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| New Logo 2 | | | | Barnardo’s  Corporate Policy | | |
| **Storage, Handling, Retention and Disposal of Disclosure Policy - Northern Ireland** | | | | | | |
| **Risk Owner:** | | Director of People and Culture | | | | |
| **Supported by:** | | Employee Relations & Policy Manager | | | | |
| **Date Approved:** | | August 2023 | | | | |
| **Date for Review:** | | August 2026 | | | | |
| **Distribution** | | Internal - non confidential | | | | |
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| 1. **Purpose** | | | | | | |
| The purpose of this policy is to ensure the secure storage, handling, use, retention and disposal of disclosure certificates and certificate information and compliance with [AccessNI Code of Practice](https://www.nidirect.gov.uk/publications/accessni-code-practice). | | | | | | |
| 1. **Policy** | | | | | | |
| **2.1 Introduction**  AccessNI was established in **April 2008** by the Northern Ireland Office and issues criminal record checks under Part V of the Police Act 1997.  Barnardo’s as both a Registered and Responsible Body complies fully with AccessNI 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 legislation and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information.  **2.2 Usage**  Disclosure information will only be used, for the purpose for which it was requested and provided. Disclosure information will not be used or disclosed in a manner incompatible with that purpose. Barnardo’s will not share disclosure information with a third party, unless the subject has given their written consent and has been made aware of the purpose of the sharing[[1]](#footnote-1).  **2.3 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.  **2.4 Access and Storage**  Disclosure information is kept securely on the charities HR management system and not on individual's personnel file. Access is strictly controlled and is limited to authorised named individuals, who are entitled to see such information in the course of their duties.  **2.5 Retention**  Once a recruitment decision (or other regulatory or licensing decision) has been made disclosure information, or any associated correspondence, will not be retained for longer than is necessary and no more than 6 months. This retention will allow sufficient time for the consideration and resolution of any disputes or complaints, or for the purposes of completing safeguarding audits. Disclosure information will only be retained for longer than this period in exceptional circumstances, and in consultation with AccessNI.  Neither paper nor electronic image of the disclosure information will be retained.  We will, however, record the date of issue, the individual’s name, the disclosure type and the purpose for which it was requested, the unique reference number of the disclosure and details of our decision. The same conditions relating to secure storage and access apply irrespective of the period of retention.  As a Registered and Responsible Body, Barnardo’s are required by AccessNI to keep copies of ID validation for successful candidates and store this information for a period of 90 days after the certificate is issued.  **2.6 Disposal**  Once the retention period has elapsed, we will ensure that any disclosure information is immediately destroyed by secure means, i.e., by shredding. While awaiting destruction, certificate 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 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, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken. | | | | | | |
| 1. **Scope** | | | | | | |
| This policy and procedure applies to all candidates and all roles in Barnardo’s within Northern Ireland that are subject to a disclosure check through AccessNI. This includes colleagues who are paid directly by the charity, those that volunteer, agency workers and External Consultants. | | | | | | |
| 1. **Definitions and Key Concepts** | | | | | | |
| AccessNI - A branch in the Department of Justice which process criminal record check applications for employment purposes. | | | | | | |
| 1. **Roles and Responsibilities** | | | | | | |
| Line Managers/Recruiting Managers  People Teams/Recruitment Team/Volunteering Partners  UNISON  People Strategy & Projects Team | | | | | Are responsible for compliance with this policy; seeking advice from the People Team on any aspect of the policy where needed.  Are responsible for supporting managers to ensure required storage and handling of criminal record disclosure information is carried out in accordance with this policy.  Represent the views and the interests of UNISON members to management throughout the process.  Are responsible for endeavouring to ensure compliance with legal and regulatory obligations; and keeping up-to-date with any AccessNI policy or procedural changes and updating this policy, and other associated forms or processes accordingly.  This policy will be reviewed by the People, Strategy & Projects Team at three yearly intervals. Statutory changes will be incorporated automatically and any legal or organisational developments may prompt more frequent reviews. | |
| 1. **Procedures** | | | | | | |
| Not applicable. | | | | | | |
| 1. **Associated Legislation, Guidance, References and Documents** | | | | | | |
| **Legislation:**  The Police Act 1997  Safeguarding Vulnerable Groups (NI) Order 2007  Data Protection Act 1998  Data Protection Regulations 2018 (GDPR)  The Serious Organised Crime and Police Act 2005  **Guidance, References and Documents:**  AccessNI Code of Practice  Criminal Records Disclosure Policy - Northern Ireland | | | | | | |
| 1. **Compliance and Oversight** | | | | | | |
| In addition to the compliance and oversight arrangements set out under Roles and Responsibilities, the following applies:   * The Risk Owner will ensure that management information demonstrating adherence to and compliance with this Policy is produced and provided to relevant parties as required and on request complete a business self-assessment. * The Audit and Assurance Team will periodically and independently review adherence to and compliance with this Policy and associated procedures and processes across the Charity in line with their approved audit and inspection plans. | | | | | | |
| 1. **Document History** | | | | | | |
| **Version** | **Date** | **Author** | **Comments** | | | **Approval** |
| 1.0 | 22/10/19 | Policy & Advice | Updated data protection reference to current legislation and transferred into standard policy template | | |  |
| 2.0 | 24/08/23 | People Strategy & Projects | Reviewed, updated and transferred into new policy template | | |  |

1. Exceptions may apply in line with Barnardo’s [Information Sharing Policy](https://inside.barnardos.org.uk/resources-and-guidance/information-governance-and-data-protection/information-sharing-policy) available on Inside.Barnardo’s [↑](#footnote-ref-1)