

POLICY DOCUMENT

Policy on Disclosure Information

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Role of the Northern Ireland Medical and Dental Training Agency

The Northern Ireland Medical and Dental Training Agency (NIMDTA) is an Arm's Length Body sponsored by the Department of Health, Social Services and Public Safety (DHSSPS) to train postgraduate medical and dental professionals for Northern Ireland. NIMDTA seeks to serve the government, public and patients of Northern Ireland by providing specialist advice, listening to local needs and having the agility to respond to regional requirements.

NIMDTA commissions, promotes and oversees postgraduate medical and dental education and training throughout Northern Ireland. Its role is to attract and appoint individuals of the highest calibre to recognised training posts and programmes to ensure the provision of a highly competent medical and dental workforce with the essential skills to meet the changing needs of the population and health and social care in Northern Ireland.

NIMDTA organises and delivers the recruitment, selection and allocation of doctors and dentists to foundation, core and specialty training programmes and rigorously assesses their performance through annual review and appraisal. NIMDTA manages the quality of postgraduate medical and dental education in HSC Trusts and in general medical and dental practices through learning and development agreements, the receipt of reports, regular meetings, trainee surveys and inspection visits. It works in close partnership with local education providers to ensure that the training and supervision of trainees support the delivery of high quality safe patient care.

NIMDTA recognises and trains clinical and educational supervisors and selects, appoints, trains and develops educational leaders for foundation, core and specialty medical and dental training programmes throughout NI.

NIMDTA is accountable to the General Medical Council (GMC) for ensuring that the standards set by the GMC for medical training, educational structures and processes are achieved. The Postgraduate Medical Dean, as the 'Responsible Officer' for doctors in training, has a statutory role in making recommendations to the GMC to support the revalidation of trainees. Revalidation is the process by which the GMC confirms that doctors are up to date and fit to practice. NIMDTA also works to the standards in the COPDEND framework for the quality development of postgraduate Dental training in the UK.

NIMDTA enhances the standard and safety of patient care through the organisation and delivery of relevant and valued career development for general medical and dental practitioners and dental care professionals. It also supports the career development of general medical practitioners and the requirements for revalidation through the management and delivery of GP appraisal.

NIMDTA aims to use the resources provided to it efficiently, effectively and innovatively. NIMDTA's approach to training is that trainees, trainers and educators should put patients first, should strive for excellence and should be strongly supported in their roles.

Policy Influences

This policy has been influenced by the following:

- Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003
- The Police Act 1997
- Data Protection Act 1998
- AccessNI's Code of Practice

Policy Impact

This policy may have an impact on the following:

- Policy on the Recruitment of Ex-offenders
- Recruitment and Selection Policy
- Locum Appointment for Training Policy
- General Practice Recruitment and Selection Procedure

1. Aim of the Policy

The Northern Ireland Medical and Dental Training Agency (NIMDTA) are responsible for conducting AccessNI checks for junior doctors and dentists recruited by them into medical and dental training programmes within Northern Ireland.

As an organisation using AccessNI to help assess the suitability of applicants for positions of trust, NIMDTA complies fully with AccessNI's Code of Practice regarding the correct handling, use, storage retention and disposal of Disclosure Applications and Disclosure Information. We also comply fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, storage, retention and disposal of Disclosure Information.

2. Scope

This policy applies to all AccessNI checks being conducted for applicants appointed to a GMC or GDC approved training programme in any grade or specialty within Northern Ireland.

3. Type of Check

All trainees appointed to medical or dental training posts in NI must have an Enhanced Disclosure completed prior to taking up their post, as they will be working in regulated activity with children and vulnerable adults. Regulated activity with vulnerable adults refers to treatment or care for an adult which makes them vulnerable at that time, e.g. adults are considered vulnerable when they are receiving medical or dental treatment.

An enhanced check discloses an individual's full criminal record including:

- Spent and unspent convictions from the Police National Computer
- Cautions, informed warnings and other non-court disposals from the Police National Computer
- Information held by the Disclosure and Barring Service (for positions in regulated activity, which includes healthcare, e.g. working as a doctor or dentist).
- Information held by the police that is relevant to the role applied for.

Some old and minor convictions and non-court disposals on a criminal record may be filtered. Fixed penalty tickets or parking fines will not be included in an enhanced check. The Disclosure and Barring Service maintains two barred lists, people who are unsuitable for working with children and people who are unsuitable for working with vulnerable adults. People on these lists are barred from regulated activity with children and vulnerable adults. It is a criminal offence for someone on these lists to work or apply to work in regulated activity.

