

## Clergy Personal Files | Privacy Notice

This notice explains how the information about you which the Bishop holds in your personal file is used, managed and your rights with respect to that data.

Further guidance can be found in the Personal Files relating to Clergy policy and several other policies and procedures which support this privacy notice. These are listed in the **References** section below.

### Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in my possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the “GDPR”) and the Data Protection Act 2018 (the “DPA 2018”).

### Who am I?

The Bishop of Salisbury is the data controller (contact details below). This means the Bishop decides how your personal data is processed and for what purposes.

### Why the Bishop collects your personal data

The Bishop collects and uses your personal information to carry out the following activities in order to exercise their legal and pastoral responsibilities as your diocesan bishop:

- general oversight of your ministry;
- assessing your qualifications and suitability for any particular office or ministry within the diocese;
- for making appropriate arrangements for your ministerial development (including ministerial development review);
- ensuring that individuals are protected from harm and for related safeguarding purposes by ensuring that those who pose a risk or are otherwise unfit for ministerial positions, (due to, for instance, dishonesty, malpractice or other seriously improper conduct) are not able to gain access to ministerial posts.

### The categories of data the Bishop collects

The types of information the Bishop processes include:

- personal details; contact information; family details; lifestyle and social circumstances; employment and education details; housing needs; and details of misconduct and unlawful acts.

The Bishop also processes ‘special categories’ of information that may include:

- race; ethnic origin; politics; religion; trade union membership; health; sex life; or sexual orientation; criminal allegations, proceedings or convictions.

The Bishop processes personal information about:

- current, retired and prospective clergy; individuals involved in or connected with legal claims, inquiries, reviews and dispute resolution; professional advisers and consultants; children and parents; individuals whose safety has been put at risk.

## **What is the lawful basis for processing your personal data?**

The Bishop collects and uses your data on the following lawful bases:

### **A task carried out in the public interest or in the exercise of official authority vested in the data controller (Art. 6(1)(e))**

Processing of the personal data in relation to clergy personal files is carried out on the basis that is necessary for a task carried out in the public interest or the exercise of official authority vested in the Bishop by the Canons of the Church of England, in particular, Canons C4 to C12 inclusive, C18 and C30. This includes the Bishop's general responsibilities as chief pastor of the diocese and in order to be able to develop, support, administer, regulate and manage clergy through their ministry. This may also involve sharing your personal file with another body which is part of the institutional Church of England or Church in Wales if you move to a new role.

As part of the Bishop's public interest tasks contained in the Canons, they may need to process your information in order to protect individuals from harm and to ensure that no person unfit for a ministerial role gains access to such a position. This will include sharing your personal information in an Episcopal Reference or Clergy Current Status Letter (CCSL).

### **Legal obligation (Art. 6(1)(c))**

The Bishop may need to process your information in order to comply with a legal obligation, such as under the Inquiries Act 2005 which may compel the Bishop to provide personal data for the purposes of a statutory inquiry, or a referral to the Disclosure and Barring Service under the Safeguarding Vulnerable Groups Act 2006, or an order of a court or tribunal

### **Consent (Art 6(1)(a))**

The Bishop may need to share information contained in your personal file with another church body/organisation outside the Church of England or Church in Wales (other than in relation to the Episcopal Reference and CCSL). The Bishop will seek your consent first.

You have the right to withdraw your consent at any time prior to the information being shared.

## **Special categories of data and criminal conviction data**

### **Legitimate activity (Art. 9(2)(d))**

the processing is a legitimate activity in order to manage, administer and regulate members or former members of the Church of England and/or those with whom the Bishop has regular contact.

### **Substantial public interest (Art 9(2)(g))**

(protecting the public against dishonesty etc.) – The Bishop may need to process your information where necessary for the protection of individuals from harm, including dishonesty, malpractice and other seriously improper conduct or for safeguarding purposes or for the prevention or detection of an unlawful act, as established by the Promoting a Safer Church House of Bishops' Policy Statement (2017) and the Safer Recruitment: Practice Guidance (2016), (see **References** section below). This will include sharing your personal data in an Episcopal Reference and CCSL.

**Explicit consent (Art 9(2)(a))** – The Bishop may need to share information contained in your personal file with another church body/organisation outside the Church of England or Church in Wales (other than in relation to the Episcopal Reference and CCSL). The Bishop will seek your consent first.

