



PURPOSE

The purpose of this Guidance Note is to provide information to help inform your organisation's decision making approach when considering whether to make an application to access the DBS E-Bulk Service as a prospective 3rd Party Data Processor.

ANNEX A provides for a checklist that your organisation may find helpful to refer to **before** deciding whether or not to proceed with making a full application, which will involve completion of a Questionnaire, which is available for completion as a separate document.

ANNEX B provides for a timetable that will govern the end-to-end processes, when assessing each Questionnaire, on the basis of business days being defined as Monday to Friday inclusive.

COMPLETION OF A QUESTIONNAIRE

The completed Questionnaire will be used by DBS to evaluate the competency and capability of your organisation when accessing the E-Bulk Service as a prospective 3rd Party Data Processor.

It is imperative that the Questionnaire is completed in full and checked for accuracy and completeness **before** submitting to DBS. Please kindly note that failure to do so could result in delays or your application being otherwise rejected.

Your attention is also drawn to the **IMPORTANT INFORMATION** on page 1 of the Questionnaire.

EVALUATING THE QUESTIONNAIRE

The completed Questionnaire will be evaluated by DBS in accordance with the Evaluation Sheet, which is available for viewing as a separate document.

When evaluating the Questionnaire, the criterion used by DBS representatives will be either a "PASS" or FAIL" system and/or a rating as follows:

RATING	PERFORMANCE STANDARD
4	Fully meets with DBS requirements and demonstrates a full and excellent understanding of DBS business needs. (Pass)
3	Fully meets with DBS requirements. (Pass)
2	Will probably fulfill DBS requirements, however, there are some minor reservations and further clarification is needed. *
1	Unlikely to fulfil DBS requirements as there are some major reservations. (Fail)
0	Does not address the DBS requirement. (Fail)

* Further clarification will be sought where a rating of 2 is initially awarded. A review of the clarification provided will result in a final rating of either 3 or 1 being awarded.

Please note, whilst your organisation will not be specifically evaluated when accounting for the Health and Safety At Work Act 1974 and the Equality Act 2010, DBS has a strong expectation that you will have in place and will operate the appropriate policies within your workplaces and comply with the spirit and letter of the law.

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In addition, DBS reserves the right to request copies of your workplace Health and Safety Policy and separate Equality and Diversity Policy for scrutiny and your organisation agrees to produce these upon request.

A financial integrity check for your organisation will also be undertaken by DBS by way of obtaining a report from Dun & Bradstreet for analysis.

ISSUE OF A CONTRACT

In the event your organisation is successful when making an application to become a 3rd Party Data Processor, DBS will issue a contract that will be legally binding on both organisations as the committed transacting parties.

DBS will issue a Model Contract comprising the following documentation:

- **Form of Agreement** – Your organisation will be required to sign two copies of the Form of Agreement, available for viewing as a separate document, for return to DBS whose authorised representative will also sign and return one copy for your records.
- **Schedule A** – This document, available for viewing separately, describes the Terms and Conditions of Contract that will be legally binding on both your organisation and DBS as the committed transacting parties.
- **Schedule B** – This document, available for viewing separately, describes the Specification Requirements to be adhered to by your organisation when performing the 3rd Party Data Processor activities on behalf of the DBS.

UNSUCCESSFUL APPLICATIONS

In the event an application is unsuccessful, your organisation will be notified in writing and you will be provided with an opportunity to discuss the decision verbally with an authorised representative from DBS.

DBS will not provide for any debriefing or feedback in writing.

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ANNEX A - CHECKLIST

Before deciding whether or not to proceed with making a full application, your organisation may wish to take into account the acceptability of the following key considerations:

- ✓ Is your organisation ISO27001 Certified or Compliant? Please note that compliance would need to be supported by an independent assessment.
- ✓ Would you be able to accommodate scheduled visits to your premises by a DBS representative to conduct service review meetings and facilitate right of audit?
- ✓ Is your organisation registered with Companies House as a commercial trading entity and do you agree to the DBS carrying out ongoing financial integrity checks by way of obtaining a Dun & Bradstreet for analytical and decision making purposes?
- ✓ Is your organisation able to accept the Terms and Conditions of Contract that will become legally binding should your organisation be successful when making an application to become a 3rd Party Data Processor?

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ANNEX B - TIMETABLE

Activity	No. Days
DBS receives questionnaire	1 day
DBS evaluates questionnaire	10 days
DBS issues acceptance letter and contract paperwork etc	1 day
CONTRACTOR signs Form of Agreement and returns to DBS	5 days
DBS executes Form of Agreement and returns 1 x copy to CONTRACTOR	3 days
	20 days

NB. The above is to be used as a guideline only; DBS cannot always guarantee to process questionnaires within the timescales as indicated above.