

## **Policy Statement: The Secure Handling, Use, Storage & Retention of Disclosure Information**

### **General Principles**

Malakoff Limited 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, for the purposes of assessing applicants' suitability for positions of trust. We undertake to treat all applicants for positions fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed. The selection of candidates for interview will be based on skills, qualifications and experience.

It also complies fully with the Data Protection Act 2018 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. This policy is available to anyone who wishes to see it on request.

### **Usage**

We use Disclosure information only for the purposes for which it has been provided. The information provided by an individual for a position within Malakoff Limited 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.

### **Handling**

Malakoff Limited recognises that, under Section 124 (The Serious Organised Crime & Police Act 2005 – Schedule 14), 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. Malakoff Limited 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.

### **Access and Storage**

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

We do not keep Disclosures or Disclosure information for any longer than is required after recruitment (or any other relevant) decision has been taken. In general, this is no longer than 6 months. 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.

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**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. Malakoff Limited will ensure that Disclosure information which is awaiting destruction will not be kept in an insecure receptacle (e.g. 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.

The policy will be reviewed annually during the Management Review meeting and updated as and when any new regulations or processes are introduced within the company.

Signed By:  Director

Date: 26<sup>th</sup> July 2021

Endorsed By: **Allan Gould, Non-Executive Director**  
**Douglas Stevenson, Director**  
**Colin Duncan, Director**

Date: 26th July 2021  
Revision: REV 3

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