AccessNI checks will be carried out for the following trainees:

- new appointments to medical or dental training posts in NI;
- trainees who have previously undertaken training at the Northern Ireland Deanery, but have had a break in service;

4. Usage

An enhanced check will complement current pre-employment checks and will only be used for the specific purpose for which it was requested, i.e. making a recruitment decision, for which the applicant's full consent has been given.

Disclosure information will be processed as follows:

- Reports of certificates issued will be regularly downloaded from the AccessNI system. Where the status indicates that the certificate was issued with no trace, no further information will be required and the applicant can be appointed pending other pre-employment checks.
- Where the status indicates that the certificate has been issued with information, the applicant will be asked to forward the original certificate to Professional Support and Well Being for review.
- Certificates that contain information will be reviewed by the Doctors & Dentists Review Group (DDRG) within NIMDTA. The group will consider the following factors:
 - whether the conviction or other matter revealed is relevant to the position;
 - the seriousness of any offence or other matter revealed;
 - the length of time since the offence or other matter occurred;
 - whether the applicant has a pattern of offending behaviour or other relevant matters;
 - whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters occurred and
 - the circumstances surrounding the offence and the explanation(s) offered by the applicant on the job application form or Disclosure Certificate Application Form, which may need to be verified.

The group will ultimately decide what, if any, further action is required. Further action could include the following:

- requesting further information from the trainee either in writing or in person;
- a letter to candidate reminding them of the requirement to declare conviction information as part of the recruitment process;
- transferring information to the host organisation in advance of start date;
- referral to the GMC/GDC and a letter to the trainee informing him/her that a GMC/GDC referral has been made; or
- withdrawal of the offer of employment. If a disclosure certificate shows results that make an applicant unsuitable for the post, NIMDTA can withdraw the offer. An employment contract exists when the applicant has accepted the offer and all conditions under which the offer was made have been satisfied.

The minutes of the Doctors & Dentists Review Group (DDRG) will show which certificates were discussed and the decision that was taken in each case.

5. Portability

Enhanced Certificates carried out by other bodies will not be re-used by NIMDTA because certificates are only valid on the date of issue and the information may have changed since it was originally released. Information on a check carried out by NIMDTA will not be provided to other bodies and copies will not be provided under any circumstances. Furthermore, Basic Disclosure certificates obtained by applicants cannot be accepted instead of an Enhanced Certificate.

6. Handling

In accordance with section 124 of the Police Act 1997, Disclosure Information is only shared with those who are authorised to receive it in the course of their duties. We maintain a record of all those who have had sight of the Disclosure Information. We recognise it is a criminal offence to pass this information to anyone who is not entitled to receive it.

In addition to the Professional Support staff information is shared with the relevant Specialty Training team, Single Lead Employer Team and the Medical HR team of the relevant Host Organisation. This information will be limited to:

- Date of the issue of an AccessNI check
- Name of the subject
- The position for which the Disclosure was requested
- The AccessNI unique reference number
- Whether any information was held on the certificate and if the details have been reviewed by the DDRG.

It is the responsibility of NIMDTA Professional Support staff to ensure the safe handling of all disclosure information throughout the process. Disclosure information is kept electronically on a secure drive with access strictly controlled and limited to those who are entitled to see it as part of their duties.

A flow chart outlining the process for handling disclosure information can be found in Appendix B.

7. Retention

Disclosure Information is sought in order to make a recruitment decision. Once a certificate containing disclosure information is reviewed by the Doctors & Dentists Review Group (DDRG) and the decision has been made it will not be held any longer than necessary. The following basic information confirming that a check has been completed will be retained:

- Date of the issue of an AccessNI check
- Name of the subject
- The position for which the Disclosure was requested
- The AccessNI unique reference number
- Whether any information was held on the certificate
- Whether the information held was reviewed by the Doctors & Dentists Review Group and the outcome of the review
- Details of any individuals that the Disclosure Information has been disclosed to (if any)

