

Version No: 1  
Reason: **New**  
Approved By: CMT and the Board of Directors  
Approval Date: 27/07/17  
Review Date: 26/07/18  
Reviewer: Ethics and Compliance Manager



## **Policy: Secure Storage, Handling, Use, Retention & Disposal of Disclosures, Disclosure Information and Case Management Files**

### **General principles**

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Badminton England complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. Badminton England 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 other sensitive safeguarding information. We have a written Data Protection policy, which is available on request to those who wish to see it.

This Policy is written with reference to the Child Protection in Sport Unit Guidance on child protection records and retention (April 2013)

### **Disclosures and Disclosure Information.**

#### **Storage and access**

Where it is necessary to hold information in paper form, it will be kept securely, in a lockable, non-portable, storage container. All files will be held electronically in a password protected file with access strictly controlled and limited to those who are entitled to see it as part of their duties. The Lead Child Protection Officer (Ethics & Compliance Manager) and Safeguarding Administrator have access to this data.

#### **Handling**

In accordance with section 124 of the Police Act 1997, Disclosure 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 Disclosures or Disclosure information has been revealed and 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. For clarity, this is usually only for recruitment purposes.

## **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.

A risk assessment on every positive disclosure will be completed and a record held. This will include the following detail: the Disclosure issue date, the name of the subject, the type of Disclosure requested and the position for which the Disclosure was requested. In addition we will keep the unique reference number of the Disclosure, summary detail of the conviction/s and the recruitment decision taken. This information will be kept for a maximum of four years from the date of the DBS check.

## **Umbrella Organisation**

Badminton England conducts DBS checks on behalf of its affiliated clubs, county badminton associations and members and uses GB Group as its umbrella organisation to manage the online process for DBS disclosures. From time to time it may be necessary for Badminton England to share Disclosure information with individual organisations.

## **Case Management Files**

### **Storage and access**

Where it is necessary to hold Case Management information in paper form, it will be kept securely, in a lockable, non-portable, storage container. All files will be held electronically in a password protected file with access strictly controlled and limited to those who are entitled to see it as part of their duties. The Lead Child Protection Officer and Safeguarding Administrator have access to this data.

### **Handling and Information Sharing**

Safeguarding Case Management information is only passed to those who are authorised to receive it in the course of their duties. This will usually be Case Management Group members, disciplinary panel members and statutory authorities. In deciding whether to share information Badminton England follows the government guidance 'Information Sharing for safeguarding practitioners<sup>1</sup>' with particular reference to the '7 Golden Rules' of information sharing.

## **Retention**

In safeguarding cases which have reached the threshold of decision making at the Case Management Group level, closed case information will usually be kept for no longer than six years.

There are however exceptions to the six year rule, for example when records:

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<sup>1</sup> Available from: [www.gov.uk](http://www.gov.uk) (March 2015)

- Need to be retained because the information in them is relevant to legal action that has started, this may be the case where a Court Order is in place for a person which is longer than the stated six years
- Are required to be kept longer by law or a pending or current government enquiry
- Are archived for historical purposes (e.g where the organisation was party to legal proceedings or involved in proceedings brought by a local authority) we may seek additional advice should this occur
- Consist of a sample of records maintained for the purposes of research
- Relate to individuals and providers of services who have, or whose staff have been judged unsatisfactory
- Are held in order to provide, for the subject, aspects of his/her personal history (e.g. where the child might seek access to the file at a later date and the information would not be available elsewhere)

When records are being kept for a time period longer than six years, the files will be clearly marked and the reason for the extension period clearly identified.

The following table illustrates Badminton England retention periods for Disclosure and Case Management files:

| <b>Type of Record</b>   | <b>Retention</b>  |
|---|---|
| DBS information, scanned copy of certificate  | No longer than six months   |
| Decision made on DBS result, date and reference number of Disclosure, summary of risk assessment and decision making process.   | Four years from date of DBS disclosure.   |
| Child welfare concerns that we refer on to children’s social care or the police.  | Records should be kept for six years after the last contact with the service user unless any of the exemptions apply (listed above) or if we are required to comply with any other statutory requirements.  |
| Child welfare concerns that we decide at a Case Management level, do not necessitate a referral to children’s social care or the police.  | We will destroy the record one year after the child/adult concerned ceases to be involved within the badminton network.   |
| Concerns about people (paid and unpaid) who work with children and young people, for example, allegations, convictions, disciplinary action, inappropriate behaviour towards children and young people. | Personnel files and training records (including disciplinary records and working time records) will be retained for six years after they have left the badminton network. However the records should be retained for a longer period if any of the following apply: <ul style="list-style-type: none"> <li>• There were concerns about the behaviour of an adult who was working with children where s/he behaved in a way that has harmed, or may have harmed, a child; or</li> <li>• The adult possibly committed a criminal offence against, or related to, a child; or</li> <li>• The adult behaved towards a child in</li> </ul> |

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|--|---|
|  | a way that indicates s/he is unsuitable to work with children. In such circumstances records should be retained at least until the adult reaches normal retirement age, or for 10 years if that is longer. A considered and objective assessment will be made by the Case Management Group before any such records are destroyed after the stated 10 year period. |
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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 or Case Management information is immediately destroyed by secure means, i.e. by shredding or deleting the files. Whilst awaiting destruction, Disclosure and Case Management information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).