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DATA RETENTION & DISPOSAL POLICY

1. PURPOSE

To ensure that all employees are aware of and comply with legal and regulatory requirements for retaining, or disposing of data about our tenants, applicants for housing, customers, suppliers, employees, agents, volunteers, or board members. Premature disposal can mean the loss of information that is critically required; while retaining data can expose the Group to risk as well as be a cost to the business. Keeping hard copy records takes up both valuable time and resources. This document explains the requirements to retain and dispose of data and provides guidance on appropriate data handling and disposal. It complements the Groups separate Policies and Procedures on Data Protection; Data Management; and Confidentiality.

2. SCOPE

This document covers all types of data held in a structured filing system that the Group holds or have control over, including 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 and CCTV recordings. It applies to both personal data and non-personal data. It also applies to data held by third parties that the Group use on our behalf, such as cloud storage providers or offsite records storage.

3. DATA PROTECTION

The Data Protection Act (DPA) 2018 came into force in May 2018 to replace the previous Data Protection Act 1998. The DPA 2018 and UK General Data Protection Regulation (UK-GDPR) is the primary data protection in the UK. The 2018 Act modernises data protection laws in the UK to make them fit for purpose for our increasingly digital economy and society.

Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. You must make sure the information is:

- used fairly, lawfully, and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant, and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction, or damage.
- We are also required to demonstrate our compliance with these principles.

Please see the Group's separate guidance on data protection for more detailed discussion.

4. DATA STORAGE

Where possible data should be stored electronically and must allow the information to be presented in a readable format and be readily convertible to a paper format if required. Data should be processed and stored on BCHG systems only, all ICT security procedures and processing guidance should be strictly adhered to, to ensure it is secure. HM Customs and Excise has requirements relating to electronically stored data and has the power to withdraw approval in any individual case. It is advisable to obtain legal advice on the admissibility of electronically formatted documents for presentation in a court of law. Where data is required to be kept in hard copy format, all personal and confidential data should be kept secure and locked away when not in use.

5. DATA RETENTION

Data should only be kept for as long as is necessary and the method of disposal should be appropriate to the confidentiality of the information. The principal documentation related to our core services, is listed in Appendix 1. Data Retention Schedule, together with details of statutory retention periods; recommended retention periods; and suggested action at the end of the retention period. There are several cases where the Recommended Retention Period exceeds the Statutory Period, this reflects guidance by the National Housing Federation that, in the specific circumstances of housing associations, it may be appropriate or prudent to retain documents for longer than the minimum period by law and should be followed where deemed necessary. Specific guidance for our non-housing related services can be found in Appendix 2. CQC Retention Guidance; and Appendix 3. DWP Retention Guidance.

Where electronic data is not required for active processing but must be retained for legal or regulatory purposes it should be archived for electronic storage, this can be done by logging a ticket on the ICT HelpDesk. Access to electronically archived files can be arranged by logging a ticket on the Helpdesk. Where hard copy data is not required for active processing but needs to be retained, it should be archived for storage by our offsite document storage contractor, please see the Archiving Procedure for more information.

6. SECURE DISPOSAL

Electronic data will be securely disposed of using the ICT Protocols for the system in which the data is retained. Hard copy data that is no longer necessary and does not need to be archived, is securely disposed of using the designated Confidential Waste secure lockable bins located onsite, and hard copy documentation that has been archived and is stored offsite at an archive facility will be securely destroyed on the destruction date, by the Archiving contractor. A Certificate of Destruction is issued for all securely destroyed documents. Our Confidential Waste and Archiving service provider are UKAS accredited ISO 9001 incorporating EN 15713 registered.

7. RELATED POLICY AND PROCEDURES

- Data Protection Policy
- Data Protection Guidance & Procedures
- Archiving Procedure
- Data Breach Procedure
- Portable Media Policy
- Backup System Policy
- Internet & Email Use Policy
- Mobile Device Policy
- Network Security Policy
- CCTV Policy

