

Statement of Practice on the Secure Handling of Disclosure & Barring Service Certificate Information

HR Service Effective from August 2018

1. Introduction

This Statement of Practice concerns the secure storage, handling, use, retention and disposal of Disclosure and Barring Service (DBS) certificates and certificate information.

2. Practice statement

2.1 General principles

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, the London Borough of Bexley complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

It also complies fully with its obligations under the General Data Protection Regulation (GDPR), Human Rights Act, Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

2.2 Storage and access

Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

2.3 Handling

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties.

A record of any certificate information which is shared with an authorised employee is retained where it relates to a decision regarding their employment in a position which is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended). It is a criminal offence to pass this information to anyone who is not entitled to receive it.

The Council reserves the right to retain a copy of the relevant certificate/documentation to demonstrate 'safer recruitment' practice where the check relates to an individual in a service area where a CQC/Ofsted inspection or Safeguarding Audit may take place for the purposes of inspection. Any copy taken will be held in accordance with Section 2.2 of this Statement.

2.4 Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

2.5 Retention

Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This retention will allow for the consideration and resolution of any disputes or complaints or be for the purpose of completing safeguarding audits.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

2.6 Disposal

Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

2.7 Acting as an Umbrella Body

The Council acts as a Closed Umbrella Body for educational establishment within the London Borough of Bexley. In doing so we undertake to countersign applications and receives certificate information on behalf of those organisations and will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of certificate information in full compliance with the code of practice and in full accordance with this Statement of Practice.

We will also ensure that anybody or individual, at whose request applications for DBS certificates are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

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