



Government
Internal Audit
Agency



Disclosure &
Barring Service

Reconciliation of Northern Ireland Case Files

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Reconciliation of Northern Ireland Case Files

INTERNAL AUDIT REPORT

June 2015

Report Reference

Distribution of Report

To:	Bill Griffiths	Chairman (Engagement Sponsor)
Cc:	Adele Downey	Deputy Chief Executive
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	Naomi Robson	HR Change Project Manager (key contact)

Further Information

This engagement was managed by Justin Martin and conducted by Adrian Blackman and covered the period 18 MAY 15 to 29 JUN 15. A copy of the engagement objective and scope from the agreed Terms of Reference for this engagement are included in the main body of the report.

Please contact either of the above for further information about this engagement.

EXECUTIVE SUMMARY

1.1 We reconciled visibility of physical case files with a list obtained from the CRM system and the receipts of files from the transfer from Northern Ireland. The CRM system is DBS's case management system which makes a record of the case and contains high level details such as who currently has the physical file. At no time did we have any interaction with any representative of the Northern Ireland service and our first recommendation is that DBS accurately confirms the list of files that Northern Ireland sent to DBS before taking any further action.

1.2 DBS provided us with receipts from Northern Ireland containing the reference IDs of 826 files. We matched this with DBS's list of reference IDs obtained from their own system and related spreadsheets. However we discovered that both lists included 4 duplicate file references meaning the actual number of unique file references was 822. In addition we found during our work that 3 file reference IDs actually referred to 3 more files. The DBS also informed us that two of the reference IDs were for two separate cases of the same individual and were merged into the same physical file but should be regarded as two separate files bringing the total number of unique files back to 826.

1.3 Of the 826, we received destruction receipts for 64 files suggesting they have been destroyed although we are unable to verify that they were destroyed without actually witnessing their destruction. We were able to confirm that these were all non-barred cases (according to the CRM system) but 2 cases were previously barred.

1.4 Of the remaining 761 files DBS told us that they had already transferred 279 files back to Northern Ireland before we commenced our work. We were provided with photocopies of files that DBS asserted to have returned and some confirmation receipts of the files to suggest that DBS had returned 279 files. We did not receive a full, itemised receipt list of files returned to Northern Ireland to confirm the 279 files were the same files that DBS say they returned. However, given that Northern Ireland accepted the number and content of the files without raising any issues we do not believe there is any major risk that the wrong files could have been sent.

1.5 We physically viewed 479 of these files.

1.6 On 24th June 2015, after the draft version of this report was issued, the DBS informed us that they have made contact with Northern Ireland and, as a result, 2 files have been found at the Department for Education in Northern Ireland. We have not seen evidence of these files.

1.7 As a result, 2 files remain missing. These are on both the Northern Ireland and DBS lists but we have not seen a physical file, a destruction receipt or any evidence to suggest they have been returned to Northern Ireland.

1.8 The table below summarises the findings discussed above:

Files asserted to have been sent from Northern Ireland	826	
Files IDs that refer to more than one file		3
Removed duplicate files in the list (due to having been returned and then re-sent in a following tranche)		(4)
One file containing two separate cases		1

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Files asserted to have been destroyed		(64)
Returned files compared with photocopies		(279)
Originals physically reviewed		(479)
Files DBS say have been found at DENI		(2)
Missing files		(2)
Balance	826	(826)

1.9 Other low level issues were also discovered which are covered in more detail in Annex A and a summary table of issues is shown in Annex B.

1.10 We have two main areas of concern regarding the historic Northern Ireland files:

1.11 The first area for concern is that our reconciliation has been based on receipts provided by DBS from Northern Ireland and photocopies of files which DBS assert are of the files they returned to Northern Ireland. The receipts are incomplete and contain duplicate reference numbers. To be confident that DBS have a complete list of files received from Northern Ireland there must be engagement with Northern Ireland to get their view on what they believe they sent to DBS and what they believe to have had returned. There is a risk that DBS may be missing receipts which could contain files that DBS would need to try to locate or that Northern Ireland may have a different understanding of the files they received in the return of tranche 1. Since the issue of the draft version of this report we understand contact has been made with Northern Ireland and are working with them to gain an understanding of the total population and to locate the missing files.