DATA RETENTION SCHEDULE

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
1. Governance								
1.1	Governance	Organisation wide Corporate Plans, Policies, Business Continuity, Risk Management and Strategies	Superseded document	N/A	5 year after superseded (longer if required for historical reasons)	Securely Destroy		Best practice
1.2	Governance	Governance documentation		N/A	Life of company	Securely Destroy		Required for charitable status.
1.3	Governance	Constitution, Aims and Objectives		Life of company	Life of company	Securely Destroy		Required for charitable status.
1.4	Governance	Record of HMRC confirmation of charitable status	End of financial year	Minimum 1 year to end of financial year - required for Annual Return as a minimum	Life of company	Securely Destroy	ICSA	Annual return and best practice.
1.5	Governance	Record of charitable registration		Life of company	Life of company	Securely Destroy	ICSA	Best practice.
1.6	Governance	Certificate of Incorporation		Life of company	Life of company	Securely Destroy	Companies Act 2006 section 15	Legal compliance
1.7	Governance	Memorandum of Association		Life of company	Life of company	Securely Destroy	Companies Act 2006 section 32	Legal compliance
1.8	Governance	Articles of Association/ Model Rules		Life of company	Life of company	Securely Destroy	Companies Act 2006 section 32	Legal compliance
1.9	Governance	Certificate of registration with housing regulator		Life of company	Life of company	Securely Destroy	ICSA	Best practice
1.10	Governance	Record of registration and certificate of incorporation for change of name		Life of company	Life of company	Securely Destroy	Companies Act 2006 section 80	Legal compliance
1.11	Governance	Registration documentation (Co-operative and Community Benefit Societies)		Life of company	Life of company	Securely Destroy	Co-operative and Community Benefit Societies Act 2014 section 3	Legal compliance
1.12	Governance	Internal Audit correspondence, terms of reference, meeting minutes, related papers and reports	After audit	N/A	10 years	Securely Destroy		Best practice
1.13	Governance	Board member documents – apt letters, SLAs, bank details etc.	Membership ceases	6 years after board membership ceases though some details should be destroyed when membership ceases e.g. bank details etc.	6 years after board membership ceases	Securely Destroy	GDPR Article 5(1) (e) requires that personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary CA 2006 recommendation for docs post termination of directorship	Legal compliance
2. Data Governance								
2.1	Data Governance	Emails	Accounts no longer active	receipt of email	Destroyed after 2 years	Securely Destroy	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
2.2	Data Governance	CCTV	Date of recording	Minimum time necessary	30 days	Securely Destroy	DPA	Best practice
2.3	Data Governance	Call Recordings	Date of recording	Minimum time necessary	N/A	Securely Destroy	FCA Handbook, conduct of business 11.8	Best practice
2.4	Data Governance	Data Subject Access Requests	Data sent	6 months	1 year	Securely Destroy	ICo	Best practice
2.5	Data Governance	Films / Videos	Date of recording	Minimum time necessary	3 years	Securely Destroy		Best practice
2.6	Data Governance	Data Breach Records	Date of recording	N/A	6 years	Securely Destroy		Best practice
2.7	Data Governance	Fraud Records	Date of recording	6 years	10 years	Securely Destroy	FCA Handbook	Best practice
2.8	Data Governance	Data Subject Access Requests	Data sent	6 months	1 year	Securely Destroy	ICO	Best practice
3. Meetings								
3.1	Meetings	Notice of meetings (AGM)		N/A	Life of company	Securely Destroy		In case of challenge to validity of meeting or resolutions
3.2	Meetings	Executive meeting agendas, papers, minutes and resolutions		N/A	20 years	Securely Destroy		Best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
3.3	Meetings	Board and Committee meeting minutes and resolutions	Date of meeting	10 years from the date of the meeting of extant company or life of company	10 years from the date of the meeting of extant company or life of company	Securely Destroy	Companies Act 2006 section 248 and 249	Legal compliance
3.4	Meetings	Board and Committee meeting agendas and papers	Date of meeting	10 years from the date of the meeting of extant company or life of company	10 years from the date of the meeting of extant company or life of company	Securely Destroy	Companies Act 2006 section 248 and 250	Best practice (if required to support minutes and resolutions)
3.5	Meetings	Shareholder meeting minutes and resolutions (AGM)	Date of meeting	Life of company	Life of company	Securely Destroy	Companies Act 2006 section 356	Legal compliance
3.6	Meetings	Shareholder meeting agendas and papers (AGM)	Date of meeting	N/A	Life of company	Securely Destroy		Best practice (if required to support minutes and resolutions)
4. Regulations and Statutory Returns								
4.1	Regulations and Statutory Returns	Audited financial statements	Submission	Minimum of 3 years	Life of company	Securely Destroy	Companies Act 2006 section 388 and Professional Standards Authority and National Archives recommendations for best practice	Legal compliance and best practice
4.2	Regulations and Statutory Returns	Sealing register		Life of company	Life of company	Securely Destroy	Companies Act 1985	Legal compliance
4.3	Regulations and Statutory Returns	Annual Statutory Returns to the Regulator	Submission	Minimum of 1 year from submission	Life of company	Securely Destroy	Co-operative and Community Benefit Societies Act 2014 section 90	Legal compliance and best practice
4.4	Regulations and Statutory Returns	Register of directors and secretaries		Life of company	Life of company	Securely Destroy	Companies Act 2006 section 162	Legal compliance
4.5	Regulations and Statutory Returns	Register of shareholding members		Life of company	Life of company	Securely Destroy	Companies Act 2006 section 113	Legal compliance
4.6	Regulations and Statutory Returns	Register of share certificates		Life of company	Life of company	Securely Destroy	Companies Act 1984 s.325	Legal compliance
4.7	Regulations and Statutory Returns	Declarations of interest		Life of company	Life of company	Securely Destroy	Company Act 2006 section 177 (implied)	Legal compliance
4.8	Regulations and Statutory Returns	List of members (Communities & Benefit Society')		Life of company	Life of company	Securely Destroy	Registrar of Friendly Societies	Required by Registrar of Friendly Societies
4.9	Regulations and Statutory Returns	Nursing home and residential care homes registration certificates	End of management	N/A	7 years following end of management	Securely Destroy	Care Quality Commission Guidelines	Best practice
4.10	Regulations and Statutory Returns	Nursing home and residential care homes inspection reports	End of management	7 years following end of management	7 years following end of management	Securely Destroy	Care Quality Commission Guidelines and Limitation Act 1980	Legal compliance and best practice
5. Strategic Management								
5.1	Strategic	Business Plans and supporting documentation	End of Business Plan Period	N/A	10 years	Securely Destroy		Best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
6. Insurance								
6.1	Insurance	Current/former policies: - crime cover - engineering inspection - motor insurance - property damage - loss of commercial rent - housing contents - office contents - works in progress cover - business interruption cover - all risks cover - engineering insurance - personal accident for staff - professional indemnity - crime/fidelity cover	End of policy term	Life of company	Life of company	Review	Limitation can commence from knowledge of potential claim and not necessarily the cause of the claim. N.B. Housing Association Boards must annually reaffirm formally their continuation of the Voluntary Board Members Liability Policy (automatically provided via NHF membership). NCVO (National Council for Voluntary Organisations) recommends 3 years after lapse.	Legal compliance and best practice
6.2	Insurance	Certificate of Employers' Liability Insurance	End of policy term	N/A	Life of company	Offer to Archives	2008 regulations removed requirement to retain for 40 years but need to be mindful of 'long tail' industrial disease claims, etc.	Best practice
6.3	Insurance	Annual Insurance schedule	End of year	N/A	Life of company	Securely Destroy	As current and former policies are kept permanently (above), schedules should be too. Best practice	Best practice
6.4	Insurance	Claims and related correspondence	End of settlement	N/A	10 years	Securely Destroy	Zurich Municipal recommendation. NCVO recommends 3 years after settlement	Best practice
6.5	Insurance	Indemnities and guarantees	End of policy term	N/A	6 years after expiry	Securely Destroy	Limitations Act 1980, Limitation for legal proceedings. 12 years if related to land.	Legal compliance
6.6	Insurance	Group health policies	End of benefits	N/A	N/A	Securely Destroy		Best practice
7. Finance								
7.1	Finance	Accounting records for Limited Company		6 years	6 years	Securely Destroy	Companies Act Section 388 recommends 3 years. Taxes Management Act 1970 (TMA) Sec20 (Taxes Management Act 1970) may require any documents relating to tax over 6 (plus) years	Legal compliance
7.2	Finance	Accounting records for Communities & Benefit Society' Society or Charity		N/A	6 years	Securely Destroy		Best practice
7.3	Finance - Cheques and associated records	Cash books/sheets	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.4	Finance - Cheques and associated records	Petty cash records/books/sheets Postage/courier account/cash records Register of postage expenditure Postage paid record Postage books sheets	End of Financial Year	2 years	2 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.5	Finance - Cheques and associated records	Creditors' history records	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.6	Finance - Cheques and associated records	Statements of accounts outstanding orders	End of Financial Year	2 years	2 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.7	Finance - Cheques and associated records	Vouchers – claims for payment, purchase orders, requisition for goods and services, accounts payable, invoices and so on	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.8	Finance - Cheques and associated records	Wages/salaries vouchers	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
7.9	Finance - Cheques and associated records	General and subsidiary ledgers produced for the purposes of preparing certified financial statements or published information	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.10	Finance - Expenditure records	Cash books/sheets	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.11	Finance - Expenditure records	Other ledgers (such as contracts, costs, purchases)	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.12	Finance - Expenditure records	Journals – prime records for the raising of charges	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.13	Finance - Expenditure records	Journals – routine adjustments	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.14	Finance - Expenditure records	Trial balances - Year-end balances, reconciliations and variations to support ledger balances and published accounts	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.15	Finance - Receipts and revenue records	Receipt books/butts Office copies of receipts – cashiers', cash register, fines and costs, sale of publications, general receipt books/butts/ records	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.16	Finance - Receipts and revenue records	Postal remittance books/records	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.17	Finance - Receipts and revenue records	Receipt books/records for imposts (such as stamp duty, VAT receipt books)	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.18	Finance - Receipts and revenue records	Cash registers - Copies of forms, Reconciliation sheets	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.19	Finance - Receipts and revenue records	Audit rolls, Summaries/analysis records	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.20	Finance - Receipts and revenue records	Debtors' records and invoices - debit notes rendered on debtors (such as invoices paid/unpaid, registers of invoices, debtors ledgers)	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.21	Finance - Receipts and revenue records	Debits and refunds - Records relating to unrecoverable revenue, debts and overpayments (such as register of debts written off, register of refunds)	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.22	Finance- Salaries and related records	Employee pay histories Note that the last three years' records must be kept for leavers, in either the personnel or finance records system, for the calculation of pension entitlement	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.23	Finance- Salaries and related records	Salary ledger card/records	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.24	Finance- Salaries and related records	Copies of salaries/wages payroll sheets	End of Financial Year	2 years	2 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.25	Finance- Purchase order records	Purchase order books/records	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.26	Finance- Purchase order records	Railway/courier consignment books/ records/Travel warrants	End of Financial Year	2 years	2 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.27	Finance- Purchase order records	Goods inwards books/records	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.28	Finance- Purchase order records	Delivery dockets, Stock/stores control cards/sheets/records	End of Financial Year	2 years	2 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.29	Finance - Financial Statements	Statements/summaries prepared for inclusion in quarterly/annual reports	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.30	Finance - Financial Statements	Periodic financial statements prepared for management on a regular basis	End of Financial Year	1 year	3 years	Destroy when cumulated into quarterly/annual reports	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
