

Appendix 2

Scottish Qualifications Authority policy on the secure storage, handling, use, retention and disposal of Disclosures and Disclosure information

General principles

The Scottish Qualification Authority (SQA) complies fully with the Code of Practice, issued by Scottish Ministers, regarding the correct handling, use, storage, retention and disposal 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 positions of trust. 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 information and has a written policy on these matters, which is available to anyone who wish to see it on request.

Storage and access

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

Handling

SQA recognises that, under section 124 of the Police Act 1997, 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. SQA 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.

Usage

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

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 30 days after the recruitment decision has been made. This is to allow for the resolution of any disputes or complaints. Disclosure information will be retained for longer than this period in exceptional circumstances, and in consultation with Disclosure Scotland. The same conditions relating to the secure storage and access will apply during any such period.

Disposal

Once the retention period has elapsed, we will ensure that Disclosure information is immediately destroyed in a secure manner, ie by shredding. SQA will not keep Disclosure information which is awaiting destruction in any insecure receptacle (eg 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.