

The Bosco Centre	
Policy:	Disclosure of Criminal Records
Applies to:	College, Nursery and Youth clubs
Reviewed:	November 2019
Next Review:	November 2020

1. Background

Bosco Centre's Policy on Disclosure of Records for staff and volunteers adheres to the Code of Practice of the Disclosure and Barring Services (DBS) The legislative framework for the policy is:

- The Rehabilitation of Offenders Act 1974
- The Protection of Children Act 1999
- Criminal Justice & Court Services Act 2000
- The Police Act 1997
- The Data Protection Act 1998/GDPR 2018
- The Human Rights Act 1998

2. Requirements for Disclosure

Bosco Centre requires all staff and volunteers to have an Enhanced Disclosure certificate as work within the charity, either paid or voluntary, gives opportunity for contact with children and vulnerable adults.

3. Bosco Centre Policy on the Recruitment of Ex-Offenders

3.1 Bosco Centre actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates, including those with criminal records. We select candidates on the basis of their skills, qualifications and experience.

3.2 A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. Information relating to staff and volunteer recruitment will contain a statement that a Disclosure will be requested in the event of the individual being offered the position or being accepted as a volunteer

3.3 We encourage all applicants to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to the Principal, and we guarantee that this information is only seen by those who need to see it as part of the recruitment process.

3.4 We ensure that all those in Bosco Centre who are involved in the recruitment process have been suitably trained, on-line or by other agencies, to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

3.5 At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or of the volunteering opportunity.

3.6 We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

3.7 We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before making a decision about withdrawing a conditional offer of employment or volunteering. Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

4 Policy Statement on secure storage, handling, use, retention, and disposal of Disclosure & Barring Service certificates and certificate information

4.1 General Principles: As an organisation using the DBS checking service to help assess the suitability of applications for positions of trust, Bosco Centre complies fully with the 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 Data Protection Act 1998/GDPR 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

4.2 Storage and Access: Certificate information is never kept in an applicant's personnel file and is always kept separately and securely, in a lockable, non-portable, storage container with access strictly controlled and limited to those who are entitled to see it as part of their duties.

4.3 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 we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

4.4 Usage: Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

4.5 Retention: Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

4.6 Disposal: Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means i.e. by shredding pulping or burning. 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 may 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.