the notice has not been followed should be referred in the first instance to CaTEW's data protection officer (details available at the end of this notice).
- 2.5 Our general contact details are: 39 Eccleston Square, London. SW1V 1BX. Tel: 020 7630 8220

3. PERSONAL DATA WE MAY COLLECT AND PROCESS

- 3.1 In connection with the operation of the CSAS DBS Registered Body, we will collect and process the categories of personal data set out in the Schedule to this notice. This may include data we receive directly from you as the applicant or other third parties such as individuals or organisations acting as our agents within religious orders, the DBS, other government or regulatory authorities and the organisation seeking to appoint the applicant.
- 3.2 "Personal data" means recorded information we hold about you from which you can be identified. For the purposes of processing criminal record check applications, it may include contact details, other personal information including age and gender and special category data which includes information about ethnicity, religion and philosophical beliefs. It may also include information relating to your status in relation to working with vulnerable adults and children, the fact that you have criminal convictions and offences and other relevant information held by the police but which does not amount to a criminal record. "Processing" means doing anything with the data such as accessing, disclosing, destroying or using the data in any way.
- 3.3 If the organisation seeking to appoint an applicant selects CSAS to carry out a criminal record, certain specific information must be provided by applicants to CSAS as determined by the DBS codes of practice. This information is set out on the form that applicants complete. If you do not provide this information, we will be unable to carry out the check and the organisation seeking to appoint you may not be able or willing to progress your application with them.

4. LAWFUL BASES FOR PROCESSING

- 4.1 We must have a lawful basis to process your personal data. The legal basis on which we do so will vary according to purposes for which we process personal data. The basis on which we will usually process personal data relating to people contacting CSAS is set out in the Schedule to this notice, in each case by reference to the processing purpose.
- 4.2 We will only process special categories of data about ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life, or sexual orientations where a further basis is also met. Processing of information relating to criminal convictions and offences must also only take place where a further basis is met. The purposes for which we process special category personal data and Information about criminal convictions and the legal

basis on which we do so, will vary according to the category of personal data concerned. The basis on which we will usually process personal data relating to people contacting CSAS is set out in the Schedule to this notice, in each case by reference to the processing purpose.

- 4.3 If permitted to process your personal data under the Data Protection Legislation on other grounds, we may also carry out such processing e.g. for compliance with other obligations to which we are subject or in connection with any legal proceedings, legal advice, legal rights or court or tribunal activities.

5. **DISCLOSURE AND SHARING OF PERSONAL INFORMATION**

5.1 We may disclose personal data we hold to third parties:

- (a) if we are under a duty to disclose or share a data subject's personal data in order to comply with any legal obligation; or
- (b) in order to enforce or apply any contract with the data subject or other agreements; or
- (c) to protect our rights, property, or safety of our employees, customers, or others, including exchanging information with other companies and organisations for the purposes of fraud protection, in which case the processing would be necessary for the purposes of the legitimate interests pursued by CSAS, namely in order to achieve those ends;
- (d) for the purposes of the legitimate interests pursued by CSAS, as set out in the Schedule;
- (e) who have been appointed by CaTEW as data processors to provide us with specific services such as specialist IT services or support; and/or
- (f) where we are otherwise permitted to under the Data Protection Legislation e.g. working with your elected representative such as a local MP.

5.2 We will ensure that personal data will only be transferred to data processors whose processing meets the requirements of the Data Protection Legislation and ensures the protection of the rights of the data subjects, and under a written contract with CaTEW that sets out (amongst other things) the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects, and the obligations and rights of our organisation as data controller.

5.3 In the course of processing personal data, or sharing your data, CaTEW may transfer it to countries which are outside the European Economic Area (EEA) (e.g. to the Vatican), some of which may not have laws which provide the same level of protection to personal data as laws inside the EEA. In such cases CaTEW will take steps to ensure that the transfers comply with the Data Protection Legislation and that the personal data is appropriately protected and any processing will be to the same standard as the Data Protection Legislation sets out. If you have questions in relation to any specific transfers that we make, please contact CaTEW's data protection officer (details available at the end of this notice).