1.12 The second main area for concern is the location of the missing files. Once a complete list is arrived at and all missing files known then we recommend searching for the missing files. We are aware that a full search has been already carried out in the Darlington site. We are also aware that, since our draft report was issued, work has begun with Northern Ireland to determine the location of the missing files. If the files are not found in Northern Ireland then a full but targeted search of the TNT storage must be carried out. A targeted approach could involve looking in boxes where files of similar names to those missing or being worked on at the same time by the same caseworker. In the meantime all reasonable steps must be carried out to limit the risk to the public of the affected individuals so that they are not involved in services which they are barred from.

1.13 During our work we were concerned around the general management of the Northern Ireland files, for example the inconsistency of reference numbers used to identify the files, the number of duplicated reference numbers found on the listings and photocopies provided to us (for example the reference ID of 2 of the photocopies given to us which were returned to Northern Ireland were also IDs of files that we had seen). We also found issues with the management of the paper files by both DBS and Northern Ireland as markings had been made on the cover of the files which contained sensitive information. Phase two of our review will widen our focus on the case file management process for England and Wales in addition to Northern Ireland and we will raise relevant issues in that report.

BACKGROUND

1.14 In December 2012 the Independent Safeguarding Agency (ISA) and Criminal Records Bureau (CRB) merged to become the Disclosure and Barring Service (DBS).

1.15 The ISA had been providing a Barring Service for Northern Ireland since early 2009 and the service was later taken over by DBS in 2012. When the ISA started providing this service physical case files relating to individuals subject to barring decisions were transferred from Northern Ireland to the Darlington site. These files were subject to a Memorandum of Understanding (MOU) which included terms that forbade any party from destroying or altering the files at any time. The presence and terms of the MoU were not communicated appropriately and DBS management were unaware of the MoU until October 2013 when a request for a file was received from Northern Ireland (NI).

1.16 In January 2015, Northern Ireland contacted DBS with the view to getting the files back and it was agreed that the files would be returned in March 2015. In the course of obtaining these files, it was discovered that a number of the files had not been treated in accordance with the MOU. The SIRO was informed on 11th April 2015 and The Chief Executive and the Home Office were informed shortly afterwards.

1.17 PwC have been commissioned by the Chairman of the DBS to undertake a set of procedures looking at records management and data retention.

1.18 This phase one report focuses on the reconciliation of the Northern Ireland files and compliance of the key controls within the organisation. Phase two is due to be delivered on a later date and will cover a review of the Data Retention Policy and its broader application within the DBS.

ENGAGEMENT OBJECTIVE AND SCOPE

1.19 We will perform the on-site testing of evidence and interviews in relation to the phase one scope areas set out in the below schedule in line with the methodology detailed in the following section.

1.20 Scope

1.21 Phase one will focus on the following areas:

- Data Retention – Policy Compliance and Controls Effectiveness (NI Files)
- Physical Reconciliation of NI Files

1.22 Data Retention – Policy Compliance and Controls Effectiveness (NI Files)

1.23 We will obtain an understanding of the process, policy requirements and key controls in place relevant to the NI files through:

- The review of the Data Retention Policies relevant to the NI files (including relevant historic policies).
- The review of the MOU relating to the NI files, including understanding how this was agreed, communicated and monitored.
- Interview(s) with the process owner(s).

- A walkthrough of the data retention process.

1.24 Compliance with the key controls and key policy requirements identified above will be established through the review of relevant documentation for a sample of data to be provided by the Barring Directorate. Findings on compliance with the key controls and policy requirements will be reported alongside recommendations to improve policy compliance and control effectiveness as appropriate.

