



## Mental Health Matters Wales (MHM Wales)

### Policy for Handling of DBS Certificate Information including Handling, Access, Usage, Storage, Retention & Disposal

#### Policy statement

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, MHM Wales complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

It also complies fully with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

This policy applies to MHM Wales staff who process Disclosure Applications and may hold information relating to that processing.

All DBS applicants using our DBS registered body will be issued with a DBS specific Privacy Notice and will be required to sign an application form in relation to the processing of their application agreeing to the use of their personal information for the DBS check.

#### Acting as an Umbrella Body

Before acting as an umbrella body (an umbrella body being a registered body which countersigns applications and receives certificate information on behalf of other employers or recruiting organisations), we will take all reasonable steps to satisfy ourselves they will handle, use, store, retain and dispose of certificate information in full compliance with the [code of practice](#) and in full accordance with this policy.

We will also ensure any organisational body or individual, at whose request applications for DBS certificates 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.

#### Classification

MHM Wales regards certificates and certificate information as confidential and requires signatories to adhere to the requirements set out in this policy document. Certificates and certificate related information must be stored securely and only accessed by individuals who need to know the content.

Any information transmitted verbally or electronically will be subject to the same level of protection as physical documents to ensure the confidentiality, security and integrity of the information.

Confidential documentation will not be stored on unsecured shared network drives or mobile devices. Confidential information must not be discussed in public places and confidential or sensitive information must not be left on answerphone messages.

When transmitting certificate related information electronically e.g. via email, documents are to be encrypted and confidential information must not be included in the subject line or body of the email text. When no longer required, certificate related information must be securely destroyed.

### **Handling**

In accordance with section 124 of the Police Act 1997, certificate 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 certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

To note: those registered care homes which are inspected by the Care Quality Commission (CQC), those organisations which are inspected by Ofsted and those establishments which are inspected by the Care Inspectorate for Wales (CIW) may be legally entitled to retain the certificate for the purposes of inspection.

In addition, organisations requiring retention of certificates in order to demonstrate 'safer recruitment' practice for the purpose of safeguarding audits may be legally entitled to retain the certificate. This practice will need to be compliant with the Data Protection Act, Human Rights Act, General Data Protection Regulation (GDPR), and incorporated within the individual organisation's policy on the correct handling and safekeeping of DBS certificate information.

### **Usage**

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

### **Storage and Retention**

Disclosure information must always be kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are authorised to see it as part of their duties.

Once an appointment (or other relevant) decision has been made, MHM Wales do not keep certificate information for any longer than is necessary. MHM Wales also inform those companies who it acts as an umbrella body disclosure information should only be kept for no longer than is necessary.

Throughout this time, the requirements set out above regarding the safe storage and strictly controlled access will continue to apply. Any retention beyond that set out in the record retention schedule will be limited to the minimum period necessary.

### **ID verification form**

The ID verification form, which the applicant completes for the purposes of identity verification at interview stage and is presented at that time by the applicant along with original documentary evidence of identity, is to be retained by the counter signatory processing the DBS application. In the event of the application being withdrawn before completion, then the ID verification form can be destroyed by secure means.

### **ID evidence – photocopies of documents**

The photocopies of original identity documentary evidence, taken originally at interview or ID verification stage are submitted by the ID verifier processing the application and are retained by that office until the Disclosure process has been completed. If there are questions about accuracy of content of the DBS Disclosure, then the ID documents should be retained until the matter is resolved and then disposed of securely.

### **Disposal**

Once the retention period has elapsed, MHM Wales will ensure any Disclosure information is permanently and securely destroyed when no longer needed by cross cut shredding machines (or other equally destructive method) and placed into confidential waste bags so it is not readable/useable for any purpose. While awaiting destruction, Disclosure information will not be kept in any unsecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, and the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

### **DBS Logo**

The DBS logo is protected by crown copyright, the copying and use of the DBS logo is not permitted without prior approval of the DBS.