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Service Area:	People Services
Work Area:	HR
Contact Details:	dbs@caerphilly.gov.uk
Privacy Notice Name:	DBS Checks
Description of Privacy Notice:	Applicants/Employees who are applying or already occupy posts which require a DBS check will need to provide details to the DBS for processing.

How we will use your information

Source and type of information being processed

The information required for the Disclosure and Barring Service Check will be provided by the applicant themselves in terms of the information they provide on the application form and the documents provided to verify their identity and address.

Categories of personal data obtained

Caerphilly County Borough Council has obtained the following categories of your personal data:

- Name including any previous names
- Address
- Contact Details
- Identification Documents for example Passport, birth certificate, driving licence, adoption certificate, bank statement, credit card statement, Council Tax Bill, letter from a government agency, etc.
- Information on whether there are an employee/applicant has any convictions that may exclude them from being employed or continue to be employed.

Source of the personal data

This information has been shared with Caerphilly County Borough Council by employees and by another organisation as detailed below:

Where post holders / prospective post holders are unable to provide the identification required by the DBS in order to carry out a DBS check, an approved external ID verification service will be utilised by CCBC in order to verify identity, in order to carry out the DBS check.

Kent County Council currently undertake DBS checks on Caerphilly County Borough Council's behalf.

Your Obligations

You have an obligation to provide the information requested if your post or the post you have applied for requires a DBS check.

There is a contractual obligation / requirement for you to provide the information requested as detailed below:

Employment is subject to a satisfactory DBS certificate in relation to an employee's employment with children and/or vulnerable adults. The DBS certificate will be renewed every 3 years. Failure to comply with the 3 year renewal may have consequences for an employee's continued employment.

Consequences of not providing the information requested

Employees are required to report any cautions/convictions received during their employment with the Council and failure to do so can be considered as misconduct under the Disciplinary Procedure and action could be taken against them.

Purpose and legal basis for using your information

Purpose of processing

Some posts within the Council are designated as having a statutory requirement for a Disclosure and Barring Service (DBS) check, while the Council has determined that some posts require a DBS check to ensure post holders / prospective post holders are suitable for working with children or vulnerable adults. The Council has also determined that DBS checks should be renewed every 3 years.

Where post holders / prospective post holders are unable to provide the identification required by the DBS in order to carry out a DBS check, an approved external ID verification service will be utilised by CCBC in order to verify identity, in order to carry out the DBS check.

Legal basis for processing

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

If there is a statutory requirement for DBS check, the legal basis for processing is: Art 6 1c. processing is necessary for compliance with a legal obligation to which the controller is subject; If the Council has determined that the post requires a DBS check or it is a DBS renewal, the legal basis for processing is:

Article 6 1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

Data Protection legislation provides extra protection for certain classes of information called 'special category personal data'. If any information falls within the definition of special category personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

Article 9 2(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by domestic law or a collective agreement pursuant to domestic law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

Data Protection legislation also provides extra protection for personal data in relation to criminal convictions and offences. If any personal data falls within this category, then an additional condition from Article 10 of the Regulations must be identified, as outlined below:

1(1) This condition is met if—

(a) the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection, and

(b) when the processing is carried out, the controller has an appropriate policy document in place (see paragraph 39 in Part 4 of this Schedule).

Who will have access to your information

Identity of Data Controller and Data Protection Officer

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Mr Carl Evans
Corporate Information Governance Manager / Data Protection Officer
Email: dataprotection@caerphilly.gov.uk
Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

Details of main users of your information

- HR staff involved in the recruitment/renewal process
- CCBC staff involved in the DBS process
- Your line manager for determining your suitability for employment / continued employment with the council.

Details of any sharing of your information within Caerphilly County Borough Council

Your personal details will be shared with DBS for them to carry out the DBS check. A copy of their privacy notice can be found at:

www.gov.uk/government/publications/basic-dbs-check-privacy-policy.

Details of any sharing of your information with other organisations

If you are unable to provide the identification required by the DBS in order to carry out a DBS check, an external approved ID verification service will be utilised by CCBC in order to verify identity, in order to continue with the DBS check. Currently this service is provided by Experian. Experian will check the details you supply against any database (public or otherwise) to which they have access. They may also use the information you supply in

future to assist other companies for verification purposes. A copy of Experian's Privacy Notice can be found at: www.experian.co.uk/consumer/privacy.html

Details of any external data processors

DBS checks are processed by Kent Borough County Council who are approved e-bulk brokers, on behalf of Caerphilly Borough Council.

Requests for information

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

How long will we retain your information

Details of retention period

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice.

The information provided to carry out a DBS check and the result of the check will be held for a maximum period of 6 months.

Your Rights (Inc Complaints Procedure)

Your rights under the Data Protection legislation

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: www.ico.org.uk.

To enact your rights please contact the service area detailed on the top of this form.

Complaints Procedure

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints

Summary Privacy Notice

How we will use your information

We will use your information to make a decision on your suitability for employment/continued employment with the council.

The legal basis for processing is legal obligation where there is a statutory requirement for your post to have a Disclosure and Barring Service (DBS) check or where the Council has determined that your post require a DBS check or for renewals. The information provided to carry out a DBS check and the result of the check will be held for a maximum period of 6 months.

In order to process your DBS check, your information will be shared with the DBS. If you are unable to provide the identification required by the DBS in order to carry out a DBS check, your information will be shared with Experian in order to verify your identity.

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link: