



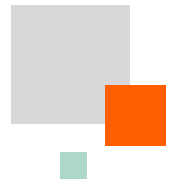
## Sample Policies for the Use of Criminal Disclosures

The Codes of Practice for Access Northern Ireland, The Disclosure and Barring Service (DBS) and Disclosure Scotland state that disclosure information should only be used in accordance with a policy on the recruitment of ex-offenders, designed to protect applicants from unfair discrimination on the basis of non-relevant convictions.

The Codes of Practice also require that the information revealed be considered only for the purpose for which it was obtained and that it be destroyed after a suitable period of time has passed.

These sample policy statements on the recruitment of ex-offenders and the secure storage, handling, use, retention and disposal of disclosures and disclosure information are provided to help you demonstrate your compliance with the Codes of Practice. You are welcome to develop your own policy statements rather than adopting these samples.

Access Northern Ireland, The DBS and Disclosure Scotland can refuse to issue disclosure information to organisations if they suspect that their Codes of Practice are not being adhered to.



## **Sample Policy Statement: Secure Storage, Correct Handling, Use, Retention and Disposal of Disclosures and Disclosure Information**

We fully comply with the Code of Practice regarding the correct gathering, safe handling, use, storage, retention and disposal of disclosure information provided under Part V of the Police Act 1997.

We also comply fully with our obligations under the General Data Protection Regulation, the Data Protection Act 2018, and other relevant legislation pertaining to the correct gathering, safe handling, use, storage, retention and disposal of disclosure and other personal information.

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 recognise that, under Section 124 of the Police Act 1997, it is a criminal offence to release disclosure information to any unauthorised person.

Disclosure certificates detailing “Additional Information” will only be disclosed to those individuals who make decisions on recruitment and will not be disclosed to the applicant. Disclosure information is only used for the purpose of assessing an applicant’s suitability for employment purposes.

We do not keep disclosure information on an individual’s personnel file. It is kept securely, in lockable, non-portable storage containers. Access to storage units is strictly controlled to authorised and named individuals, who are entitled to see such information in the course of their duties.

We do not keep disclosures or disclosure information for any longer than is required after recruitment (or any other relevant) decision has been taken. In general, this is no longer than six months to allow for the resolution of any disputes or complaints. We may however keep a record of the date of issue of a disclosure, the name of the individual, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure certificate and the details of the recruitment decision.

Once the retention period has elapsed, we will ensure that disclosure information is immediately destroyed in a secure manner (such as by shredding, pulping or burning).



## **Sample Policy Statement: Recruitment of Ex-Offenders**

As an organisation using disclosure information for the purpose of assessing an applicant's suitability for employment purposes, we undertake to treat all applicants fairly. We undertake not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.

We are committed to the fair treatment of our staff, potential staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.

A disclosure should only be requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a disclosure is required, all application forms, job adverts, and recruitment briefs will contain a statement that a disclosure will be requested in the event a candidate is offered a position. Unless the nature of the position allows us to ask questions about your entire criminal record, we will only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those within the company who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, including The Rehabilitation of Offenders Act 1974.

We make every subject of a Disclosure aware of the existence of the Code of Practice and make a copy available on request.

**Having a criminal record will not necessarily bar individuals from working in specific industries. It will depend on the nature of the position and the circumstances and background of your offences.**