6. **DATA PROTECTION PRINCIPLES – OUR OBLIGATIONS**

6.1 We will ensure that your personal data is processed in accordance the key principles set out in the GDPR.

6.2 We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data (to the extent that we are permitted to do so as a DBS registered body).

6.3 We will not keep personal data longer than is necessary for the purpose(s) for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required. The Schedule to this notice sets out the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period, and when it will be erased.

6.4 We will process all personal data in line with the data subjects' rights.

6.5 We will process all personal data that we hold in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measure.

7. **YOUR RIGHTS AS A DATA SUBJECT**

7.1 As a data subject, you have certain enforceable rights under the Data Protection legislation, including:

- (a) the right to obtain from the controller confirmation as to whether or not personal data concerning them are being processed; and
- (b) if so, access to the personal data, plus a copy of the personal data undergoing processing along with an explanation of what we do with it, who we share it and where it came from ("**right of access**").

7.2 In addition, as a data subject you have:

- (a) ("**right of rectification**") the right to obtain from us without undue delay the correction of inaccurate personal data concerning yourself and (taking into account the purposes of the processing) the right to have incomplete personal data completed;
- (b) ("**right of erasure**") the right to obtain from us the erasure of personal data concerning yourself without undue delay, in various circumstances which includes where:

- (i) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; or
 - (ii) the processing is based on your consent, and you withdraw that consent (and there is no other legal basis for processing); or
 - (iii) the processing is based on it being necessary for our legitimate interests as the data controller or those of a third party, and you as the data subject object to the processing, unless we demonstrate that the processing is based on compelling legitimate grounds which override your interests, rights and freedoms as the data subject, or that it is for the establishment, exercise or defence of legal claims; or
 - (iv) we have unlawfully processed your personal data.
- (c) (“**right of restriction**”) the right to obtain from us the restriction of processing where the data is inaccurate, unlawfully processed, no longer required except for the establishment, exercise or defence of legal claims, or pending the verification whether we have legitimate grounds as the controller which override your rights;
- (d) (“**right of portability**”) the right to receive the personal data concerning yourself, which you have provided to us, in a structured, commonly used and machine-readable format, and to transmit the data to another controller, where our processing is based on consent or contract and carried out by automated means;
- (e) (“**right to object**”) the right to object to processing based on our legitimate interests, where these are outweighed by your interests, rights and freedoms, unless the processing is required for the establishment, exercise or defence of legal claims. You also have the absolute right to object to processing for marketing or profiling purposes;
- (f) the right not to be subject to a decision based solely on automated processing, including profiling (although we do not currently carry out any automated processing or profiling in relation to the activities covered by this notice);
- (g) the right to withdraw your consent or explicit consent, where the processing is based on that lawful basis; and
- (h) the right to make a complaint to the Information Commissioner’s Office at <http://www.ico.org.uk> .

7.3 These rights may be limited in some situations – for example, where CaTEW can demonstrate that it has a legal requirement to process your personal data. Also, CaTEW may need you to provide proof of identity for verification and data security purposes before you can exercise your rights.

7.4 Rights may only be exercised by the individual whose information is being held by CaTEW or with that individual's express permission. Children from around 12 years upwards are entitled to make their own requests (where CaTEW is of the reasonable view that they have an appropriate understanding of the request they are making) and parents / guardian / family members do not have an automatic right to see information about their child or prevent their child from making a request to CaTEW.

7.5 For further information about your rights or to exercise any of them, please contact the CaTEW Data Protection Officer or review <https://ico.org.uk/your-data-matters/>

8. CHANGES TO THIS POLICY

8.1 We may make changes to this notice from time to time as our organisational practices and/or applicable laws change. We will not make any use of your personal data that is inconsistent with the original purpose(s) for which it was collected or obtained (if we intend to do so, we will notify you in advance wherever possible) or otherwise than is permitted by Data Protection Legislation.

