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LDBS DBS Service Privacy Notice For Umbrella User Organisations and Applicants 2023

The Data Controller and Processor is the London Diocesan Board for Schools DBS Service – Contact is Clare de Courcy Ling, Lead Countersignatory – clare.ling@london.anglican.org

The Data Protection Officer is David Coy - david.coy@london.anglican.org

The Purpose of our processing:

- The provision of a DBS Checking Service, acting as an Umbrella Body/Registered Body with the Disclosure & Barring Service (DBS). The service is for Schools who are not registered in their own right to obtain a DBS Certificate for their staff, governors, volunteers and, where required, contractors
- We are required to adhere to the DBS Code of Practice, as outlined in Section 120, Part V of the Police Act 1997

The lawful bases for data processing of employer and applicant data are:

- legitimate interests, which are predominantly service and commercial
- Contractual obligations we have entered into to provide a service to Schools, and the contractual controls put in place on the processing of the data provided for DBS Checks to be carried out
- Consent from the applicant where external processors are needed to comply with DBS guidance on identity verification or the Barred List Check.

We process the following categories of personal data:

- Names and contact details of designated School staff who liaise with us on the service we provide to them.
- Names, date of birth, gender, place of birth, contact details, National Insurance Number, Passport Number, Driving Licence Number, current and previous five years' address history, whether or not a criminal conviction exists, Update Service number (where applicable), DBS Certificate Number, and date of Certificate Issue for all applicants.
- Special category data (Criminal Record Information).



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We share:

- Applicant Data with the DBS. Please note that the DBS has its own privacy policies which applicants are required to read and accept before an application is submitted. These can be found here: <https://www.gov.uk/government/publications/dbs-privacy-policies>
- Applicant Data with the School submitting the check.
- Applicant Data with the Barred List Convenor (either the DBS or Teachers Pensions Online)
- Applicant Data with Due Diligence Checking Limited, where an applicant requires an external ID verification in line with DBS guidance.

We retain:

- Paper records relating to applications for three months, unless an application is delayed, in which case the paper information will be retained until we hear that the issued certificate will not be challenged.
 - Electronic records will be held for current year +2 (maximum 3 years in total)
- We do not hold any copies or original documentation relating to an individual's application, or copies of any evidence documentation.

Data Protection Safeguards Transfers to third countries:

- Our data is processed and stored in a secure system, with limited access to the most sensitive data.
- The system is backed up and stored on secure servers in the UK. No data is transferred anywhere outside the UK
- Staff undergo training, which is reviewed annually, in processing DBS checks and data security techniques
- Any additional processing using third parties is carried out on secured, password only access platforms with single user certification
- Further details of our organisational and technical measures relating to data security can be found in the LDBS Data Protection Policy.

Your rights

You have the right to:

- ask if we are processing your data and ask to have access to it
- request that we stop processing your data
- comment about how we process your data with the Information Commissioners Office (<https://ico.org.uk/>)
- ask us how we obtained your data
- ask us whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data
- ask us if we use automated decision making, including profiling, and ask for information about how decisions are made, and the significance and the consequences of this.



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Please note: the right to erasure does not provide an absolute 'right to be forgotten'. Individuals have a right to have personal data erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which we originally collected/processed it
- When you withdraw consent for us to process your data
- When you object to the processing and there is no overriding legitimate interest for continuing the processing
 - if we have unlawfully processed your data
 - if your data has to be erased in order to comply with a legal obligation.

There are some specific circumstances where the right to erasure does not apply and we can refuse to deal with a request, as follows:

- to exercise the right of freedom of expression and information
- to comply with a legal obligation for the performance of a public interest task or exercise of official authority
- for public health purposes in the public interest
- archiving purposes in the public interest, scientific research, historical research or statistical purposes; or
- the exercise or defence of legal claims.

Clare de Courcy Ling, LDBS Lead Counter-signatory, DBS Check Service

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