



BEXHILL-ON-SEA TOWN COUNCIL STORAGE OF DISCLOSURE AND BARRING SERVICE (DBS) DATA POLICY ADOPTED XXXX

1. **Document summary:** Policy for the safe storage, handling, use, retention and disposal of DBS Disclosures and Disclosure Information.
2. **Adherence to Policy:** Responsibility for the implementation, monitoring and development of this policy lies with our Lead/Primary Evidence Checker who is to ensure that this policy is implemented.
3. **Key points**
 - a) **Bexhill-on-Sea Town Council** complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of DBS Disclosures and Disclosure information.
 - b) DBS Disclosure information is only passed to those who are authorised to receive it in the course of their duties.
 - c) **Bexhill-on-Sea Town Council** maintains a record of those to whom Disclosures or Disclosure information has been revealed.
 - d) **Bexhill-on-Sea Town Council** does not keep Disclosure information for any longer than is necessary, generally up to six months.
 - e) Disclosure information is destroyed by shredding or secure electronic disposal methods once the retention period has elapsed.
 - f) **Bexhill-on-Sea Town Council** will keep a record of the date of issue of a Disclosure, the name of the subject, the type requested, the position for which it was requested, the unique reference number and the details of the recruitment decision taken.
4. **General Principles**
 - 4.1 As an organisation using the DBS Disclosure service to help assess the suitability of applicants for positions of trust, **Bexhill-on-Sea Town Council** complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of DBS Disclosures and Disclosure information. The Council complies fully with obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.
5. **Receipt of DBS Disclosure**
 - 5.1 DBS Disclosure information is handled only by those whose jobs deem it essential, and is treated with all due confidentiality and discretion, in accordance with the Data Protection Act 1998.

6. Access and Storage

- a) **In the case of paper DBS applications**, disclosure information is 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.
- b) **In the case of electronic DBS**, we are aware that system access is **ONLY** granted to authorised personnel and therefore restrictions are in place to access data by only individuals who are involved in the recruitment decision.
- c) **Scanning or copying of DBS information**: Where an applicant presents a previous completed DBS Disclosure certificate and supporting details to access 'The DBS Update Service' we may only scan/copy a Disclosure certificate with the written permission of the applicant. We further understand that to scan/copy a DBS certificate that contains information that we are not entitled to see, either children's barring information or adult barring information (where relevant, if applicable) is not permitted and would constitute a breach of the applicant's rights under the Data Protection Act.
- d) **Printing of DBS information**: We are aware of how DBS result information can be communicated and what is not permitted and that only individuals who are involved in the recruitment decision can access DBS information.
- e) We are also aware that the DBS e-result information can **ONLY** be successfully printed once and is only available by entering the username and password and that this is in place to protect and prevent unauthorised access or modification.
- f) Readable copies will be printed for the purpose of presenting them to the relevant industry regulatory inspector at the time of an inspection.
- g) We are aware that scanned or copied DBS Results will be kept online for a maximum of 6 months or up until the point that we print the result and confirm that it has been printed correctly.
- h) We confirm that all result information whether a DBS Disclosure Certificates, Electronic result information, Printed result information or scanned/copied result information must be handled in accordance of the DBS Code of Practice and we ensure that every user is provided with a Policy statement on the secure handling and storage of disclosure information, as well as full access to the DBS Code of Practice.

7. Handling

- 7.1 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. **Bexhill-on-Sea Town Council** maintains a record of all those to whom Disclosures or Disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it. Failure to comply with this could result in disciplinary action and/or criminal proceedings.
- 7.2 In instances where employees supply a copy of their DBS Disclosure certificate to their local manager for purposes of proving that they have a valid DBS check the DBS certificate will be handled, stored, disclosed and destroyed in line with this policy.

8. Usage

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

9. **Forwarding of electronic DBS Result information**: We know that the forwarding of DBS result information is not permitted on the system and that documents cannot be saved into any format outside of the online system and cannot be stored separately electronically, emailed or distributed etc.

10. Loss of Documents: If we lose documents, we are aware that this must be reported to the East Sussex County Council DBS HR Team stating what has been lost, how, what format and by whom. Failure by any party to comply with the storage requirements could result in:

- a) Non-compliance notice being issued and a 14-day mandatory requirement to adhere to the set procedures and provide evidence of this.
- b) Suspension of the ID checker or Liaison officer from the account.
- c) Suspension or termination of the entire online account.
- d) Also, we are aware that in all instances where personal information has been lost the Disclosure and Barring Service will be informed of this occurrence as it is considered a serious DPA violation.

11. Retention

11.1 Once a recruitment (or other relevant) decision has been made, **Bexhill-on-Sea Town Council** do not keep Disclosure 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. If, in any circumstances, it is considered necessary to keep Disclosure information for longer than six months and for a term of no longer than 12 months that this must be done in agreement with **Bexhill-on-Sea Town Council** and the applicant, and we will consult The Umbrella Provider about this and will give full consideration to the data protection and human rights of the individual before doing so.

11.2 Retention Exceptions: Exceptions to retaining physical certificates or printed result information beyond the six-month period may include:

- a) Adult Care Home or domiciliary care agency that is audited annually by the Care Quality Commission and regulated under the Care Standards Act
- b) A School/nursery who is regulated by DFE and audited either annually by OFSTED
- c) An organisation working with or within and NHS Trust or Hospital in compliance with the NHS employer check standards

11.3 The original DBS checks do not need to be retained for the purposes of inspection, but it is necessary to be able to show that a record has been kept of it. Once the inspection has taken place this information should be destroyed in accordance with the DBS Code of Practice.

12. Disposal

12.1 Disposal: Once the retention period has elapsed, **Bexhill-on-Sea Town Council** will ensure that any Disclosure information is immediately destroyed by secure means, i.e., by shredding, pulping, or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g., waste bin or confidential waste sack).

12.2 Disposal of hard copy DBS information: Once the retention period has elapsed, **Bexhill-on-Sea Town Council** will ensure that any Disclosure information is immediately destroyed by secure means, i.e., by shredding, pulping, or burning. Shredding is conducted at a 'Level 4 (DIN 4)' standard, which is the standard required for all UK government installations. While awaiting destruction, Disclosure 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 Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of

Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

12.3 Disposal of Electronic DBS information:

Limitations: No electronic copies of Disclosure certificates will be retained in any electronic format. Electronic data will only be stored within the online Disclosures Management system.

12.4 DBS application information: All DBS E-result information that is outside of the basic record (defined in the DBS Interchange Agreement) will be purged from the system at the required juncture or after the required period.

12.5 Incomplete Applications: If online applications are not completed in full, they are removed from the system in compliance with DPA. A 20-day reminder message and 30 day prompt is provided to the RB DBS support team to cancel them and after 90 days automatic system removal and data purge occurs.

12.6 There are several methods used to securely dispose of electronically held DBS information. The method used is dependent on the storage and retention periods agreed with the DBS, for example applicant specific data is removed 12 months from submission of the application to the DBS and it would be purged using a 'secure erase' procedure. The same would also be true of incomplete applications which are purged automatically 90 days from submission.