

SAFEGUARDING REVIEW - LEGITIMATE INTEREST ASSESSMENT

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| Review | Past Case Review 2 |
| Processing Activity | Safeguarding Review |
| Date | October 2019 |

| PURPOSE TEST | YES | NO | ADDITIONAL NOTES |
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| 1. Is there a specific reason for your processing? (Please give a short summary) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A review will be undertaken on all relevant clergy files, HR files, and other records relating to church officers in order to identify any which raise safeguarding concerns. The purpose of the review is as specified in the PCR2 Protocol, but in particular to provide recommendations to the Church of England that will lead to improvements to its response to allegations of abuse and its safeguarding working practice, thereby, ensuring a safe environment for all. |
| 2. Would there be an adverse impact (including to third parties) if the processing couldn't go ahead? (Please give a short summary) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The Church of England would be unable to address any failings as these would not be known or understood, and its ability to improve practice, or to address the concerns and needs of survivors would be limited. |
| 3. Are you complying with other relevant laws, or industry codes of practice? (If yes, please list) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not applicable. There are no relevant laws or code of practice. |
| NECESSITY TEST | YES | NO | ADDITIONAL NOTES |
| 4. Can you achieve the same purpose without the processing? (If 'Yes' then your processing may not be necessary) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The review would be unable to determine both good and poor practice without substantial processing of existing or new data. |
| 5. Can you achieve the same purpose by processing less data? (If 'Yes' then review the data you are processing and reduce to just what is necessary for processing) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The review will need to look at all existing records and interview key people, possibly including data subjects. There is no way to minimise the data processing during the review stage, however, measures will be put in place to reduce data sharing and data reporting to only what is necessary. |

| SPECIAL CATEGORIES TEST | YES | NO | ADDITIONAL NOTES |
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| 6. Is it special category data or criminal offence data? (If 'Yes', please specify) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The review will include race, ethnic origin, religion, health, sex life/ sexual orientation and criminal convictions and offences, including criminal allegations |
| 7. Is it data which people are likely to consider particularly 'private'? (If 'Yes', please summarise) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Data relating to safeguarding is by its nature sensitive and private. |
| 8. Are you processing data about children or vulnerable people? (If 'Yes', please specify) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Safeguarding allegations may have been made by children at the time, who are now vulnerable adults. The review may also include files relating to children, and interviewing children who have experiences relevant to the review. |
| BALANCING TEST | YES | NO | ADDITIONAL NOTES |
| 9. Did you collect the data from the data subject directly? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Data will be collected from 3 rd parties, including parishes, dioceses, bishops, Archbishops, Theological Education Institutions (TEIs), religious communities, witnesses, the Archbishop's Council, police, statutory authorities and data subjects. |
| 10. Would the data subject reasonably expect your processing? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Data subjects will be fully informed about the review and its purpose, and data subjects would reasonably expect the processing of safeguarding data. |
| 11. Are there any risks to the data subject's rights and freedoms? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Data subjects are at risk of psychological, mental harm, or harm to health because the review will address distressing events and information. |
| 12. If Yes to question 11, have you adopted any safeguards to mitigate any risks? (If 'Yes' please give a short summary) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The review will ensure that data is kept confidential and secure using necessary technical and organisational measures and will not be shared with anyone not authorised to see it. Survivors and witnesses are invited to participate but can decline. All participants will be provided with appropriate and relevant pastoral and counselling support. |
| 13. Can you explain your processing to data subjects? (Please give short summary) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Yes. The reasons for the review and the necessary processing is to ensure any allegation of abuse has been handled appropriately, to ensure that the support needs of survivors have been considered and to ensure that all allegations of abuse or neglect are being/have been responded to appropriately, in line with current safeguarding practice guidance. |

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| <p>14. Does your processing legitimately override the interests of the data subject and any risks to their rights or freedoms? (If 'No' you may need to consider another lawful basis for processing)</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>The processing is necessary in order to achieve the intended purposes, and risks to data subjects have been identified and mitigated as far as possible. There are joint interests, including those of the Church of England, statutory authorities and the data subjects themselves, in learning from the review, and understanding what needs to be done to improve practice and survivor support.</p> |
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| DECISION | |
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| <p>Can you use legitimate interests for your processing?</p> | <p>Yes</p> |

Privacy Notice - Legitimate Interest Assessment

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| <p>We have a specific purpose with a defined benefit</p> | <p>The purpose of the review is to advise and recommend to the Church of England improvements to its response to allegations of abuse and its safeguarding working practice, thereby, ensuring a safe environment for all.</p> |
| <p>The processing is necessary to achieve the defined benefit.</p> | <p>The Church of England would be unable to address any failings as these would not be known or understood, and would be less able to improve practice, or to address the concerns and needs of survivors.</p> |
| <p>The processing legitimately overrides the interests of the data subject and any risks to their rights or freedoms.</p> | <p>Data subjects have a joint interest in learning from the review and understanding what happened and what needs to be done to improve practice and survivor support. Data subject involvement is a key component of the review, and measures are in place to protect their rights and freedoms.</p> |

For a copy of the full Legitimate Interest Assessment, please contact:

the Diocesan Secretary, Canon Shane Waddle, Church House, St John's Terrace, North Shields NE29 6HS