



# THE ARCHDIOCESE *of* BIRMINGHAM

## Privacy Statement for the Diocesan Education Service

### 1. Introduction

- 1.1 The Archdiocese of Birmingham (the "Diocese") is a charity registered with the Charity Commission in England and Wales. Our charity number is 234216 and our registered address is Cathedral House St Chad's Queensway Birmingham B4 6EX. The Diocese is composed of departments and persons who assist in governing the entire diocese including the Diocesan Education Service.
- 1.2 In this Notice, references to 'we', 'our' and 'us' mean the Diocesan Education Service as part of the Diocese, and 'you' and 'your' mean the individuals within any school of the Diocese to which we provide our services, including; pupils and their families, school staff including teachers, those who volunteer in our schools as well as governors and directors of any of our Multi Academy Companies ("MACs").
- 1.3 This privacy notice describes how we collect and use personal information in accordance with the General Data Protection Regulation (the UK GDPR), and should be read alongside the Diocesan general Privacy Notice available at [birminghamdiocese.org.uk/privacy-policy](https://birminghamdiocese.org.uk/privacy-policy). Terminology which is defined in the Diocesan general privacy policy is also used in the same way in this notice.
- 1.4 When you provide us with Personal Data in order to engage with us and/or benefit from our support, we will keep a record of the data you give in order to enable us to comply with our statutory obligations and to achieve our objective of developing our Catholic Schools, preserving Catholic education and operating in a professional way in relation to all schools across the Diocese, providing guidance, training, expertise and support.
- 1.5 For the purpose of the retained EU law version General Data Protection Regulation ((EU 2016/279 (**UK GDPR**)), the Diocesan Education Service as part of the Archdiocese is a joint Data Controller with the schools within the Diocese. This means that we are responsible for deciding how we hold and use Personal Data about individuals connected with the school including staff, governors, pupils and parents, directors of our MACs and volunteers. In particular, if we are supplied with Personal Data relating to other persons by you or on your behalf, both the school and we may both be data controllers in respect of that data. Where schools and the Diocese are both data controllers the following terms will apply:
  - (a) Schools shall be liable for their processing of personal data and we shall only be liable for our processing of personal data;
  - (b) We would expect schools to provide all relevant information to data subjects relating to the processing of their personal data (including the processing carried out by us) and to the exercise of their rights in relation to the processing of their personal data as may be required by data protection law and schools will be the contact point for those data subjects.



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- 1.6 Everyone has rights with regard to how their Personal Data is handled by organisations. The Diocesan Education Department is committed to ensuring that Personal Data is properly and securely managed in accordance with the relevant data protection laws and believes this is an important part of achieving trust and confidence with data subjects.

## **2 Data Protection Principles**

- 2.1 We will comply with data protection law. This says that the personal information we hold about you must be:
- 2.1.1 used lawfully, fairly and in a transparent way;
  - 2.1.2 collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
  - 2.1.3 relevant to the purposes we have told you about and limited only to those purposes;
  - 2.1.4 accurate and kept up to date;
  - 2.1.5 kept only as long as necessary for the purposes we have told you about; and
  - 2.1.6 kept securely.

## **3 The Type of Information we Hold about You**

- 3.1 We may Process the following types of Personal Data about you:
- 3.1.1 name, date of birth, job title, contact details and marital status of staff in certain posts and governors of schools and directors of MACs;
  - 3.1.2 information about education, work history, professional qualifications and other information contained on application forms / CVs of school staff in certain posts and governors of schools and directors of MACs;
  - 3.1.3 information about family members and dependants;
  - 3.1.4 information about involvement in Diocesan activities and events, such as attendance at training;
  - 3.1.5 information obtained as a result of any background checks;
  - 3.1.6 information about pupils / parents or carers where we are asked by schools to advise or give support in relation to specific cases;
  - 3.1.7 photographs;
  - 3.1.8 information we collect through your use of our website(s) such as IP addresses and other information collected using cookies;

and any other information which you choose to provide to us or that we are provided by others.

- 3.2 We may also hold Special Categories of Personal Data e.g. information about religious beliefs, information about health and wellbeing, trade union membership, information revealing racial or ethnic origins, information concerning sex life or sexual orientation. We may also process, information about criminal offences or proceedings.
- 3.3 We may also receive Personal Data from third parties, for example, schools, parents, family members, the clergy, community members, other dioceses, medical professionals, the



police and other law enforcement bodies.

## **4 How and Why do we Process your Personal Data?**

4.1 The Personal Data which we hold, whether it is collected directly from individuals or whether we receive it from a third party, may be Processed in a number of ways, for example:

- 4.1.1 to develop marketing and communication;
- 4.1.2 to provide school support including HR support to Catholic schools in the Diocese;
- 4.1.3 to keep records of school employees who are appointed to certain posts and relating to people appointed as governors or as directors of our MACs;
- 4.1.4 to invest in leadership;
- 4.1.5 to help us to plan strategically for Catholic school places in the Diocese;
- 4.1.6 to advise schools on the application of their admissions policies;
- 4.1.7 to advise and assist schools with other areas of school life, including in dealing with complaints;
- 4.1.8 to assess whether certain individuals satisfy the requirements for being a practising Catholic, for example, for certain teaching / leadership posts or foundation governors/directors;
- 4.1.9 to assist schools and the Diocese with governance;
- 4.1.10 to work with the schools, the Diocese, the clergy and parishes;
- 4.1.11 to establish business support services;
- 4.1.12 to respond to the Government's Multi Academy Trusts Agenda and other Government policies;
- 4.1.13 to satisfy our safeguarding obligations;
- 4.1.14 to ensure we as part of the Diocese comply with our legal obligations;
- 4.1.15 to secure improve and protect Catholic education in the Diocese.