9. CONTACT DETAILS

9.1 If you have any questions, require further information about how we protect your personal data, if you wish to exercise any of the above rights or if you would like to provide feedback or make a complaint about the use of your information, please contact the CaTEW Data Protection Officer:

Karen O’Connor, Data Protection Officer,
CaTEW, 39 Eccleston Square, London. SW1V 1BX
0207 630 8220

Karen.Oconnor@CBCEW.org.uk

Schedule - Data processing activities

Purpose of processing	Confirming applicants' identity as required by the DBS and to give the opportunity to self-disclose criminal records, before the application proceeds
Data Subject(s)	Applicants for DBS criminal record checks
Type or category of Personal Data	Information contained on ID verification forms, Safeguarding Self-declaration forms, paper DBS application forms, copies of identification document and correspondence to and from the DBS whilst an application is in process. This includes: ID Photocopies e.g. copy of passport, driving licence, birth certificate, bank statement, marriage/ divorce certs.
Type of processing	Paper and electronic records
Legal basis of processing	<ul style="list-style-type: none"> • Necessary for the purposes of performing or exercising obligations or rights of CSAS as the DBS Registered Body for the Catholic Church in England and Wales. • Necessary for the legitimate interests of the organisation seeking to appoint the applicant to a particular role with safeguarding obligations imposed.
Specific Category / Criminal Info legal basis	<ul style="list-style-type: none"> • Necessary for the exercise, defence or establishment of legal rights by of the organisation seeking to appoint the applicant to a particular role with safeguarding obligations imposed. • Necessary for the prevention or detection of unlawful acts. • Necessary to protect the public against dishonesty.
Transfers to third parties (including outside EEA)?	<ul style="list-style-type: none"> • Our third-party service providers GB Group, Taycliff Ltd and the DBS. • Information disclosed on the Safeguarding-Self-Declaration form might be provided to the appointing person or organisation.
Retention period	<ul style="list-style-type: none"> • ID verification form – 10 years and 1 day after person leaves their role. • **Existing DBS 3 forms can be destroyed when a new form is completed. • Safeguarding Self-disclosure – 10 years and 1 day after person leaves their role. ***Existing DBS4 forms can be destroyed when a new Disclosure application has been completed and any queries about Disclosure content and prior self-disclosure have been resolved. • Paper DBS application form and documentation to and from DBS whilst an application is in process – 1 year from completion of Disclosure. • Copies of Identification information – until the application is completed. • For applications submitted electronically via Ebulk the following will be deleted after 6 months: <ul style="list-style-type: none"> ○ Applications that are with the applicant (not submitted for ID verification, awaiting payment or requiring amendment) ○ Applications with the verifier (not submitted to GBG, awaiting payment, waiting amendment) ○ Withdrawn applications • After 6 months, the following application data will remain: <ul style="list-style-type: none"> ○ Forename, Last Name, D.O.B, Postcode, Certificate No, Certificate Date, Organisation ID, Organisation name, Certificate type requested (i.e. product and barring list/workforce). ○ One month, after 3 years (from completion), all completed applicants will have their data deleted.

