

Crawley Borough Council Data Handling Statement

January 2018

Crawley Borough Council is required to carry out a DBS clearance for certain roles. In order to meet this requirement we will ask you to complete a DBS clearance form and provide suitable documentation to confirm your identity. This personal information is then sent to the DBS who manage it in line with their privacy policy which is set out below.

Crawley Borough Council will only keep a copy of the DBS form and identity documentation for a limited period of time while the check process is

Your rights and how we protect them

The DBS is committed to compliance with the Act. We hold a legal duty to do so. We will take every precaution to protect your data. The following principles will apply when we process your personal data:

- only data that we actually need is collected and processed
- your data is only seen by those who need it to do their jobs
- your data is retained only for as long as it is required
- your data is accurate and is only used as part of the DBS process
- decisions affecting you are made on the basis of reliable and up to date data
- your data is protected from unauthorised or accidental disclosure
- you will be provided with a copy of data we hold on you, on request
- there will be procedures in place for dealing promptly with any disputes / complaints
- your data with regard to the Disclosure Service is only processed with your knowledge and consent

All will apply whether we hold your data on paper or in electronic form.

What personal data we hold

We will only hold your data if you have:

- applied for a disclosure check;
- applied to be a countersignatory for a disclosure check;
- been referred to the barring service

The DBS has access to the Police National Computer (PNC). For the disclosure function this is basic identifying details such as name and date of birth of persons included on the PNC. For the barring function access is granted to personal details and conviction information.

The DBS does not capture or store data about visitors to its website. However, you may choose to give us data such as your name, address, or email for enquiries. If this is the case, the data received will be kept for 6 months. The data is kept for this period to allow for any follow up enquiries and/or information.

Responsibility for your personal data

The DBS is the 'data controller' of all data held within the DBS. This means that we hold full

Organisations that are involved in the DBS service

Your data will only be seen by those whose jobs require

Supervisory authorities

- Care and Social Services Inspectorate Wales (CSSIW)
- Care Quality Commission (CQC)
- Charity Commission (CC)
- Charity Commission for Northern Ireland (CCNI)
- Children's Health and Social Services Directorate, Wales (CHSSD)
- Estyn
- Health Inspectorate Wales (HIW)
- Office of the Public Guardian (OPG)
- Ofsted
- Regulation and Quality Improvement Authority (RQIA)
- Teaching Agency (TA)

Other partners we may share information with

In certain circumstances we will share information with the police and probation services. We may also share information with organisations or individuals you have provided consent for. This will only occur where our customers choose to allow the sharing to take place.

Any member of staff that has access to your data will be thoroughly checked by a governmental security unit. All our staff are data protection trained and are aware of their responsibilities under the Act.

We conduct regular compliance checks on all DBS departments and systems. All checks are to the standard set out by the Information Commissioners Office. In addition continual

Retention of data

The DBS will ensure that data is not held for longer than is necessary for the purpose. In establishing retention and archiving periods, the DBS will make provision for repeat disclosure applications, complaints and legal requirements.

Storage of data

Your data is held in secure computer files, which have restricted access. We have approved measures in place to stop unlawful access and disclosure.

Individual rights

An individual has a number of rights under the Data Protection Act 1998 which include:

- to ask us to amend any data if it is incorrect
- to ask us not to process information used for the disclosure certificate if it would cause substantial unwarranted damage or distress
- to ask for non automated decisions to be made regarding their data
- compensation for damage caused through a data protection breach
- access to the data we hold. If your disclosure application has been inactive for 4 or more years the DBS will no longer hold copies of application forms and incoming/outgoing documents. Application data such as system notes will still be available
- the right to stop unsolicited marketing

Transfer outside the European Economic Area

If you have recently lived in the Channel Islands or the Isle of Man, it is likely that your data will be passed to police forces in the that area. If your data needs to be transferred there or anywhere else, in accordance with the council of The European Union's decision we will make sure that an adequate level of protection is in place.

Notification of changes

If we decide to change our privacy policy, we will add a new version at <https://www.gov.uk/government/organisations/disclosure-and-barring-service>