7.31	Finance - Asset register financial records	Assets/equipment registers/records	End of Financial Year	6 years after asset or last one in the register is disposed of	6 years after asset or last one in the register is disposed of	Review	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.32	Finance - Asset register financial records	Depreciation registers - Records relating to the calculation of annual depreciation	End of Financial Year	6 years after asset or last one in the register is disposed of	6 years after asset or last one in the register is disposed of	Review	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8. Other Banking Records								
8.1	Other Banking Records	Cancelled / Dishonoured Cheque	End of Financial Year	2 years	2 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.2	Other Banking Records	Paid/presented cheques	End of Financial Year	6 years	7 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.3	Other Banking Records	Record of cheques drawn for payment	End of Financial Year	6 years	7 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.4	Other Banking Records	Bank deposit books/slips/butts	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.5	Other Banking Records	Bank deposit summary sheets - Summaries of daily banking	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.6	Other Banking Records	Bank reconciliations files/sheets	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.7	Other Banking Records	Bank statements, periodic reconciliations	End of Financial Year	2 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.8	Other Banking Records	Electronic banking and electronic funds transfer	End of Financial Year	6 years	6 years	Securely Destroy	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
9. Contracts and Agreements								
9.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Review	Limitation Act 1980.	Legal compliance
9.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	10 years after completion (including any defects liability period)	Securely Destroy	Limitation Act 1980 (12 years if related to land).	Legal compliance
9.3	Contracts and Agreements	Documentation relating to small one-off purchases of goods and services, where there is no continuing maintenance or similar requirement	After purchase	N/A	Goods or services up to £10,000: 3 years. Goods or services more than £10,000: 6 years.	Securely Destroy		Best practice.
9.4	Contracts and Agreements	Loan agreements	Last payment	N/A	12 years after last payment	Securely Destroy		Best practice
9.5	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Securely Destroy	Limitation Act 1980.	Legal compliance
9.6	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Securely Destroy	Limitation Act 1980.	Legal compliance
9.7	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Securely Destroy	Limitation Act 1980.	Legal compliance
9.8	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years	Securely Destroy		Best practice
9.9	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification	Securely Destroy		Best practice
9.10	Contracts and Agreements	Forms of tender		N/A	6 years after end of contract	Securely Destroy		Best practice
9.11	Contracts and Agreements	Documentation relating to purchases of medical devices and medical equipment		N/A	6 years	Securely Destroy		Best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
10. Charitable Donations								
10.1	Charitable Donations	Deeds of covenant		N/A	12 years after last payment	Securely Destroy	TMA recommends 12 years after last payment. Limitation for legal proceedings if related to land.	Best practice
10.2	Charitable Donations	Index of donations granted		N/A	6 years (Within finance statements)	Securely Destroy	N/A	Best practice
10.3	Charitable Donations	Account documentation		3 Years	6 years	Securely Destroy	Companies Act recommends 3 years. Best practice	Best practice
11. Applications and Tenancy Records								
11.1	Application and Tenancy Records	Applications for accommodation	Offer accepted	N/A	6 years after offer accepted	Securely Destroy	Limitation Act 1980, section 2	Best practice
11.2	Application and Tenancy Records	Continuous Recording of lettings and sales (CORE) data record form		N/A	As long as it is deemed necessary to support social housing policy.	Securely Destroy	CORE Data Sharing Agreement 12.1	Best practice
11.3	Application and Tenancy Records	Housing Benefit notifications		N/A	2 Years	Securely Destroy	Recommendation from Chartered Institute of Housing. Good practice as per DWP guidance	Best practice
11.4	Application and Tenancy Records	Rent statements		N/A	2 years (unless part of court proceeding docs: life of tenancy)	Securely Destroy		Best practice
11.5	Application and Tenancy Records	Tenants' tenancy Files, including rent payment records, and details of any complaints and harassment cases		6 years	6 years' records plus current year	Securely Destroy	Limitations Act 1980	Legal compliance
11.6	Application and Tenancy Records	Former tenants' Tenancy Agreements, and details of their leaving	End of tenancy	6 years	6 years	Securely Destroy	Limitations Act 1980	Legal compliance
11.7	Application and Tenancy Records	Care plans for children and related documents		Until 75th year of child's birth or 15 years after death if child dies before 18. (Case records including care plans)	Until 75th year of child's birth or 15 years after death if child dies before 18. (Case records including care plans)	Securely Destroy	Arrangements for Placements of Children (General) Regulations 1999 and Children's Act 1989. Some documents may be transferred to subsequent caring agency.	Legal compliance
11.8	Application and Tenancy Records	Care plans/ case files for adults and related documents	End of support	8 years from end of care. (Adult Social Care)	8 years from end of care. (Adult Social Care)	Securely Destroy	Records Management Code of Practice for Health and Social Care 2016. Some documents may be transferred to subsequent caring agency.	Legal compliance
11.9	Application and Tenancy Records	Documentation, correspondence and information provided by other agencies relating to special needs of current tenants		While tenancy continues	While tenancy continues	Securely Destroy		Best practice
11.10	Application and Tenancy Records	Records relating to offenders, ex-offenders and persons subject to cautions		While tenancy continues	While tenancy continues	Securely Destroy	NACRO	Best practice
11.11	Application and Tenancy Records	Safeguarding Referral		10 years	10 years	Securely Destroy	Statutory requirement under the Safeguarding Vulnerable Groups Act 2006 and Care Act 2014	Legal compliance
11.12	Application and Tenancy Records	Safeguarding Records - Serious Case Review		Minimum of 364 days or when notified Home Office has closed DHR	Minimum of 364 days or when notified Home Office has closed DHR	Securely Destroy	Records relating to child protection should be kept for 7 years after your organisation's last contact with the child and their family – NSPCC guidance	Legal compliance
12. Tenancy Records								
12.1	Property Records	Rent registrations (superseded)	Superseded document	N/A	6 years	Securely Destroy	Rent Officer Handbook recommendation	Best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
12.2	Property Records	Rent Registration (not superseded)		N/A	Life of company	Securely Destroy	Rent Officer Handbook recommendation	Best practice
12.3	Property Records	Fair rent documentation		N/A	6 years	Securely Destroy	Rent Officer Handbook recommendation	Best practice
12.4	Property Records	Leases and deeds of ownership		N/A	15 years after expiry.	Securely Destroy	NCVO	Best practice
12.5	Property Records	Copy of former leases	Settlement of all issues	12 years	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.6	Property Records	Wayleaves, licences and easements	Rights given or received cease	12 years	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.7	Property Records	Abstracts of title	Interest ceases	12 years after interest ceases	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.8	Property Records	Planning and building control permissions	Interest ceases	12 years after interest ceases	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.9	Property Records	Searches	Interest ceases	12 years after interest ceases	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
12.10	Property Records	Property maintenance records		6 years	6 years after disposal/demolition	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.11	Property Records	Reports and professional opinions		6 years	7 years after disposal/demolition	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.12	Property Records	Development documentation	Settlement of all issues	12 years	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
12.13	Property Records	Invoices		12 years	12 years	Securely Destroy	Limitation for legal action relating to land or contracts under seal. Limitations Act 1980	Legal compliance
13. Vehicles								
13.1	Transport & Vehicles	Mileage records & defect sheets	Vehicle disposal	N/A	2 years	Securely Destroy		Best practice
13.2	Transport & Vehicles	Maintenance records & MOT tests	Vehicle disposal	N/A	2 years	Securely Destroy		Best practice
13.3	Transport & Vehicles	Copy Registrations	Vehicle disposal	N/A	2 years	Securely Destroy		Best practice
13.4	Transport & Vehicles	Vehicle disposal log	Vehicle disposal	N/A	1 year	Securely Destroy		Best practice
13.5	Transport & Vehicles - Operators Licence Only	Operators Licence certificates and documents of title	N/A	Permanently	Permanently	Securely Destroy	Driver & Vehicle Standards Agency (DVSA) Operators Licence requirement	Legal compliance
13.6	Transport & Vehicles - Operators Licence Only	Mileage records & defect sheets	Vehicle disposal	15 months	2 years	Securely Destroy	2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	Best practice
13.7	Transport & Vehicles - Operators Licence Only	Maintenance records & MOT tests (up to 3.5T)	Vehicle disposal	15 months	2 years	Securely Destroy	2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	Best practice
13.8	Transport & Vehicles - Operators Licence Only	Maintenance records & MOT tests (HGV over 3.5T)	Vehicle disposal	15 months	2 years	Securely Destroy	2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	Best practice
13.9	Transport & Vehicles - Operators Licence Only	Copy Registrations (up to 3.5T)	Vehicle disposal	15 months	2 years	Securely Destroy	2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	Best practice
13.10	Transport & Vehicles - Operators Licence Only	Copy Registrations (HGV over 3.5T)	Vehicle disposal	15 months	2 years	Securely Destroy	2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	Best practice
14. Capital Assets								
14.1	Capital Assets	Capital Assets including all land, property, housing stock, corporate buildings, play areas, vehicles, equipment, fixtures & fittings >£400	Asset sold, transferred or disposed of	N/A	6 years	Securely Destroy		Best practice
14.2	Capital Assets	Fixed Asset Register	NA	Permanently	Permanently	Securely Destroy	Charities Act	Legal compliance
15. Employees - Tax and Security								
15.1	Tax and Social Security	Record of taxable payments; record of tax deducted or refunded; record of earnings on which standard NI Contributions payable; record of employer's and employee NI contributions	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Securely Destroy	HM Revenue and Customs requires retention of each payment for 3 years. Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	Legal compliance