Purpose of processing	Necessary for the performance of engaging an individual for a specific role i.e. within the child or adult workforce
Data Subject(s)	Applicants for DBS criminal record checks
Type or category of Personal Data	<p>DBS Certificates:</p> <ul style="list-style-type: none"> • Where an applicant is registered with the DBS Update Service and the original certificate must be seen before an online status check is made • Where a non-electronic application is made and the disclosure outcome is not received electronically • Where there is disclosure information contained on the certificate
Type of processing	Paper and electronic records.
Legal basis of processing	<ul style="list-style-type: none"> • Necessary for the purposes of performing or exercising obligations or rights of CSAS as the DBS Registered Body for the Catholic Church in England and Wales. • Necessary for the legitimate interests of the organisation seeking to appoint the applicant to a particular role with safeguarding obligations imposed.
Specific Category / Criminal Info legal basis	<ul style="list-style-type: none"> • Necessary for the exercise, defence or establishment of legal rights by of the organisation seeking to appoint the applicant to a particular role with safeguarding obligations imposed. • Necessary for the prevention or detection of unlawful acts. • Necessary to protect the public against dishonesty.
Transfers to third parties (including outside EEA)?	Appointing organisation
Retention period	<ul style="list-style-type: none"> • Until the update check is complete; the certificate is then returned to the applicant. • In other circumstances until the DBS Disclosure Certificate has been reviewed and where appropriate, the risk assessment process is complete – e.g.1-4 weeks. The certificate is then returned to the applicant. • Results of DBS checks and copies of certificates must not be kept longer than 6 months following the recruitment decision for which it was obtained unless a dispute is raised or, in exceptional circumstances, where DBS agreement is obtained • The risk assessment form is retained for 10 years and 1 day after the person leaves their role with the ID verification and Safeguarding Self-Declaration Form.

Purpose of processing	(i) Necessary for maintaining a national record of completed DBS checks and appointment decisions (to ensure that unnecessary duplicate checks are not made if there is a change in role). (ii) Necessary also to flag that a risk assessment has been undertaken on the basis of previous disclosure information.
Data Subject(s)	Applicants for DBS criminal record checks
Type or category of Personal Data	DBS Database – amendments to existing records and the creation of new records. This includes: name, gender, date of birth, address, email address, DBS Disclosure Certificate number, date of death, details about role and parish/diocese appointed to.
Type of processing	Electronic records on the database and emails of the requests to make amendments to the database
Legal basis of processing	<ul style="list-style-type: none"> Necessary for the purposes of performing or exercising obligations or rights of CSAS conferred on it by law as a DBS Registered Body for the Catholic Church in England and Wales. Necessary for the legitimate interests of CSAS in delivering an efficient and effective service to religious orders by ensuring timely and accurate checks are carried out thereby minimising delays for applicants and religious orders.
Specific Category / Criminal Info legal basis	<ul style="list-style-type: none"> Necessary in connection with the functions conferred on CSAS as a registered body with the DBS and in the substantial public interest in maintaining an accurate records database. Necessary for the exercise, defence or establishment of legal rights by CSAS in the event of disputes arising with organisations for whom checks are carried out.
Transfers to third parties (including outside EEA)?	The data is accessible to certain people within the provider of the database for the purpose of fulfilling their contractual obligations with CSAS. Data is also accessible to individuals approved by CSAS to have access to enable them to fulfil their role in DBS processing.
Retention period	<ul style="list-style-type: none"> 10 years and 1 day after person leaves their role. Where a case file is opened, the entries on the DBS Database e.g. date of check and existence of a risk assessment should be recorded on the case file before the electronic record is destroyed.

Purpose of processing	Required for purposes of recharging DBS related fees to dioceses and religious congregations
Data Subject(s)	Applicants for DBS criminal record checks
Type or category of Personal Data	Spreadsheets containing the applicants' name and Disclosure Certificate number. Diocesan contact details e.g. name, address, email
Type of processing	Electronic records
Legal basis of processing	<ul style="list-style-type: none"> Necessary for the purposes of performing or exercising obligations or rights of CSAS as the DBS Registered Body for the Catholic Church in England and Wales. Necessary for the legitimate interests of CSAS in ensuring it is paid for services provided to religious orders in carrying out checks.
Specific Category / Criminal Info legal basis	Necessary for the exercise, defence or establishment of legal rights by CSAS in ensuring that contracts for the provision of services are adhered to.
Transfers to third parties (including outside EEA)?	Appointing Organisations e.g. the diocese as part of the invoicing process (they will already be aware of the applicant)
Retention period	6 years from the end of the financial year in which payment is made.