8. Disposal

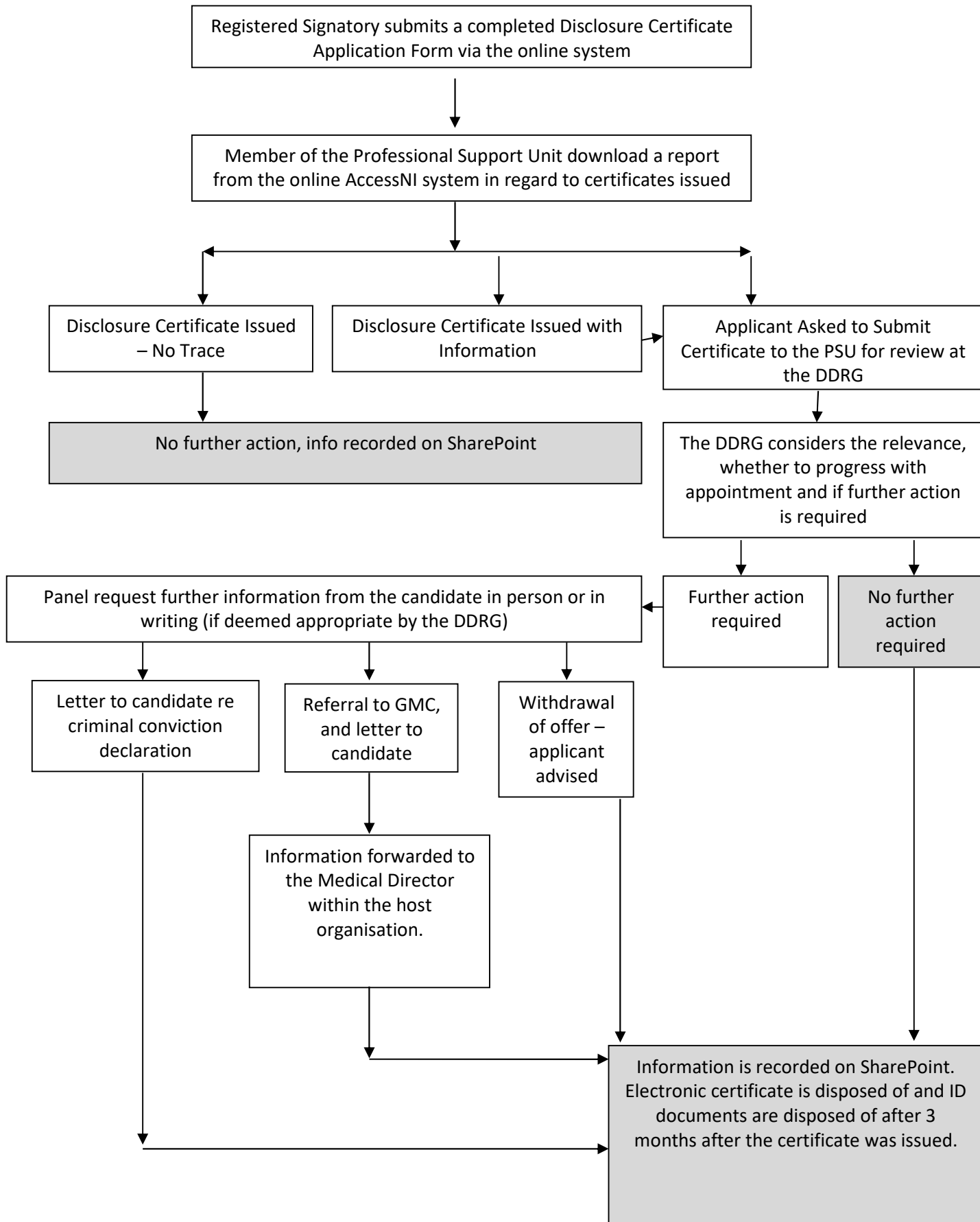
When a recruitment decision has been made or the retention period has elapsed, the original certificate will be returned to the applicant. All ID documents received during recruitment will be destroyed after the required retention period of 3 months after the certificate has been issued (as per 'A Guide to Identity Checking for AccessNI Applications).

The ID documents will be destroyed and a disposal schedule will be retained in compliance with NIMDTA's Records Management Policy. The Agency will not keep any photocopy or other image of the Disclosure or any other relevant non-conviction information supplied by police but not included on the Disclosure.

Appendix A – List of Signatories within NIMDTA

Name	Address	Direct Line No	Email Address
Gillian Dennison	NIMDTA, Beechill House, 42 Beechill Road, Belfast, BT8 7RL	028 9536 0136	gillian.dennison@hscni.net
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Appendix B – Process for the Use of Disclosure Information



Policy Proforma

Subject of Document: Disclosure Information

Produced by: Human Resources/PSW

Date Agreed: 7 November 2008

Date of Next Review: March 2025

Copy Obtainable: Professional Support Department or NIMDTA Website

Amendment Form

Version	Date	Pages	Comments
2.0	Sept 2011	5	Dealing with information paragraph inserted
		9	Process updated re traffic offences dealt with by signatory
3.0	July 2013		Updated re review of certificates by TSRG
4.0	May 2018		Policy reviewed following FtP Review Group being established
5.0	March 2023		Overall policy reviewed