

## **Policy & Procedure on the Secure Handling, Use, Storage and Retention of Disclosure Information**

**Updated: 1<sup>st</sup> April 2011**  
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### **POLICY STATEMENT**

ELCAP complies fully with the code of Practice, issued by Scottish Ministers, regarding the correct handling, holding and destroying of Disclosure information provided by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for positions of trust. It also complies fully with the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

### **PROCEDURE**

This document sets out ELCAP's procedure on the secure handling, use, storage and retention of disclosure information.

### **USAGE**

We use Disclosure information only for the purpose for which it has been provided. The information provided by an individual for a position within ELCAP is not used or disclosed in a manner incompatible with the purpose. We process personal data only with the express consent of the individual. We notify the individual of any non-obvious use of the data, including further disclosure, which we are required to make to a third party, identifying the Data Controller, the purpose for the processing, and any further relevant information.

### **HANDLING**

ELCAP recognises that, under section 124 of the Police Act 1997, it is a criminal offence to disclose Disclosure information to any unauthorised person. We, therefore, only pass Disclosure information to those who are authorised to see it in the course of their duties. ELCAP will not disclose information provided under section 113(B)(5) of the Act, namely information which is not included in the Disclosure, to the applicant.

## **ACCESS AND STORAGE**

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 – no copies will be made.

## **RETENTION**

We do not keep Disclosures or Disclosure information for any longer than is required after a recruitment (or any other relevant) decision has been taken. In general, this is no longer than 90 days. This is to allow for the resolution of any disputes or complaints. Disclosure information will only be retained for longer than this period in exceptional circumstances, and in consultation with Disclosure Scotland. The same conditions relating to secure storage and access will apply during any such period.

## **DISPOSAL**

Once the retention period has elapsed, we will ensure that Disclosure information is immediately destroyed in a secure manner i.e., by shredding, pulping or burning. ELCAP will not keep Disclosure information which is awaiting destruction in any insecure receptacle (e.g. a waste bin or confidential waste sack). We will not retain any image or photocopy of any other form of the Disclosure information. We will, however, keep a record of the date of issue of the Disclosure, the name of the subject, the Disclosure type, the position for which the Disclosure was requested, the unique reference number of the Disclosure and details of the recruitment decision taken.