

DBS Data Handling, Use, Storage, Retention and Disposal

Version Control	Changes Made	Author
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General principles

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Cumberland Council is required to fully comply with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

Cumberland Council is also required to comply fully with its obligations under the General Data Protection Regulations 2016 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of DBS certificate information.

Storage and access

Certificate information should be held 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. This is limited to those who are required to verify the receipt of the DBS certificate (e.g. recruiting managers) and those required to assist in assessing an individual's suitability for employment/engagement following the receipt of a DBS certificate (e.g. Assistant Directors and People Management Advisor where required)

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 and Social Services Inspectorate for Wales (CSSIW) may retain the certificate until the next inspection.

Once the inspection has taken place the certificate should be destroyed in accordance with the [code of practice](#).

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. For example, where appropriate certificate information can be used to inform recruitment or employment decisions.

Retention

Once recruitment or a decision effecting an individual's employment /engagement has been made, we do not keep certificate information for any longer than is necessary. This is generally from the date of check plus 6 months to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, for example by shredding. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). Where possible it must be shredded straight away or immediately put in the lockable confidential waste containers for shredding.

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 will 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.

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), Cumberland Council will take all reasonable steps to satisfy ourselves that the 3rd party 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 that any 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.

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