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
15.2	Tax and Social Security	NIC contracted out arrangements; Inland Revenue notice of code changes, pay and tax details.	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Securely Destroy	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996. Taxes Management Act 1970	Legal compliance
15.3	Tax and Social Security	Copies of notices to employees (e.g. P45, P60);	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years plus current year	Securely Destroy	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996. Taxes Management Act 1970	Legal compliance
15.4	Tax and Social Security	HMRC notice of code changes, pay & tax details		6 years	6 years	Securely Destroy	Taxes Management Act 1970	Legal compliance
15.5	Tax and Social Security	Expense Claims	After audit	3 years from the end of the tax year they relate to	6 years	Securely Destroy	HMRC	Best practice
15.6	Tax and Social Security	Record of sickness payments	On payment	6 years	6 years	Securely Destroy	Taxes Management Act 1970 Inland Revenue require retention of each payment for 3 years. SSPR recommends 3 years following year to which they relate	Legal compliance
15.7	Tax and Social Security	Record of maternity payments, statutory paternity pay, statutory shared parental pay and statutory adoption pay	On payment	6 years	6 years	Securely Destroy	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended. The Statutory Paternity Pay and Statutory Adoption Pay (admin) Regulations 2002 (SI 2002/2820) and Statutory Shared Parental Pay (Admin) regulations 2014 (SI 2014/2929)	Legal compliance
15.8	Tax and Social Security	Income Tax and NI returns	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Securely Destroy	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	Legal compliance
15.9	Tax and Social Security	Redundancy details and record of payments & refunds	Date of redundancy	N/A	6 years	Securely Destroy	IPD recommended	Best practice
15.10	Tax and Social Security	Revenue and Customs approvals		N/A	Permanently	Securely Destroy	CIPD recommended	Best practice
15.11	Tax and Social Security	Annual earnings summary	End of Financial Year	N/A	6 years	Securely Destroy		Best practice
15.12	Tax and Social Security	Payroll/ salary records, overtime, bonuses expenses etc.	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Securely Destroy	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	Legal compliance
15.13	Tax and Social Security	Actuarial valuation reports		N/A	Permanently	Securely Destroy	CIPD recommended	Best practice
15.14	Tax and Social Security	Detailed returns of pension fund contributions; annual reconciliations of fund contributions		N/A	Permanently	Securely Destroy		Best practice
15.15	Tax and Social Security	Money purchase details	After transfer or value taken	N/A	6 years	Securely Destroy	CIPD recommended	Best practice
15.16	Tax and Social Security	Qualifying service details	After transfer or value taken	N/A	6 years	Securely Destroy	CIPD recommended	Best practice
15.17	Tax and Social Security	Investment policies	From end of benefits payable under policy	N/A	12 years	Securely Destroy	CIPD recommended	Best practice

