PeopleCheck

PeopleCheck Policy – Handling Of Confidential Information – 2013

1. Policy Statement

1.1 The core function of PeopleCheck requires the collection of sensitive and personal data. This personal information must be dealt with properly and securely however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material – and there are safeguards to ensure this in both the Data Protection Act 1998 and the DBS Code of Practice (2009).

1.2 PeopleCheck regards the lawful and correct treatment of personal information as important to the successful and efficient performance of its functions, and to maintain confidence between those with whom it deals.

1.3 To this end PeopleCheck fully endorses and adheres to the Principles of Data Protection, as set out in the Data Protection Act 1998 and the DBS Code of Practice.

2. Purpose

2.1 The purpose of this policy is to ensure that the staff of PeopleCheck is clear about the purpose and principles of Data Protection and to ensure that it has guidelines and procedures in place which are consistently followed.

3. General Principles

3.1 PeopleCheck complies fully with the DBS Code of Practice (the Code) issued by the UK DBS regarding the correct and proper handling, use, storage, retention and disposal of documents, certificates and supporting/ related information by Registered Bodies.

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3.2 PeopleCheck adheres to the following eight key Data Management principles as set out in the Code:

i. Have a written policy on the secure handling of Disclosure information which, in the case of Umbrella Bodies, should be made available to their clients

ii. Store Disclosure information securely

iii. Retain Disclosure information, its content or any representation of the same in any format for no longer than is necessary and for a maximum of six months following the recruitment decision unless a dispute is raised or, in exceptional circumstances, where DBS agreement is secured

iv. Ensure that no reproductions of the Disclosure or its content are made, including photocopies or scanned images, unless with the prior agreement of the DBS or as a result of a stipulated requirement relating to the e-channel service

v. Only share Disclosure information with relevant persons in the course of their specific duties relevant to recruitment and vetting processes

vi. Dispose of Disclosure information in a secure manner

vii. Ensure that Additional Information, including information as to its existence, is not revealed to the Disclosure applicant and is disposed of in the appropriate manner and at the appropriate time

viii. Ensure that they comply with DBS guidance on the portability of Disclosures and their contents

3.3 PeopleCheck also complies fully with the obligations under the Data Protection Act 1998 (the Act) and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of any such information or documentation.

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3.4 To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this PeopleCheck follows the eight Data Protection Principles outlined in the Act, which are summarised below:

i. Personal data will be processed fairly and lawfully

ii. Data will only be collected and used for specified purposes

iii. Data will be adequate, relevant and not excessive

iv. Data will be accurate and up to date

v. Data will not be held any longer than necessary

vi. Data subject's rights will be respected

vii. Data will be kept safe from unauthorised access, accidental loss or damage

viii. Group Development Resources

ix. Data will not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

4. PeopleCheck Data Protection Statement

1.1 PeopleCheck shall use any Confidential Information solely for the purposes of performing the checks required within a specified contract.

1.2 PeopleCheck shall at all times comply with the requirements of 'The Client' given in relation to the use of the Confidential Information.

1.3 PeopleCheck shall confidentially and permanently destroy and dispose of any Confidential Information, in whatever form or media, once the checks have been completed, or upon request from 'The Client' at any time. PeopleCheck shall promptly return any Confidential Information immediately upon request by 'The Client'.

1.4 PeopleCheck also undertakes that any non-public personal information coming into its possession under shall not be shared with third parties and shall at all times processed, to the extent applicable, in accordance with the 8 principles of data security under the UK Data Protection Act of 1998.

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5. Procedures

The following procedures have been developed in order to ensure that PeopleCheck meets it's responsibilities in terms of Data Protection.

5.1 Protection of Electronic Data in Receipt, Transit, Storage & Disposal

5.1.1 PeopleCheck have a dedicated in-house secure server for all incoming and outgoing mail services. This server has end to end enforced TLS encryption thus enabling secure transfer of any data between all parties. No remote access to any data is allowed by the system.

5.1.2 PeopleCheck do not use any third part service providers in the provision of electronic transmission of data.

5.1.3 All data held or transmitted by PeopleCheck remains within the EU unless otherwise authorised for the specific purposes of conducting a check.

5.1.4 Data, both hard and electronic, is only retained for the purposes of conducting a check. Thereafter any information, both soft and hard copy, are confidentially destroyed and permanently deleted. PeopleCheck do not pass any personal or confidential information to third parties other than in the proper processing of the checks.

5.2 Storage & Access of Information

5.2.1 All related documentation is kept securely in lockable, non-portable and monitored storage containers, cabinets and data safes. The access to these storage units is strictly controlled by proximity card control, electronic key pads and a formal transit register. Data storage areas are also monitored by CCTV and have regularly testing fire prevention systems in place.

5.2.2 Access to confidential information is limited to only those entitled to see the information in the direct line of their duties. All personal having access are also vetting to the proper standards as outlined by PeopleCheck.

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5.3 Handling of Information

5.3.1 In accordance with Section 124 of the Police Act 1997 all information is only passed to those who are authorised to receive it in the immediate course of their duties.

5.3.2 A record of all those to whom information has been revealed is maintained through secure registers.

5.3.3 A nominated responsible manager oversees and inspects registers and processes on a daily & weekly review basis.

5.4 Usage of Information

5.4.1 All information is only used for the specific purpose for which it was required and for which the candidate's full consent has been given.

5.5 Retention of Information

5.5.1 Once the hiring process, or other agreed compliance process/ decision, has been made PeopleCheck do not retain information for longer than is considered necessary – in line with the instructing client's internal HR/compliance policy; and in conjunction with any specific regulatory requirements/ monitoring procedures.

5.5.2 Information is generally retained for a period of up to six months to allow for the consideration and resolution of any disputes or complaints.

5.5.3 If, in exceptional circumstances or under specific regulatory requirements, it is considered necessary to keep information for longer than a six month period then PeopleCheck will consult with all relevant parties and give full consideration to the Data Protection & Human Rights of the individual before doing so. Throughout this time all usual conditions regarding the secure storage, access and handling will be enforced and monitored by a responsible manager.

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5.5.4 However notwithstanding the above, PeopleCheck may keep a records of the date of issue/ completion of any confidential result/ certification records, the name of the person(s) checked, the category(s) of information requested, other relevant reference/ result codes and the details of any vetting or recruitment decision taken. Such information is retained securely on a platform that has protected access to only those who are fully vetted and specifically require such as the primary function of their professional duties.

5.6 Disposal of Information

5.6.1 Once the retention period for any information has elapsed, PeopleCheck will ensure that any information is immediately destroyed by secure means.

5.6.2 All hard copy data is placed into confidential and sealed waste sacks with a contractual agreement with Iron Mountain in the UK for the safe and secure disposal by shredding, pulping and burning. Whilst awaiting destruction all information is kept in a secure, fixed and monitored cabinet designed for the purpose of secure storage. A unique reference code is assigned to each disposal unit.

5.6.3 All soft copy data is permanently deleted from the secure server, all email folders and trash folders.

All information gathered and presented by PeopleCheck is done so legally and ethically with the consent of the person being checked. PeopleCheck takes the utmost care to ensure that the information, which we provide, is correct however; we cannot take responsibility for the accuracy of information provided by or through third parties.

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