

Disclosure Information Policy

1. Introduction

As an organisation using the Disclosure and Barring Service (DBS) and Disclosure Scotland service to help assess the suitability of applicants for positions of trust, The Open University complies fully with the DBS and Disclosure Scotland Codes of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under data protection legislation and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information, and this written policy on these matters.

2. Storage and Access

Under the DBS and Disclosure Scotland update services, employers are no longer issued Disclosure certificates as these are now sent direct to each individual. Disclosure information is never kept on an applicant's personal file and is always kept separately and 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 as authorised lead or counter signatories

3. Handling

In accordance with section 122 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 maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

4. 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.

5. Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of 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 or Disclosure Scotland about this and will give full consideration to the data protection rights and human rights of the individual before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

6. Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably 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 will 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.

7. Acting as an Umbrella Body

Before acting as an Umbrella Body (one which countersigns applications and receives Disclosure information on behalf of other employers or recruiting organisations), we will take all reasonable steps to ensure that they can comply fully with the DBS and Disclosure Scotland Code of Practice. We will also take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of Disclosure information in full compliance with the DBS and Disclosure Scotland Codes and in full accordance with this policy. We will also ensure that any body or individual, at whose request applications for Disclosure 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.

8. Equality, Diversity and Inclusion

Policies are inclusive of all Open University staff, regardless of: race, sex, disability, age, religion or belief, sexual orientation, gender, gender identity, gender expression or gender reassignment.

9. Useful Reference

Procedure for Staff Members Requesting Access to Personal Information held by HR
Authorisation Form for the Release of Personal or Sensitive Data