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
15.18	Tax and Social Security	Trade Union agreements	Date of cessation	N/A	10 years after ceasing to be effective	Securely Destroy	CIPD recommended	Best practice
15.19	Tax and Social Security	Inland Revenue approvals		N/A	Life of company	Securely Destroy	CIPD recommended	Best practice
15.20	Tax and Social Security	Annual earnings summary	End of tax year	N/A	3 years from the end of the tax year they relate to	Securely Destroy	HMRC	Best practice
16. Human Resources - Pension Schemes								
16.1	Pension Schemes	Actuarial valuation reports		N/A	Permanently	Securely Destroy	CIPD recommended	Best practice
16.2	Pension Schemes	Detailed returns of pension fund contributions		N/A	6 years	Securely Destroy	Pensions Regulator	Best practice
16.3	Pension Schemes	Annual reconciliations of fund contributions		N/A	6 years	Securely Destroy	Pensions Regulator	Best practice
16.4	Pension Schemes	Money purchase details	After transfer	N/A	6 years after transfer or value taken	Securely Destroy	CIPD recommended	Best practice
16.5	Pension Schemes	Qualifying service details	After transfer	N/A	6 years after transfer or value taken	Securely Destroy	CIPD recommended	Best practice
16.6	Pension Schemes	Investment policies	End of benefits payable under policy	N/A	12 years	Securely Destroy	CIPD recommended	Best practice
16.7	Pension Schemes	Pensioner records	After benefits cease	N/A	12 years after benefits cease	Securely Destroy	CIPD recommended	Best practice
16.8	Pension Schemes	Records relating to retirement benefits	After transfer or value taken	N/A	6 years	Securely Destroy	RBS(IP)R recommended	Best practice
17. Human Resources - Personnel Records								
17.1	Personnel Records	Records relating to retirement benefits	After a year of retirement	N/A	6 years	Securely Destroy	RBS(IP)R recommended	Best practice
17.2	Personnel Records	Terms and conditions of service, both general terms and conditions applicable to all staff, and specific terms and conditions applying to individuals	Leaving date	N/A	6 years	Securely Destroy	Limitations Act 1980 Limitation for legal proceedings	Legal compliance
17.3	Personnel Records	Benefits and Deductions (Service contracts for directors (companies))	Date of cessation of directorship	3 years	6 years	Review	ICSA	Best practice
17.4	Personnel Records	Remuneration package	Leaving date	N/A	6 years	Review	Limitations Act 1980 Limitation for legal proceedings	Legal compliance
17.5	Personnel Records	Former employees' Human Resources files	Leaving date	N/A	6 years	Securely Destroy	CIPD recommended	Best practice
17.6	Personnel Records	References to be provided for former employees	Leaving date	N/A	6 years	Securely Destroy	CIPD recommended	Best practice
17.7	Personnel Records	Training Programmes	Leaving date	N/A	6 years	Securely Destroy	CIPD recommended	Best practice
17.8	Personnel Records	Individual training records	Leaving date	N/A	6 years	Securely Destroy	CIPD recommended	Best practice
17.9	Personnel Records	Short lists, interview notes and related application forms	Last Action	N/A	1 year	Securely Destroy	CIPD recommended	Best practice
17.10	Personnel Records	Application forms of non-short listed candidates	After notification	1 year	1 year	Securely Destroy	Limitations Act 1980 SDA & RRA recommend 3 months Commission for Racial Equality and Equal Opportunities recommends 6 months.	Legal compliance
17.11	Personnel Records	DBS certificate number	Date of clearance	Date of clearance + up to a maximum of 6 months	3 years	Review	DBS check code of practice (Home office)	Legal compliance Teign Housing hold only the certificate number but the system reminds HR to check again in 3 years.
17.12	Personnel Records	Time cards/ sheets	After audit	N/A	2 years	Securely Destroy	CIPD recommended	Best practice
17.13	Personnel Records	Trust deeds, rules and minutes (for joint employee/employer sports/social clubs, etc. set up under trust)		N/A	Permanently	Securely Destroy	CIPD recommended	Best practice
17.14	Personnel Records	Employer/Employee committee minutes (Staff Forum)		N/A	Permanently	Securely Destroy	CIPD recommended	Best practice
17.15	Personnel Records	Parental leave records	Birth of child	N/A	18 years from birth of child	Securely Destroy	CIPD recommended	Best practice
18. Human Resources - Health & Safety								

