

Verifile International Newsletter | **October 2017**

Welcome to our October edition of the International Newsletter 2017 which we hope you find helpful in keeping up to date.

GDPR; NEW UK DATA PROTECTION LEGISLATION

The new General Data Protection Regulation (GDPR) legislation applies in the UK from 25 May 2018. There are potentially wide ranging implications for all businesses. At Verifile we have a project team that is reviewing the new legislation, completing a gap analysis and then building a plan to implement the required changes. Our initial work indicates that although some small changes will be required, there will not be a noticeable change to service for any of our clients, or any significant change to the way in which we work with your candidates.

There has been some debate as to what GDPR article 10 means for criminal record checks. Please be assured that all levels of UK criminal checks will continue to be available for the purposes of employment screening post GDPR. Verifile has partnerships with all three official authorities (Disclosure and Barring Service, Disclosure Scotland and AccessNI), and we will continue to provide a service that meets your legal obligations beyond May 2018.

In the lead up to May 2018, we will keep you updated on changes that we are making where these may have an impact on you or your candidates.

IMPORTANT CHANGES TO UK CRIMINAL CHECKS

There are some key procedural changes taking place this autumn that must be carried out from the 1st January 2018. In order to implement these changes, Verifile will be introducing a basic level UK criminal check via the Disclosure and Barring Service over the next couple of months. Verifile will help you in this transition.

Background

There are three government agencies serving the UK that access police records to provide criminal certificates:

- The Disclosure & Barring Service (DBS) serves England and Wales
- Disclosure Scotland serves Scotland
- AccessNI serves Northern Ireland

There are also three main levels of criminal check:

- Basic
- Standard
- Enhanced

To date, the DBS has only provided the standard and enhanced levels of check, however from this autumn, they are launching their own basic level check.

Changes

Issue #25



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Contact Us

Tel: +44 (0) 1234 339 350 
www.verifile.co.uk
service@verifile.co.uk

From 1st January 2018, all individuals living or working in England and Wales must have their basic level check undertaken via the DBS. Individuals who do not have a current address in the UK (England, Wales, Scotland and Northern Ireland) may continue to order the basic level check via Disclosure Scotland. Orders must be placed correctly because legislation has changed between the countries.

What it Means for You

There are some key differences between the basic level check via Disclosure Scotland and the new check via DBS, these are:

- A face to face identity check must be undertaken by employers instead of the candidate providing their own proof of identity and address documents.
- Verifile will receive an indication of the results, but not necessarily a copy of the actual certificate.
- The candidate can consent to Verifile and/or their employer receiving a certificate electronically, however this cannot be made a mandatory process.
- As their employer you must register with the DBS in order to access electronic certificates, although we will provide assistance on registering in due course.
- It's also worth highlighting the candidate can request a posted certificate to their current address.
- If convictions are found, then any consent to access an electronic certificate will be revoked, needing the candidate to confirm again they still wish to give consent.

Verifile advice and guidance

Our new process has already passed full testing with the DBS. We will shortly be contacting all clients that have basic level criminal checks in their screening packages, and will provide further assistance to help all of our clients start ordering these checks in time for January 2018.

INTERNATIONAL PRODUCT CHANGES

Please find below an update for the International checks that have had a change of process, requirements or forms. If you would like us to send you the current documentation for any of the listed checks please contact us by emailing service@verifile.co.uk.

NEW ZEALAND

Criminal

A new instruction is now in place along with a new requirement for employers to validate applicant's identity and to complete a section on the application form.

NETHERLANDS

Criminal

A new instruction and an additional, government issued, consent form is now in place.

GERMANY

Credit

German credit checks are now charged per name, due to process changes from a local register.

JAMAICA

Criminal

A new instruction is now in place to reflect the simplified requirements to run the checks. It will also now take less time to obtain the results: 7-10 working days instead of previous 8-10 weeks.

BARBADOS**Criminal**

A new instruction is now in place.

FIJI**Criminal**

A new instruction is now in place.

ANTIGUA AND BARBUDA**Criminal**

A new instruction is now in place to reflect the simplified requirements to run the checks. Fingerprint cards are no longer required.

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