1.25 Physical Reconciliation of the NI Files

1.26 For the NI files, the central database of physical files will be reconciled to the physical files themselves on a file reference basis with the assistance of the Barring Directorate staff as required. All instances of files recorded on the database not present in physical form will be reported.

1.27 The results of the internal investigation and the factual information provided to the investigator will be reviewed and compared to the results of the physical reconciliation above with any discrepancies reported to the Head of HR.

RECONCILIATION PROCESS

1.28 The following outlines the process we undertook to reconcile the Northern Ireland case files:

1.29 We were provided with the following sources of information:

- The receipts from the transfer of files from Northern Ireland.
- An excel spreadsheet of files that DBS believed they had received, this comprised of data from historic spreadsheets and the DBS CRM system.
- The physical files that DBS had stored on site
- Destruction receipts of files that had been disposed of.
- Tranche 1 listing of returned files
- Photocopies of Tranche 1 files

1.30 PwC compared the listing from Northern Ireland and the listing from DBS to create a complete listing of all unique files on either list that DBS believe were files belonging to Northern Ireland. PwC then reviewed all the physical files stored at the DBS and compared them to the listing. PwC used the destruction receipts to understand which files were claimed to have been destroyed and marked these off on the spreadsheet.

1.31 PwC then reviewed the photocopies of files that DBS assert had been returned to NI and compared this to the MOU Tranche 1 listing to get DBS's view on what had been returned to Northern Ireland and marked these off on the spreadsheet.

1.32 Using all this information we were able to postulate which files were onsite in Darlington, which files had been said to be destroyed, which files had been asserted to have been returned to Northern Ireland and which files we were unable to reconcile.

1.33 PwC were provided with an updated copy of the Northern Ireland receipts containing more data on 12th June 2015. We worked with DBS to identify and remove any duplicates (due to files being sent in multiple tranches due to initially getting rejected by DBS or recalled by

Northern Ireland). We then compared the reference numbers to the DBS database to ensure all files were captured on both lists.

1.34 We received data from a number of sources including subsequent versions of the same sources. We cannot confirm the completeness of any source of data without engaging with Northern Ireland. The source for DBS files is what DBS “believe” it received and is based on the information in the CRM system and historic spreadsheets. The accuracy of our findings is based on the assumption that the data provided by DBS is complete and accurate.

LIMITATIONS

1.35 We have prepared this report solely for the use of the Disclosure and Barring Service and its Accounting Officer following an audit conducted at a point in time and it was not written for any other purpose. Therefore, we take no responsibility for any reliance that a third party (i.e. other than the Disclosure and Barring Service) may place on it. Where this report has been made available to a third party, it is on the understanding that the third party will use the report only for the purpose agreed and will not distribute it or any of the information contained in it outside of the third party.

Annex A – Proposed Action Plan

Reconciliation of Northern Ireland Case Files Proposed Action Plan

The proposed actions have been categorised according to the level of importance we attach to them. They are defined as:	
HIGH (H)	The action addresses critical weaknesses that would result in serious risks and/or an unacceptable level of risk to the delivery of objectives.
MEDIUM (M)	The action addresses control weaknesses that carry a risk of undesirable effects in loss, exposure, poor value for money or missed business opportunities and benefits in the context of the delivery of objectives.
LOW (L)	The action addresses minor control weaknesses and/or areas that would benefit from the introduction of improved working practices in the context of the delivery of objectives.

Actions are “Proposed” at draft stage and “Agreed” at final. Where an alternative action is agreed to that which was proposed only the agreed action appears. Management comments are only included in the report where an appropriate action cannot be agreed. In those circumstances the action remains “proposed” and the management comment is recorded beneath it.

