



POLICY ON THE SECURE HANDLING, USE, STORAGE AND RETENION OF DISCLOSURE INFORMATION

Co-ordinator:

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NOTE:

As NHS Grampian includes Grampian NHS Board, Grampian University Hospitals NHS Trust and Grampian Primary Care NHS Trust, all references to NHS Grampian within this policy apply equally to each of these organisations.

**NHS GRAMPIAN
POLICY ON THE SECURE HANDLING, USE, STORAGE AND RETENION
OF DISCLOSURE INFORMATION**

This policy is also available in large print and on computer disk. Other formats can be supplied on request.

Please call our <Contact – Name/Position> on <Contact –Telephone number> for a copy.

NHS GRAMPIAN POLICY ON THE SECURE HANDLING, USE, STORAGE AND RETENTION OF DISCLOSURE INFORMATION

1. Introduction

Part V of the Police Act 1997 is aimed at helping employers and other organisations assess the suitability of applicants for particular posts and to make safer recruitment decisions in relation to positions of trust by widening access to criminal record information.

The Act provides for the issue of criminal record certificates, and enhanced criminal record certificates. In Scotland, Disclosure Scotland will issue these certificates. In practice, the certificates will be known as Standard and Enhanced Disclosures.

The Act also provides for a Code of Practice to be published by Ministers governing the use of all information issued in respect of Standard and Enhanced Disclosures. The Code requires all recipients of such Disclosure information to comply with the Code and to handle store and dispose of that information appropriately.

NHS Grampian as a Registered Body is therefore required to have a written policy on the handling, holding and destroying of Disclosure information.

This policy is designed to comply with the Code of Practice and should be read in conjunction with the NHS Grampian Policy on Scottish Criminal Record Office Checks.

2. General Principles

NHS Grampian complies fully with the Code of Practice, issued by Scottish Ministers, regarding the correct handling, holding and destroying Disclosure information provided by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for positions of trust. They also comply fully with the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use storage, retention and disposal of Disclosure information.

3. Usage of Disclosure Information

NHS Grampian use Disclosure information only for the purpose for which it has been provided and will not use or disclose this information in a manner incompatible with the purpose.

4. Handling

NHS Grampian recognises that, under section 124 of the Police Act 1997, it is a criminal offence to disclose Disclosure information to any unauthorised person. We, therefore, only pass Disclosure information to those who are authorised to process it in the course of their duties.

NHS Grampian will not disclose information provided under section 115(8) of the Act, namely information, which is not included in the Disclosure, to the applicant. This refers to information disclosed by a Chief Constable but which does not form part of an actual Disclosure. Such information is received separately and must be withheld from the applicant in the interests of the prevention or detection of crime.

5. Access and Storage

NHS Grampian do not keep Disclosure information in an individual's personnel file. It is kept securely, in lockable, non-portable storage cabinets. Access to storage cabinets is strictly controlled to authorised and named members of HR staff, who are entitled to see such information in the course of their duties.

6. Retention

NHS Grampian do not keep Disclosures or Disclosure information for any longer than is required after the recruitment decision has been taken. In general Disclosures will be disposed of directly after the recruitment decision has been taken. A Disclosure may however be retained for a maximum of six months to allow for the resolution of any disputes or complaints. Disclosure information will only be retained for longer than this period in exceptional circumstances, and in consultation with Disclosure Scotland. The same conditions relating to secure storage and access will apply during any such period.

7. Disposal

Once the retention period has elapsed, we will ensure that Disclosure information is immediately destroyed in a secure manner by shredding. NHS Grampian will not keep Disclosure information which is awaiting destruction in any insecure receptacle e.g. a waste bin or confidential waste sack. We will also not retain any image or photocopy or any other form of the Disclosure information. We will, however, keep a record of the date of issue of the Disclosure, the name of the subject, the Disclosure type, the position for which the Disclosure was requested, the unique reference number of the Disclosure and details of the recruitment decision taken.