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
18.1	Health & Safety	Medical records relating to control of asbestos		40 years	40 years	Securely Destroy	The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632	Legal compliance
18.2	Health & Safety	Health and safety assessments; records of consultations with safety reps		Permanently	Permanently	Securely Destroy	Health and Safety at Work Act 1979	Legal compliance
18.3	Health & Safety	Health and safety policy statements		Permanently	Permanently	Securely Destroy	Health and Safety at Work Act 1979	Legal compliance
18.4	Health & Safety	Accident records, reports, accident books	Date of occurrence	3 years	6 years after date of occurrence/entry	Securely Destroy	RIDDOR Limitation for legal proceedings RIDDOR 1995 and Limitation Act 1980 Special rules apply concerning incidents involving hazardous substances.	Legal compliance
18.5	Health & Safety	Sickness records	Date of occurrence	3 years	6 years from date of sickness	Securely Destroy	The Statutory Sick Pay (General) Regulations 1982 (SI 1982/894) as amended Professional Standards Agency	Legal compliance
18.6	Health & Safety	Health and safety statutory notices	Once compliant	6 years after compliance	6 years after compliance	Securely Destroy	Limitations Act 1980 Limitation for legal proceedings	Legal compliance
18.7	Health & Safety	NHS Test & Trace Visitor Details	Visit to site	21 days	21 days	Securely Destroy	The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020.	Legal compliance
19. Technical and Research Records								
19.1	Technical and Research	Technical and research records	After requirements have ended	N/A	12-15 years after requirements have ended for both records and reports and drawings and other data.	Securely Destroy	NCVO	Best practice
20. ASB case files and associated documents								
20.1	ASB case files and associated documents	ASB (Anti-social behaviour) case files and associated documents		N/A	5 years or until end of legal action	Securely Destroy		Best practice
21. Supporting people – subsidy claims / support plans / single assessments including supporting information								
21.1	Supporting People	Supporting people – subsidy claims / support plans / single assessments including supporting information		N/A	Duration of tenancy	Securely Destroy		Best practice
22. Resident Meetings								
22.1	Resident Meetings	Resident Meeting Minutes	From date of meeting	N/A	6 years	Securely Destroy	ICSA recommended	Best practice
23. Property Sales								
23.1	Home Ownership	New Sales applications	Offer accepted	6 years after offer accepted	6 years	Securely Destroy	Limitation Act 1980, section 2	Best practice
23.2	Property Sales	Registrations of interest	Sale of property	N/A	2 years	Securely Destroy		Best practice
23.3	Property Sales	Offer Details	Offer accepted	current year plus 6 years	6 years	Securely Destroy	Estate Agency Act 1979	Legal compliance