## **5 On What Grounds do we Process your Personal Data?**

5.1 We collect and use information under the following lawful bases:

- 5.1.1 where we have your consent (Article 6 (a));
- 5.1.2 where it is necessary for the performance of a contract (Article 6 (b));
- 5.1.3 where it is necessary for compliance with a legal obligation (Article 6 (c));
- 5.1.4 where Processing is necessary to protect your vital interests or another person's vital interests (Article 6(d));
- 5.1.5 where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)); or
- 5.1.6 where the activities are within our legitimate interests in advancing and maintaining the Roman Catholic religion and providing and preserving Catholic education and provision (Article 6 (f)).

5.2 Where the Personal Data we collect is Special Categories of Personal Data, we will only process it where:



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- 5.2.1 we have explicit consent;
  - 5.2.2 processing is necessary to protect your vital interests or of another natural person where you are physically or legally incapable of giving consent;
  - 5.2.3 you have made the information public;
  - 5.2.4 where the processing is necessary for the establishment, exercise or defence of legal claims;
  - 5.2.5 where the processing is carried out in the course of the legitimate activities of the Diocesan Education Service as part of a religious charity, and you are a member or former member of the church or have regular contact with the church
  - 5.2.6 where the processing is necessary for carrying out the Diocese's employment and social security obligations; and / or
  - 5.2.7 processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and your interests.
- 5.3 We envisage that we will hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data. We will use information about criminal convictions and offences where we have a further lawful basis for the processing, for example:
- 5.3.1 Where the Diocese is exercising obligations or rights which are imposed or conferred by law on us or you in connection with employment, social security or social protection and the Diocese has an appropriate policy document in place (e.g. to undertake appropriate checks on individuals prior to taking up a role);
  - 5.3.2 Where it is necessary for the prevention or detection of an unlawful act (e.g. passing on information to the Police or other investigatory body);
  - 5.3.3 Where the Diocese is complying with or assisting others to comply with regulatory requirements relating to unlawful acts or dishonesty (e.g. passing on information to the Police or other investigatory body);
  - 5.3.4 Where it is carried out in the course of safeguarding children or other individuals at risk e.g. making a safeguarding disclosure;
  - 5.3.5 Where an individual has given their consent to the processing;
  - 5.3.6 Where the Diocese is establishing, exercising or defending legal claims (e.g. providing information to our insurers or lawyers in connection with legal proceedings);
  - 5.3.7 Where it is necessary to protect the vital interests of an individual (e.g. passing on information to the Police); or



- 5.3.8 Where it is carried out in the course of the Diocese's legitimate activities as a not-for-profit body with religious aims (e.g. carrying out pastoral activities).

## **6 Who will we Share Your Personal Data With?**

- 6.1 We may have to share your data with third parties, including third-party service providers and other organisations. In particular, we may share your data with organisations including, but not limited to:
- 6.1.1 Local Authorities;
  - 6.1.2 The Department for Education;
  - 6.1.3 The Education & Skills Funding Agency;
  - 6.1.4 The Catholic Education Service;
  - 6.1.5 The Disclosure and Barring Service;
  - 6.1.6 The Police or other law enforcement agencies;
  - 6.1.7 IT providers;
  - 6.1.8 Our legal advisors / other external consultants;
  - 6.1.9 Insurance providers;
  - 6.1.10 Any MAC of which a school forms part
- 6.2 We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.
- 6.3 We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

## **7 How Long will we Keep your Information?**

We will endeavour to only keep Personal Data for as long as is necessary and to delete it when it is no longer so.

## **8 Individual's Rights**

- 8.1 Individuals have rights in respect of the Personal Data we Process. In particular:
- 8.1.1 The right to access information we hold about the individual concerned;
  - 8.1.2 The right to correct and update the information we hold;
  - 8.1.3 The right request to have information erased;
  - 8.1.4 The right to object to the Processing of their data;
  - 8.1.5 The right to data portability where it is feasible to do so, within one month of the request being received;
  - 8.1.6 The right to withdraw consent to the Processing at any time for any Processing of data to which consent was sought;



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- 8.1.7 The right to object to the Processing of Personal Data where applicable; and
- 8.1.8 The right to lodge a complaint with the Information Commissioner's Office.

8.2 When exercising any of the rights listed, we may need to verify the identity of the individual making the request for security.

8.3 Rights may only be exercised by the individual whose information is being held or with that individual's express permission. Children from around age 13 may make their own requests (where the Diocese 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 the Diocese.

## **9 Changes to this Notice**

9.1 We may make changes to this Notice from time to time as our organisational practices and/or applicable laws change, however, we will notify you in advance wherever possible.

## **10 Contact Details**

10.1 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 Diocesan Data Compliance Manager, Debbie Jones [debbie.jones@rcaob.org.uk](mailto:debbie.jones@rcaob.org.uk) or write marked for the attention of the Data Compliance Manager, Cathedral House, St Chad's Queensway Birmingham B4 6EX or telephone at 0121 230 6271.

10.2 We hope that we can satisfy any queries you may have about the way in which we Process Personal Data. However, if you have unresolved concerns you also have the right to complain to the Information Commissioner ('ICO') ([ico.org.uk](http://ico.org.uk)).



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VERSION CONTROL			
Primary Location	Policy title	Version No.	Next Review date
Cathedral House	Diocesan Education Service Privacy Notice	2	November 2024
<b>Policy owner</b>		Data Compliance Manager	
<b>Related Policies</b>		Diocesan Privacy Notice	
VERSION HISTORY			
Version No.	Date	Created/amended by	Amendment
Version No. 1	May 2018	Diocesan Solicitor	New policy
Version No. 2	November 2022	Data Compliance Manager	Technical and legal update