

DISCLOSURE POLICY

Policy Statement: Disclosure Scotland is currently a service provided by Scottish Ministers to manage and operate the Disclosure service in Scotland as provided for in Part V of the Police Act 1997. Part V of the Police Act 1997 is aimed at helping employers and other organisations assess the suitability of applicants for posts and to make safer recruitment decisions in relation to positions of trust by widening access to criminal record information. To this end, the Act provides for the issue of criminal conviction certificates, criminal record certificates, and enhanced criminal record certificates. In Scotland these certificates are issued by Disclosure Scotland. In practice, the certificates are known as Basic, Standard and Enhanced Disclosures.

All Employees: This policy applies to all persons working for or on our behalf of the McSence Group of Companies which includes the subsidiary companies - *McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd* in any capacity including but not limited to:

- ✦ All employees at all levels, prospective employees, agency workers, seconded workers, temporary workers, contractors/sub-contractors, clients, agents, external consultants, volunteers, members of the public, group's supply chain, third-party representatives and/or business partners who will be referred to in our Group policies as "all employees".

The Workplace: This policy applies to all persons working for or on our behalf of the McSence Group of Companies in any capacity at the workplace(s) as defined below which includes but not limited to:

- ✦ McSence Premises, Offices, Units, Business Park, Client's Premises, External Meeting Places, Customers' Homes, Gardens, Sheltered Housing, Whilst On-Call, On-Duty, Emergency Cover, Working from Home including On-Line Meetings, Whilst Driving in Company Time, Working Public Areas (café's, trains, coffee shops, buses etc) and will be referred to throughout this policy as "the workplace".

Usage: Disclosure information will only be used for the purpose for which it was requested and provided. Disclosure information will not be used or disclosed in a manner incompatible with that purpose. We will not share disclosure information with a third party unless the subject has given their written consent and has been made aware of the purpose of the sharing. In summary, Disclosure information will only be used for the purpose for which it has been provided as outlined below McSence Group:

- ✦ Will not unfairly discriminate against an individual on the basis of any conviction or other detail revealed
- ✦ Will securely store Disclosure only making them available to those who need access to them to undertake their duties
- ✦ Will not retain Disclosure information for longer than is required and generally no longer than 28 days
- ✦ Will dispose of Disclosure information in a secure manner e.g., shredding, confidential waste

Types of Disclosures: Due to the nature of the services the McSence Group provides and keeping in line with Care Commission requirements McSence will on every occasion request an enhanced disclosure on every employee or potential employee who is employed in a care role or who regularly work unsupervised in premises with vulnerable individuals including contractor or sub-contractors. This level of disclosure is deemed necessary because all such McSence employees have substantial contact with the elderly or are involved with the care of vulnerable adults. As this information is of a very sensitive nature the Scottish Ministers have published a Code of Practice which all registered persons must comply with.

- ✦ **Basic Disclosure:** A Basic Disclosure contains details of convictions considered unspent under the Rehabilitation of Offenders Act 1974. They relate to convictions held on central records but do not include convictions, which are spent in terms of the Rehabilitation of Offenders Act 1974.

- ✦ **Standard Disclosure:** A Standard Disclosure is the intermediate level of Disclosure and again relates to convictions held on central records but also includes spent convictions. This means that even minor convictions, perhaps dating from years ago, are included on the Disclosure.

Enhanced Disclosures: A Standard Disclosure will include the details in a Standard Disclosure, but in addition may contain information which a Chief Constable may choose to disclose, which he feels relevant to the job or voluntary work sought.

Purpose of Code: McSence Group complies fully with the Code of Practice for the purposes of assessing applicants' suitability for positions of trust. We undertake to treat all applicants fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed. The code is intended to:

- Ensure that Disclosure Information released will be used properly and fairly
- Provide assistance to those applying for Standard and Enhanced Disclosures that the Disclosure information will be used properly and fairly
- Ensure the Disclosure information is handled and stored appropriately and is kept for as long as necessary and thereafter disposed of securely

Disclosure & Recruitment Process: Disclosure is part of the McSence Group recruitment process and all employees will be subject to a minimum basic disclosure check. We will encourage all applicants selected for interview to provide details of their criminal record at an early stage in the application process. This information is separate from the application form and will only be seen by those who need to see it as part of the recruitment **process. At interview,** or under separate discussion, we undertake to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position concerned. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. We undertake to discuss any matter revealed in a Disclosure with the subject of that Disclosure before withdrawing a conditional offer of employment. Having a criminal record will not necessarily prevent you from working with the McSence Group as this will depend on the nature of the position, together with the circumstances and background of your offences.

Disclosure & Sub-Contractor Approval: Disclosure is part of the McSence Group sub-contractor approval process and all contractors or sub-contractors who regularly work unsupervised in premises with vulnerable will be subject to a minimum basic disclosure check.

Repeat Disclosure Checks of Current Employees & Sub-Contractors: To ensure best practice McSence will recheck an employee's disclosure status every 3 years. On the 3rd anniversary of an employee's commencement date of employment McSence will issue the employee with a new disclosure form for completion in order for a recheck to be carried out. Should any new convictions show on a recheck the procedure for dealing with convictions will apply in the usual way. An interview will be arranged to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position concerned. Should an employee find themselves in the unfortunate event of any conviction whilst being employed by McSence it is their responsibility to inform their Line Manager where this information will be held in the strictest confidence and may or may not be relevant to your continued employment.

Handling: McSence Group recognises that it is a criminal offence to disclose disclosure information to any unauthorised person. Disclosure information is only shared with those authorised to see it during their duties.

Access and Storage: Disclosure information will not be kept within an individual's personnel file and where it is necessary to retain this information, it is stored securely in locked filing cabinets/unit. The access to storage cabinets/units is strictly controlled and is limited to authorised named individuals, who are entitled to see such information during their duties.

Retention: To comply we do not keep disclosure information for longer than necessary and this will be the date the relevant decision has been taken, allowing for the resolution of any disputes or complaints. This will be the date an individual cease to do regulated work for this organisation. We will not retain any paper or electronic image of the disclosure information. We will, however, record the date of issue, the individual's name, the disclosure type and the purpose for which it was requested, the unique reference number of the disclosure and details of our decision. The same conditions relating to secure storage and access apply irrespective of the period of retention.

Disposal: We will ensure that disclosure information which is awaiting destruction will be kept in a secure receptacle including securely in locked filing cabinets/unit. We will ensure that disclosure information is destroyed in a secure manner by shredding and confidential waste.

Company Intranet – Staff Zone: All the McSence Groups policies, procedures, handbooks are available on-line to all employees on the McSence Group’s Staff Zone Intranet via our website [Login | McSence](#)

Compliance: Failure to comply with the provisions of this Policy may result in Disciplinary proceedings.



McSence Group Signatory:

David Maxwell | Chief Executive

McSence Group - McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd

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Policy Amendments & Revisions: This policy will be reviewed annually and, if necessary, revised in the light of legislative or organisational changes. Improvements will be made by learning from experience and the use of an established annual review. Should any amendments, revisions, or updates be made to this policy it is the responsibility of the Company Senior Management Team (SMT) to see that all relevant employees receive notice and training if necessary.