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
23.4	Property Sales	Completion documentation	Completion of Sale	12 years	12 years	Securely Destroy	Housing Act 1985	Best practice
23.6	Property Sales	Post purchase questionnaire/ customer feedback	Date of creation	N/A	3 years	Review	National Archives guidance	Best practice
23.6	Property Sales	Help to Buy applications	Offer accepted	6 years after offer accepted	6 years	Securely Destroy	Limitation Act 1980, section 2	Best practice
23.7	Property Sales	Resales (Shared Ownership)	Offer accepted	6 years after offer accepted	6 years	Securely Destroy	Limitation Act 1980, section 2	Best practice
23.8	Property Sales	Staircasing process documents	Completion of Sale	12 years	12 years	Securely Destroy	Housing Act 1985	Best practice
23.9	Property Sales	Right to Buy/ Acquire files	Completion of Sale	12 years	12 years	Securely Destroy	Housing Act 1985	Best practice
24. Care Services								
24.1	Record keeping	Risk assessment	Superseded document	N/A	N/A	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice
24.2	Record keeping	Purchasing excluding medical devices and medical	After purchase		See Ref. 9.3	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice
24.3	Record keeping	General operating policies and procedures	Superseded document		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.4	Record keeping	Any incidents, events or occurrences that require	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.5	Record keeping	Use of restraint or the deprivation of liberty	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.6	Record keeping	Detention	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.7	Record keeping	Maintenance of the premises	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.

Document overview			Retention Schedule					
Reference	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Action at end of retention period	Retention source	Reason for retention
24.8	Record keeping	Maintenance of equipment	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.9	Record keeping	Electrical testing	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.1	Record keeping	Fire safety	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.1	Record keeping	Water safety	After occurrence		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.1	Record keeping	Medical gas safety, storage and transport	After record		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.1	Record keeping	money or valuables deposited for safe keeping	After record		3 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.1	Record keeping	staff employment	Leaving date		See Ref 17. Human Resources P	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.2	Record keeping	duty rosters	superseded document		current year plus 4 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.2	Record keeping	purchasing of medical devices and medical equip	After purchase		11 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.
24.2	Record keeping	final annual accounts	End of financial year		30 years	Securely Destroy	Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A	Best practice.

Appendix 2 - CQC Guidance on Record Keeping

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 17

Providers must securely maintain accurate, complete and detailed records in respect of each person using the service and records relating the employment of staff and the overall management of the regulated activity.

17(2)(c) maintain securely an accurate, complete and contemporaneous record in respect of each service user, including a record of the care and treatment provided to the service user and of decisions taken in relation to the care and treatment provided;

- Records relating to the care and treatment of each person using the service must be kept and be fit for purpose. Fit for purpose means they must:
 - Be complete, legible, indelible, accurate and up to date, with no undue delays in adding and filing information, as far as is reasonable. This includes results of diagnostic tests, correspondence and changes to care plans following medical advice.
 - Include an accurate record of all decisions taken in relation to care and treatment and make reference to discussions with people who use the service, their carers and those lawfully acting on their behalf. This includes consent records and advance decisions to refuse treatment. Consent records include when consent changes, why the person changed consent and alternatives offered.
 - Be accessible to authorised people as necessary in order to deliver people's care and treatment in a way that meets their needs and keeps them safe. This applies both internally and externally to other organisations.
 - Be created, amended, stored and destroyed in line with current legislation and nationally recognised guidance.
 - Be kept secure at all times and only accessed, amended, or securely destroyed by authorised people.
- Both paper and electronic records can be held securely providing they meet the requirements of the Data Protection Act 2018.
- Decisions made on behalf of a person who lacks capacity must be recorded and provide evidence that these have been taken in line with the requirements of the Mental Capacity Act 2005 or, where relevant, the Mental Health Act 1983, and their associated Codes of Practice.
- Information in all formats must be managed in line with current legislation and guidance.
- Systems and processes must support the confidentiality of people using the service and not contravene the Data Protection Act 2018.

