

DBS Policy

General principles

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, KCALC complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

We will not request a DBS check for any member of staff or volunteer unless it is essential for the role they will be undertaking. We will make it clear when recruiting to a post if this will be required and the requirement will be noted in the job description for the role. We will use the Recruitment of ex-Offenders Policy to make decisions about appointment to a role, if necessary.

DBS checks only reflect the situation at the time that they are made. It is, therefore, necessary to recheck members of staff at regular intervals in case there has been a subsequent conviction that they have not disclosed. Rechecks will be undertaken every two years unless there is a reason to recheck raised by concerns, information received or regulatory/funding requirements. Should a recheck reveal a conviction that has not been disclosed to KCALC and which is relevant to the role performed by the individual disciplinary action will be taken – this will be considered as a matter of gross misconduct.

The responsibility for using the DBS procedure correctly and obtaining and storing information lies with the Compliance Manager. S/he will keep a record of which members of staff have been checked, when the check took place and when the next check is due. DBS checks can be obtained via Citizens Advice.

Storage and access

Disclosure information will be kept securely, in the personnel filing cabinet which is lockable. Access will be strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

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. We will maintain 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.

Usage

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.

Retention

Once a recruitment (or other relevant) decision has been made, we 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 very exceptional circumstances, it is considered necessary to keep Disclosure 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. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we 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). 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.