You have the right to withdraw your consent at any time prior to the information being shared.

### **Legal claims (Art 9(2)(f))**

The Bishop may need to process your information where there is a legal claim or in connection with a judicial process.

### **Archiving (Art 9(2)(j))**

The Bishop may keep your information for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

## **Sharing/collecting your personal data**

Where necessary (or required), we collect from or share information with

- You;
- Parishes e.g. Parochial Church Councils (PCCs) and relevant PCC members, diocesan bodies, bishops' offices and cathedrals and other bodies which form part of the institutional Church of England;
- The Church in Wales;
- Other churches outside the institutional Church of England or Church in Wales;
- Educational institutions;
- legal representatives;
- parties and individuals involved in or connected with legal claims, inquiries, reviews and dispute resolution (including mediation and arbitration);
- regulatory and statutory bodies;
- governance bodies and committees
- charitable, religious and voluntary organisations
- law enforcement and prosecuting authorities;
- courts and tribunals and providers of legal services;
- members of the judiciary;
- statutory, public, regulatory or other legal or independent reviews or inquiries, including any "lessons learned" reviews.

## **How long does the Bishop keep your personal data?**

The Bishop keeps your personal data for no longer than reasonably necessary for the periods and purposes as set out in the retention table in *Personal files relating to Clergy: Policy for Bishops and their Staff*, referred to in the **References** section below.

## **What security is in place in relation to your personal data?**

The Bishop is committed to ensuring that your personal data is secure. The Bishop limits access to data on a need to know basis and test our security practices and technologies.

Employees and temporary workers are required to follow policies and procedures and complete mandatory annual training to understand data protection and information security.

If a data breach does occur, the Bishop will do everything in their power to limit the damage. In the case of a high-risk data breach, and depending on the circumstances, the Bishop will inform you about the breach and any remedial actions to prevent any further damage. The Bishop will also inform the Information Commissioner's Office of any qualifying data breaches.

## Your rights and your personal data

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 withdraw your consent to the sharing of information in your personal file with another church body/organisation outside the Church of England or the Church in Wales prior to that information being sent.
- The right to request a copy of your personal data which the Bishop holds about you;
- The right to request that the Bishop corrects any personal data if it is found to be inaccurate or out of date;
- 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 personal data, (where applicable).

You are not required to pay any charge for exercising your rights. If you make a request, the Bishop has one month to respond to you. You can exercise your rights by contacting the Bishop at the contact details below.

## Further processing

If the Bishop wishes to use your personal data for a new purpose, not covered by this Privacy Notice, then they will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, the Bishop will seek your prior consent to the new processing.

## Contact Details

To exercise all relevant rights, queries or complaints please contact The Bishop's Chaplain, The South Canonry, 71 The Close, Salisbury SP1 2ER ([bishops.chaplain@salisbury.anglican.org](mailto:bishops.chaplain@salisbury.anglican.org) | 01722 420942).

You have the right to complain to the Information Commissioner's Office (ICO). You can contact the ICO on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/>.

## References

Personal files relating to Clergy: Policy for Bishops and their Staff. Approved by the House of Bishops, June 2021 <https://www.churchofengland.org/sites/default/files/2019-09/Personal%20Files%20Relating%20to%20Clergy%202018%20Edition.pdf>

Canons of the Church of England <https://www.churchofengland.org/about/leadership-and-governance/legal-services/canons-church-england/canons-website-edition>

For further information on retention, please see the retention table on pages 24-26 of Personal files relating to Clergy: Policy for Bishops and their Staff. Approved by the House of Bishops June 2021

For further information on our safeguarding policy, please see Promoting a Safer Church policy statement 2017: <https://www.churchofengland.org/sites/default/files/2017-11/cofe-policy-statement.pdf>

For further information on our safeguarding duties and responsibilities, please see Practice Guidance: Safer Recruitment 2016 policy:

[https://www.churchofengland.org/sites/default/files/2017-11/safeguarding%20safer\\_recruitment\\_practice\\_guidance\\_2016.pdf](https://www.churchofengland.org/sites/default/files/2017-11/safeguarding%20safer_recruitment_practice_guidance_2016.pdf)