

SECURE STORAGE, HANDLING, USE, RETENTION & DISPOSAL OF DISCLOSURES & DISCLOSURE INFORMATION POLICY for CLIENTS OF NESTOR CRIMINAL RECORDS AGENCY (CRA) UMBRELLA BODY.

Organisations, which, as part of their recruitment process, use the services of the Nestor CRA Umbrella Body to help them assess the suitability of applicants for positions of trust must comply fully with the Criminal Records Bureau (CRB) Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. They must also comply fully with their obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

• **Storage & Access**

Disclosure information should never be kept on an applicant's personnel file and, until it is destroyed following a recruitment decision, should always be 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.

• **Handling**

In accordance with section 124 of the Police Act 1997, Disclosure information will only be passed to those who are authorised to receive it in the course of their duties. The organisation should maintain a record of all those to whom Disclosures or Disclosure information has been revealed and should recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

• **Usage**

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

• **Retention**

The organisation should not keep Disclosure information for any longer than is absolutely necessary to make an employment decision. This is generally for a period of up to two weeks after the Disclosure has been received from Nestor CRA, 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 this period, the organisation must refer to Nestor CRA about this, giving full consideration to the Data Protection and Human Rights of the individual subject before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

The provider may, however, keep the top one-third of the Disclosure on the employee's file, as this does not include sensitive information on the applicant.

The organisation may alternatively 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.

- **Disposal**

The remainder of the Disclosure (the bottom two-thirds) must be destroyed by shredding, pulping or burning and if the Disclosure information runs onto the reverse side of the Disclosure, the front top one-third must be photocopied for retention and the whole of the original destroyed as above, or returned to Nestor CRA by guaranteed post for secure controlled destruction.

While awaiting destruction, Disclosure information must not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

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