



South Gloucestershire and Stroud College

Secure handling, use, retention and disposal of Disclosure and Barring Service (DBS) certificates and information policy and procedure

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Please contact the Human Resources Department**

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Ref. No.: Q/P 144	Date of this version: 29/07/2022 Review date: 28/07/2025 (Subject to any legislative changes) Upload to College website? Yes Upload to e-Campus? No
Approved by:	SGS Executive
Date:	03/08/2022

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1. Policy Intent

- 1.1. As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, the SGS Group complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificate information.
- 1.2. It also complies fully with its obligations under the General Data Protection Regulations (GDPR), 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. Scope

- 2.1. This policy and procedure applies to all candidates and all roles within England and Wales that are subject to a Disclosure and Barring Service (DBS) check. This includes, employees, agency workers and volunteers.

3. Storage and Access

- 3.1. Certificate information is held electronically with access strictly controlled and limited to those who are entitled to see it as part of their duties.

4. Handling

- 4.1. 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.
- 4.2. A record is maintained by the Human Resources Department or all those to whom certificates or certificate information has been revealed.
- 4.3. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

5. Usage

- 5.1. 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.

6. Retention

- 6.1. Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.
- 6.2. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so.
- 6.3. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

7. Disposal

- 7.1. Once the retention period has elapsed, we will ensure that any certificate information is immediately destroyed by secure means, i.e. by deletion of the records
- 7.2. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack)
- 7.3. We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate
- 7.4. 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 certificate, and
 - the details of the recruitment decision.

8. Policy Implementation

- 8.1. The SGS Group is responsible for ensuring the implementation of this policy. All employees are responsible for fulfilling their roles in the implementation as defined by this policy.

9. Enforcement

- 9.1. Failure to comply with the standards of the policy and procedure outlined in this document may result in disciplinary action. Such disciplinary action may result in dismissal depending on the circumstances.

- 9.2. If an employee is ever unsure about what action is appropriate to a particular situation, they should seek advice from their line manager.

10. Related Policies, Procedures, Charters, Plans, Guidance and Legislation

- Recruitment of ex-offenders Policy
- Disclosure and Barring Service Guidance
- Data Protection Act 2018
- General Data Protection Regulations (2016/679 EU)
- Police Act 1997
- Human Rights Act 1998

6. Impact

- 6.1. To ensure that all staff members of the SGS Group are aware and comply with the correct handling, use, storage, retention and disposal of certificate information.

7. Additional useful information

- 7.1. The Director of People and Organisational Culture will review and monitor the policy and procedures and will recommend and implement approved changes where necessary.

MANDATORY INITIAL IMPACT SCREENING		
Name: Kelly Gillett	Title: Director of People and Organisational Culture	29/07/21
I have read the guidance document: Completing a Policy Impact Assessment?		✓
If this policy has been up-dated, please tick to confirm that the initial impact screening has also been reviewed:		✓

EQUALITY AND DIVERSITY IMPACT ASSESSMENT	
Characteristic	This policy seeks to:
Age	No appreciable impact
Disability	No appreciable impact
Faith or Belief	No appreciable impact
Gender	No appreciable impact
Race or Ethnicity	No appreciable impact
Orientation	No appreciable impact
Gender reassignment	No appreciable impact
Economic disadvantage	No appreciable impact Policy seeks to eliminate potential discrimination
Rural isolation	No appreciable impact Policy seeks to eliminate potential discrimination
Marriage	No appreciable impact
Pregnancy & maternity	No appreciable impact
Carers & care leavers	No appreciable impact
Vulnerable persons	Other (Please state): Policy seeks to eliminate potential discrimination
Please identify any sections of the policy that specifically seek to maximise opportunities to improve diversity within any of the College's stakeholder groups:	
Please identify any sections of the policy that specifically seek to improve equality of opportunity within any of the College's stakeholder groups:	
Is there any possibility that this policy could operate in a discriminatory way?	<div style="display: flex; align-items: center;"> <div style="width: 50px; height: 50px; background-color: red; margin-right: 5px; text-align: center; line-height: 50px;">□</div> <div style="width: 50px; height: 50px; background-color: green; margin-right: 5px; text-align: center; line-height: 50px;">✗</div> </div> If you have ticked yes (red), which characteristic will be most affected? Choose an item.
If yes please confirm that the Policy has been sent for a full Equality & Diversity Impact Assessment, and note the date:	<input type="checkbox"/> Click or tap to enter a date.

Note: if the policy does not seek to increase diversity or improve equality you should go back and review it before submitting it for approval.

MAPPING OF FUNDAMENTAL RIGHTS	
Which United Nations Convention on the Rights of the Child (UNCRC), Right does this policy most protect:	Art. 2 Non-discrimination
Which Human Right (HRA) does this policy most protect:	Art. 14 Prohibition of discrimination Choose an item.

DATA PROTECTION & PRIVACY BY DESIGN SCREENING	
Tick to confirm that you have considered any data protection issues as part of the design and implementation of this policy; and, that implementing this policy will <u>not</u> result in the collection, storage or processing of personal data outside of official College systems:	✓
Tick to indicated that this policy has or requires a Data Privacy Impact Assessment:	✓