



Privacy Notice for Retention of Data

A) ABOUT THIS NOTICE

1.1 Our corporate information, records and data are important to how we conduct and manage our business and business relationships.

1.2 There are legal and regulatory requirements and other contractual retention obligations, which require us to retain certain data, usually for a specified amount of time. We also retain data to help our business operate and to have information available when we need it. However, we do not need to retain all data indefinitely, and retaining data can expose us to risk as well as be a cost to our business.

1.3 We are committed to complying with our duties by retaining those records securely and ensuring that they are destroyed in a timely and confidential manner.

B) SCOPE

2.1 This notice covers all data that we hold or have control over. This includes physical data such as hard copy documents, contracts, notebooks, letters and invoices. It also includes electronic data such as emails, electronic documents, audio and video recordings. It applies to both personal data and non-personal data. In this notice we refer to this information and these records collectively as “data”.

2.2 This notice covers data that is held by third parties on our behalf, for example cloud storage providers or offsite records storage.

2.3 This notice explains the differences between our formal or official records, disposable information, confidential information belonging to others, personal data and non-personal data. It also gives guidance on how we classify our data.

C) TYPES OF DATA

3.1 Formal or official records. Certain data is more important to us and is therefore listed in our Retention Schedule. This may be because we have a legal requirement to retain it, or because we may need it as evidence of our transactions, or because it is important to the running of our business.

3.2 Disposable information. Disposable information consists of data that may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose and/or data that may be safely destroyed because it is not a formal or official record. Examples may include:

- Duplicates of originals that have not been annotated.
- Preliminary drafts of letters, memoranda, reports, worksheets, and informal notes that do not represent significant steps or decisions in the preparation of an official record.
- Books, periodicals, manuals, training binders, which are retained primarily for reference purposes.
- Spam and junk mail.

3.3 Personal data. Both formal or official records and disposable information may contain personal data; that is, data that identifies living individuals. Data protection laws require us to retain personal data for no longer than is necessary for the purposes for which it is processed.

D) RETENTION PERIODS

4.1 Formal or official records. Any data that is part of any of the categories listed in the Retention Schedule attached, will be retained for the amount of time indicated in the Retention Schedule. We will not retain a record beyond the period indicated in the Retention Schedule, unless a valid business reason (or notice to preserve documents for contemplated litigation or other special situation) calls for its continued retention.

4.2 Disposable information. The Retention Schedule will not set out retention periods for disposable information. This type of data should only be retained as long as it is needed for business purposes. Once it no longer has any business purpose or value it will be disposed of securely.

4.3 Personal data. We retain personal data for no longer than is necessary for the purposes for which it is processed. Where data is listed in the Retention Schedule, we have taken into account the principle of storage limitation and balanced this against our requirements to retain the data.

E) SPECIAL SITUATIONS

5.1 There will be occasions when certain records are relevant to litigation or disputes, government investigation, financial audit, compliance audit or other situations.

5.2 In these cases, we will preserve and not delete, dispose, destroy, or change those records, including emails and other electronic documents, until it is determined that those records are no longer needed. In these situations, we will suspend the requirements in the Retention Schedule and preserve the integrity of the electronic files or other format in which the records are kept.

5.3 We will also suspend any routine data disposal procedures in connection with certain other types of events, such as our merger with another organisation or the replacement of our information technology systems.

F) OTHER RELEVANT POLICIES

6.1 This notice should be read in conjunction with our other policies and procedures in force from time to time, including without limitation our:

- Information security policy
- Information handling and storage policy
- Privacy standard
- Confidentiality policy.
- And other IT, security and data related policies, which are available on request or to view

Retention Schedule

Information relating to individuals we support and their families

Type of Record/Document

Retention Period

All records relating to the Individual we Support

5 years after the Individual has left the service.

Personal information can be archived from 12 months of the original date of the document.

All data relating to family members

5 years after the Individual has left the service.

Personal information can be archived from 12 months of the original date of the document.

Marketing Information

Type of Record/Document

Retention Period

All marketing data

3 years from the date of input into our database

After the expiry of the 3-year period for all other data, the data is moved to our archive on an annual basis.

All archived data is reviewed annually and permanently deleted three years after the archive date.

Human Resources Information

Type of Record/Document

Annual appraisal/assessment
Annual leave records
Application forms, interview notes and reference details

Retention Period

Destroy after 6 years
Destroy after 6 years
Evidence of identity/right to work – 2 years from the date the employment ends

All other information – destroy after 6 years

Information about disciplinary matters
Legal advice received

Destroy after 6 years
Destroy after duration of action for which advice received plus 7 years
Personal data relating to an unsuccessful applicant to be kept for at least 6 months after which it can be deleted.
If the applicant becomes an employee, pre-employment information to be kept as part of the employee's HR file and to be retained for at least 6 years after employment has ended.

Pre-employment information

Sickness record
Statutory sick pay records and certificates
Statutory maternity pay records and certificates

Destroy after 6 years
Destroy not less than 6 years after the end of the financial year to which they relate.
Destroy not less than 3 years after the end of the financial year to which they relate
Destroy 6 years after the date when the end of the leave period

Unpaid leave/special leave records

Destroy 6 years after the event to which the record relates

Personnel file and training records

Destroy 6 years from reference received/end of employment

References given

Summary of record or service
(name/position/dates of employment)

Destroy 10 years from end of employment

Operational and System Information

Type of Record/Document

Equipment inspection records
Project records and papers

Retention Period

Varies according to equipment
Destroy project records 7 years from the completion of the project

Accounting and Financial Information

Type of Record/Document

Accounting Records
Taxation
Wages / Salary

Retention Period

6 years
6 Years to a maximum of 15 years
6 years

Corporate

Type of Record/Document

Accident records

Retention Period

Retain for 3 years from the date of event unless the accident/incident leads to hazardous substances (COSHH) or asbestos in which case records must be retained for 40 years.

Approved minutes and supporting internal and external papers for specific decisions
Contracts/agreements
Legal advice received

Destroy 7 years after the month in which the decision was made
Destroy 12 years after conclusion of contract
Destroy after duration of action for which advice received plus 7 years

Legal documents (all written agreements e.g. including agreements with Commissioners, supplier contracts, HP agreements, equipment rentals)

For contracts: 6 years after expiry of the contract/agreement
For deeds: 12 years after expiry of the deed

Agenda, Minutes of Board meetings
Company Books/statutory registers
Title deeds and property related documents

10 years from the date of the relevant meeting
Permanent retention
Destroy 12 years after expiry of the deed or expiry of lease