

# **The Secure Handling, Use, Storage, Retention and Destruction of Disclosure Information Policy**

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## Document governance and management

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# 1. Introduction

The SSSC complies fully with the [Code of Practice \(the Code\)](#), published by Scottish Ministers under section 122 of Part V of the Police Act 1997 ("the 1997 Act"). The Code sets out obligations for registered bodies, countersignatories and other recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007 ("the 2007 Act").

## 2. Principles

The SSSC complies with the Code and the 1997 and 2007 Acts regarding the handling, use, storage, destruction, and retention of disclosure information provided by Disclosure Scotland. The SSSC also complies with the United Kingdom General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 ("the 2018 Act") and other relevant legislation pertaining to the safe handling, use, storage, retention, and disposal of Disclosure Scotland information. This policy is available to anyone who requests to see it. This policy covers disclosure information received in a basic, standard, or enhanced disclosure certificate and in PVG scheme records, scheme memberships or scheme record updates.

## 3. Roles and responsibilities

### 3.1 Executive Management Team

The Executive Management Team is responsible for:

- approving this policy and creating a culture in which employees can flourish through interesting and rewarding work
- delegating responsibilities related to the policy to Operational Management Team (OMT) and line managers
- making sure that managers and staff receive appropriate development, support, and training to implement the policy appropriately
- making sure that the application of this policy does not breach any statutory requirement placed upon the SSSC.

### 3.2 Head of Legal and Corporate Governance

The Head of Legal and Corporate Governance will make provision for a regular review of the SSSC's Secure Handling, Use, Storage, Retention and Destruction of Disclosure Information Policy and instigate modifications when necessary.

## 3.3 Operational Management Team

The Operational Management Team is responsible for making sure that their managers and staff observe the appropriate security measures for maintaining records containing disclosure information.

## 3.4 Employees

Employees are responsible for:

- complying with our Code of Conduct for Employees. We expect the highest standards of integrity and conduct from all employees
- complying with this policy when handling disclosure information
- contacting the Information Governance team if they have any queries about the use of disclosure information.

# 4. Usage

Disclosure information is used by the SSSC, for the purposes of assessing applicants' and registrants' suitability for registration and other relevant purposes including employment by the SSSC. The SSSC will use disclosure information only for the purpose for which it was requested and provided. We will not use or disclose disclosure information in a manner incompatible with the purpose. The SSSC will not share disclosure information with a third party unless the subject has given their written consent and we have made them aware of the purpose of the sharing, or if it is permitted to do so under the 1997 Act or the 2007 Act. If a member of staff is asked to reveal, share, or disclose any disclosure information to any third party, they must inform and seek advice from the Information Governance Team about the request **before** releasing any information.

# 5. Handling

The SSSC recognises that, under section 124 of the 1997 Act and sections 66 and 67 of the 2007 Act, it is a criminal offence to disclose disclosure information to any unauthorised person. Disclosure information is only shared with those who are authorised to see it in the course of their duties, and in accordance with the 1997 Act or the 2007 Act. If a member of staff is asked to reveal, share or disclose any disclosure information to any third party, they must inform and seek advice from the Information Governance Team about the request **before** releasing any information.

# 6. Access and Storage

The SSSC does not keep disclosure information relating to its staff on individual personnel files. We keep all hard copy disclosure information securely, in lockable, non-portable storage containers. We store all electronic disclosure information securely on the SSSC's

servers. We restrict access to disclosure information (whether electronic or hard copy) to authorised and named individuals, who are entitled to see such information in the course of their duties.

## 7. Retention

To comply with the UK GDPR, the SSSC does not keep disclosure information for longer than necessary to support our statutory functions and to satisfy any legal or reporting requirements. The SSSC will not retain any paper or electronic image of the disclosure information unless this is required for any regulatory or legal reason. Where we don't retain the paper or electronic image of the disclosure information, the SSSC will record the date of issue, the individual's name, the disclosure type and the purpose for which it was requested or provided, 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.

Please see our Retention and Disposal Schedule for further information.

## 8. Disposal

The SSSC will ensure that disclosure information is destroyed in a secure manner ie by shredding, pulping or burning. The SSSC will ensure that we don't keep disclosure information which is awaiting destruction in any insecure receptacle (eg a waste bin or confidential waste sack). The SSSC will not retain any image or photocopy or any other form of the disclosure information and we will delete any electronic disclosure information from the SSSC's systems.

## 9. Umbrella Bodies

Before acting as an Umbrella Body (a body which countersigns applications for Standard or Enhanced Disclosures or makes declarations in relation to PVG disclosure requests on behalf of other organisations) we will take the following steps. We will ensure that the organisation on whose behalf we are acting complies with the Code and the 1997 and 2007 Acts. We will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of disclosure information in full accordance with this policy. We will also make sure that any body or individual for whom applications or requests are countersigned, has such a written policy. If necessary, we will provide a model policy for that body or individual to use or adapt for this purpose.



Scottish Social Services Council  
Compass House  
11 Riverside Drive  
Dundee