<p>Key Issue 1 : Our reconciliation is based on receipts provided by DBS from Northern Ireland. There are missing receipts for some tranches and duplicate reference numbers across other tranches making it complicated to reconcile the listings.</p> <p>Risk : There is a risk that Northern Ireland may believe they sent files which DBS are not aware of and may not be able to locate.</p>	<p>Priority HIGH</p>
<p>Proposed Actions:</p> <p>1. We recommend that DBS continue working with Northern Ireland to get a complete end to end view of the files that are in scope.</p>	<p>Target date:</p>

<p>Management Response:</p> <p>This action has been commenced. The information that was provided to PWC to inform this reconciliation was the result of our initial engagement with Northern Ireland. We have now carried out further engagement with Northern Ireland and DENI has confirmed that all files sent to ISA have been reconciled. DHSS has confirmed that all files apart from two have been reconciled. Two files remain unaccounted for. No further action will be taken by DHSS to locate the files.</p>	
<p>Key Issue 2 : 2 files remain unreconciled. They are present on the DBS list but we have not seen a physical file, a destruction receipt or a photocopy to suggest they have been returned to Northern Ireland.</p> <p>Risk : The missing case files contain all of the detail leading to the barring or non-barring decision so any subsequent referral or appeal decision could be delayed or a lack of file or record could mean that a DBS check may not return the correct information.</p>	<p>Priority HIGH</p>
<p>Proposed Actions:</p> <ol style="list-style-type: none"> Once the singular listing has been created and agreed with Northern Ireland all missing files can be confirmed. If the files have not been found in Northern Ireland we recommend a full search of the offsite records storage unit with an approach which targets more likely boxes/locations first such as date of occurrence/creation or who worked on the files. <p>Management Response:</p> <p>Our recent engagement with Northern Ireland has allowed us to reconcile all files apart from the two which are unaccounted for. We have already undertaken a targeted search, focusing on boxes containing files with the same name as the missing files. We will consider the criteria and process for a further targeted search by the end of July 2015. We have also offered to recreate files for DHSS and DENI if that would help. DHSS has asked us to do this for some files.</p>	<p>Target date:</p>

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<p>DBS does currently have a single identifier for each individual person who is referred. As we work on a person-based system, rather than a file-based system it will often be the case that a person has a single identifier but may have a number of case files attached to this reference number.</p>	
<p>Key Issue 7 :According to the MoU with Northern Ireland none of the files should be marked in anyway by DBS, the files we reviewed had been written on and marked on the front covers with DBS file reference numbers. Some of the files we reviewed contained two cases and there were a number of files with duplicate case numbers.</p> <p>Some of the paper files had been ripped or damaged due to the amount of information on them and other files were marked with labels detailing what was inside them which is confidential information and should only be inside the file. This was done by Northern Ireland rather than the DBS.</p> <p>Risk:Details of the contents on front covers presents a risk of some people seeing information that they shouldn't. General damage could lead to content falling out or being lost.</p>	<p>Priority LOW</p>
<p>Proposed Actions:</p> <ol style="list-style-type: none"> 1. Northern Ireland should be made aware of concerns about information on covers. 2. A process should be put in place to replace damaged file covers. <p>Management Response:</p> <p>This observation will be shared with Northern Ireland. It will be for NI colleagues to decide what action to take. Although it is standard practice to replace file covers which are in poor enough condition to endanger the contents a formal process for this will be established by 30 September 2015</p>	<p>Target date:</p> <p>30th September 2015</p>

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Annex B - Summary of file numbers with issues

	Files viewed	DBS Listing	Key Issue ID
Files reviewed by PwC- No known issues	479	479	-
File IDs containing referring to more than one file	0	(4)	6
Two files IDs merged into one file	0	(1)	-
Files that have been listed as returned on tranche 1 – no known issues	0	279	-
Files on the list discounted due to being re-sent on other tranches (and therefore duplicated in the full listing)	0	4	-
Files that have been destroyed outside of DBS policy	0	1	3/4
Files that have been destroyed in line with DBS policy	0	57	3
Files that have been destroyed that if DBS policy was followed they should have been destroyed straight away	0	6	3/5
Files DBS say have been found at DENI	0	2	-
Files we are unable to locate	0	2	2
Total number of files	479	826	