



Midlands and Lancashire
Commissioning Support Unit

Processing of DBS Applications for The Village Surgery - Formby

Foreword

This document has been prepared by Midlands and Lancashire CSU for the sole use of the above named organisation.

Its contents are confidential and must not be communicated in whole or in part to any other party without the prior written approval of Midlands and Lancashire CSU.

Any queries concerning this document should be addressed to:

Julie Weeks
ESR and Resourcing Manager

Umbrella Body & Client Organisation Agreement To Be Completed by DBS Lead for Client Organisation

The Village Surgery Formby (herein referred to as “the organisation”) agrees to adhere to the DBS Code of Practice and the procedure as set out in NHS Midlands and Lancashire CSU’s DBS Umbrella Body Procedure & Guidance

The organisation:

- agrees that the recruitment decision based on information provided on the DBS disclosure lies with the employing organisation, stated above and not NHS Midlands and Lancashire CSU, the umbrella organisation.
- agrees to comply with the DBS standards on the recruitment of ex-offenders and the secure storage, handling, use, retention & disposal of disclosures and disclosure information and that copies of these documents will be made available to DBS applicants.
- agrees to pay NHS Midlands and Lancashire CSU for completing DBS checks in line with current DBS costs as determined by the DBS in addition to a £17.50 administration fee per application plus Vat at 20%. Where the fee is received by the CSU these will always be passed onto the client regardless of whether a check has been issued by the DBS or not.
- agrees that the administration fee will still be payable if applications are not completed by the applicant within one month of the electronic link being sent to the applicant and thus no check resulting. In this case the applications will be deleted from the system by the CSU and no DBS check will therefore be produced and there will only be a charge of the administration fee and not a DBS fee.

Client organisations will be invoiced quarterly for all DBS checks that NHS Midlands and Lancashire CSU have sent to the DBS for the client organisation that quarter. Invoices must be paid within 30 days from date of issue of the invoice.

Upon receipt of a completed Umbrella Body & Client Organisation Agreement from a client organisation, NHS Midlands and Lancashire CSU will begin to approve and forward applications within 5 working days if all required information has been provided. Applications should be made by completing the DBS Practice Form for E-Applications which is available from the Midlands and Lancashire CSU Team.

It remains the client organisations responsibility to complete the identity check and authorise the DBS Practice Form for E-Applications to confirm that the identity check has been performed before sending this form to the Midlands and Lancashire CSU Team. If an incomplete or incorrect form is received Midlands and Lancashire Team will respond via email to The Client – if required information is not received within 14 days of this email the application will be sent to confidential waste, along with the ID documents. If the application is still required after the 14 days a new application form with the legible clear copies of ID will be required.

Upon receipt of the DBS Practice Form for E-Applications from a client organisation, NHS Midlands and Lancashire CSU will create the electronic application online using the Applicant email address provided. Applicants will then receive an email prompting them to complete their DBS application on line. This must be completed within 5 working days of receipt.

No liability will rest with NHS Midlands and Lancashire CSU as long as the CSU has not knowingly made a false declaration on the application and that the CSU has complied with all guidance issued by the DBS, including the Code of Practice.

If at any time NHS Midlands and Lancashire CSU are not satisfied that the client organisation that the is entitled to ask an exempted question, or the CSU believes that the client organisation may be acting illegally, the CSU will cease to process any DBS applications for the client organisation and contact the DBS immediately. Likewise, the CSU will cease to process any DBS applications for the client organisation and will contact the DBS if we have any concerns about how a client organisation is handling Disclosure information. NHS Midlands and Lancashire CSU will not act for organisations that appear unable to adhere to the DBS Code of Practice.

Client Organisation:

Contact Name	Susan Lowe
Job Title	Practice Manager
Company	The Village Surgery
Postal Address	12 Elbow Lane Formby L37 4AW
Contact Telephone Number	01704 878661
Email Address	
Name & Address Details for Invoicing (if different to above)	As above

How will your organisation ensure DBS applicants have access to the policy statement on the secure storage, handling, use, retention & disposal of disclosures and recruitment of ex-offenders:

The organisation will ensure that all recruitment adverts state if a DBS disclosure is required for the role and the level of disclosure required. This will include any adverts posted online

All application packs produced in a paper format will include a copy of the organisation's statement regarding the Recruitment of Ex-Offenders (Appendix 1) and Secure Storage, Handling, Use, Retention & Disposal of Disclosures and Disclosure information (Appendix 2) to ensure the applicant is aware of the organisation's policy on the use of a DBS disclosure in terms of recruitment.

The organisation will add the policy statements and DBS Procedure and Process to the organisation's website

Copies of the above statements will be available to all applicants on request from the organisation

How will your organisation ensure it adheres to the policy statement on the recruitment of ex-offenders?

The organisation will ensure that each DBS disclosure is reviewed by the appropriate appointing manager and each DBS disclosure and each conviction recorded, should there be any, will be considered individually.

The organisation will make no appointment decision without a meeting to gather additional information and discuss the closure and convictions with the individual applicant.

In the event of a criminal conviction being declared or identified on a disclosure the organisation will conduct a risk assessment for each individual role based on the vulnerability of patients, sensitivity of data and autonomy of the post whilst taking into consideration the length of time since the conviction and the severity of the offence.

How will your organisation ensure the correct storage and security of the information revealed in a DBS disclosure and that the information contained is only seen by those that have a right to see it in the course of their normal duties:

The organisation will comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

Disclosure information will be kept securely in the organisation in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties. The GP partners and Practice Manager will control access to the disclosures in line with the policy statement.

In accordance with section 124 of the Police Act 1997, Disclosure information will only be passed to those who are authorised to receive it in the course of their duties.

The organisation will maintain a record of all those to whom Disclosures or Disclosure information has been revealed and acknowledge that it is a criminal offence to pass this information to anyone who is not entitled to receive it. In accordance with the DBS Code of Practice the organisation will make this information available to the DBS should they require an audit trail of access to a disclosure.

The organisation will ensure that disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Once a recruitment (or other relevant) decision has been made, the organisation will not keep Disclosure information for any longer than is necessary. Whilst the organisation is aware that a disclosure can be kept period of up to six months, to allow for the consideration and resolution of any disputes or complaints once a decision has been made the disclosure will be destroyed . The organisation is aware that in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months. Should this occur the organisation 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 and the organisation will adhere to these.

Once the retention period has elapsed, the organisation will ensure that any Disclosure information is immediately destroyed by secure means, e.g. by shredding. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). The organisation will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, the organisation will keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

	DBS Lead for Client Organisation	Lead for NHS Midlands and Lancashire CSU
Print	Susan Lowe, Practice Manager	Julie Weeks, ESR and Resourcing Manager
Sign		
Date	19 th February 2016	18 February 2016

Policy Statement on the Recruitment of Ex-offenders

As an organisation using the Disclosure and Barring Service (DBS) Disclosure service to assess applicants' suitability for positions of trust The Village Surgery (herein referred to as 'the organisation') complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

The organisation is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

This policy statement is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential, and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualification and experience.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all applications forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process.

Unless the nature of the position allows the organisation to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in the organisation who are involved in the recruitment process have been suitably trained 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.

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.

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.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

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.

Policy Statement: Secure Storage, Handling, Use, Retention & Disposal of Disclosures and Disclosure information

General Principles

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, The Village Surgery (herein referred to as 'the organisation') complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

Storage and Access

Disclosure information will be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information will only be passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and acknowledge that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

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

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is 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 Disclosure 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.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, e.g. by shredding, pulping or burning. While awaiting destruction, Disclosure 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 Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.