



ABERDEEN CITY COUNCIL

POLICY STATEMENT ON THE SECURE HANDLING, USE, STORAGE AND RETENTION OF DISCLOSURE SCOTLAND INFORMATION

1. General Principles

Aberdeen City Council 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 (“the 1997 Act”), for the purposes of assessing applicants' suitability for employment purposes, voluntary positions, licensing and other relevant purposes. 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 Scotland information.

2. 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 Aberdeen City Council 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 to a third party, identifying the Data Controller, the purpose for the processing, and any further relevant information.

3. Handling

Aberdeen City Council recognises that, under section 124 of the 1997 Act, 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. Aberdeen City Council will not disclose information provided under subsection 113(B) (5) of the 1997 Act namely information which is not included in the Disclosure, to the applicant.

Disclosure information will only be passed to those who are authorised to see it in the course of their duties:

- a) a member, officer or employee of the registered body,
- b) a member, officer or employee of a body whose request the registered body countersigned the relevant application, or
- c) an individual at whose request the registered body countersigned the relevant application.

Information provided under section 115(8) of the Act, namely additional information provided by Chief Constables in Enhanced Disclosures, will not be disclosed to the individual who is the subject of the Disclosure. If specifically requested to disclose such information, for example if a subject access request is made in terms of section 7 of the Data Protection Act 1998, the Council will obtain the written permission of the Chief Constable who provided the information prior to considering whether the Council is obliged to disclose the information.

4. Access and Storage

We do not keep Disclosure information on an individual's personal 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.

5. 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 which justify retention for a longer period. The same conditions relating to secure storage and access will apply during any such period.

6. 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. Aberdeen City Council will ensure that Disclosure information which is awaiting destruction will not be kept in any insecure receptacle (e.g. a waste bin or confidential waste sack). We will not retain any image or photocopy or 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.