17(2)(d) maintain securely such other records as are necessary to be kept in relation to—

- (i) persons employed in the carrying on of the regulated activity, and
 - (ii) the management of the regulated activity;
- Records relating to people employed and the management of regulated activities must be created, amended, stored and destroyed in accordance with current legislation and guidance.
 - Records relating to people employed must include information relevant to their employment in the role including information relating to the requirements under Regulations 4 to 7 and Regulation 19 of this part (part 3) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. This applies to all staff,

not just newly appointed staff. Providers must observe data protection legislation about the retention of confidential personal information.

- Records relating to the management of regulated activities means anything relevant to the planning and delivery of care and treatment. This may include governance arrangements such as policies and procedures, service and maintenance records, audits and reviews, purchasing, action plans in response to risk and incidents.
- Records must be kept secure at all times and only accessed, amended or destroyed by people who are authorised to do so.
- Information in all formats must be managed in line with current legislation and guidance.
- Systems and processes must support the confidentiality of people using the service and not contravene the Data Protection Act 2018.

As retention periods are not directly specified in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, we will maintain retention periods in line with the *Care Quality Commission: Guidance about compliance Essential standards of quality and safety March 2010, Prompt 21A*, unless superseded by our general retention periods as specified below.

People who use services can be confident that their personal records for their care, treatment and support are properly managed because:

- Wherever they are relevant to the service, **the following records are kept and for the periods of time stated:**
 - risk assessments; retain the latest risk assessment **until a new one replaces it**
 - purchasing excluding medical devices and medical equipment; **18 months** (unless covered by our general purchasing retention period under Ref 9.3 of our retention schedule, whichever is longer)
 - general operating policies and procedures; retain the current version and previous version for **three years**
 - any incidents, events or occurrences that require notification to the Care Quality Commission; **three years**
 - use of restraint or the deprivation of liberty; **three years**
 - detention; **three years**
 - maintenance of the premises; **three years**
 - maintenance of equipment; **three years**
 - electrical testing; **three years**
 - fire safety; **three years**
 - water safety; **three years**
 - medical gas safety, storage and transport; **three years**
 - money or valuables deposited for safe keeping; **three years**
 - staff employment; **three years following date of last entry** (superseded by our general Human Resources Personnel Records retention periods Ref. 17 of our retention schedule)
 - duty rosters; **four years after the year to which they relate**
 - purchasing of medical devices and medical equipment; **11 years**
 - *final annual accounts*; **30 years**

Appendix 3 - DWP Guidance on Record Keeping

Extract from DWP Provider Guidance Chapter 11, - ESF Requirements (England Only)

Document Retention

6. There are specific rules that apply to the retention of documents; these are detailed at paragraph 12. Documents must be retained until at least 31 December 2022; you will be updated should this date be changed at any stage in the future. The list of documents that must be retained detailed at paragraph 15 may not be completely exhaustive and could be subject to further review in the future.

7. Where an organisation within your supply chain ceases to trade or is no longer doing business with you, it is your responsibility to recover all relevant and original documents held by the sub-contractor. Those documents are, as specified in the table at paragraph 15 and must be retained for the full retention period i.e. until at least 31 December 2022 (in England).

8. Where you cease to trade or will no longer be doing business with DWP you should discuss retention of documents with your DWP Account Manager.

Electronic Document Retention

9. European Commission regulations allow for documents to be retained as either the original paper copies or as an electronic copy of the originals. The regulations allow for the electronic storage of documents provided that they are stored on a recognised data carrier (e.g. CD ROM, Hard Disk or Magnetic Disk), are certified as being copies of the original, meet national standards and are auditable. Documents must be held on an accepted data carrier. These include:

- microfiches of original documents; and
- electronic versions of original documents on data carriers

10. For each data carrier used, you must retain a signed declaration that the documents held within the data carrier are certified as being true copies (conforming to) the originals. The ESF Declaration on headed paper satisfies this requirement.

11. Minimum requirements associated with completion of the declaration are:

- all declarations must be made available on request;
- documents can be certified as true copies of the original document either individually or as a group of documents; however a declaration will be required each time documents(s) are copied and retained for audit purposes;
- the declaration can be kept as an electronic or paper copy. The declaration can be included on the electronic copy of the documents and stored electronically. If the document(s) are certified using a paper copy it is extremely important that it is stored with the appropriate stored data carrier;
- electronic copies of original documents must be kept for the same length of time as paper copies. For further information on Document Retention see paragraph 6;
- the signature can be original or an electronic signature;
- the electronic copies must be reliable for ESF and DWP audit purposes through to 31st December 2022. For example, they must be:
 - stored in such a way that they are safe and cannot be modified;
 - can be effectively retrieved; and

- accessible in a readable format.

NB DWP and The National Archives recommend that electronically held data is migrated onto new formats every 5 years to ensure the data remains readable and usable.

Retained Documentation

12. You must ensure that you have robust systems and controls in place to maintain and monitor access to documentation throughout the retention period.

13. All documents (including any electronic information) must be readily accessible to requests from auditors and DWP upon request and stored in accordance with DWP standards. To support audit activity, it is recommended that a separate file of documentation for each individual participant is linked to a specific Contract Package Area number; and arranged in a filing system that will enable the effective retrieval of documentation.

14. Audits will scrutinise down to the level of an individual participant. Documentation must show that payments claimed in respect of an individual participant were eligible in accordance with the contract terms and conditions. The participant file, either in hard copy or electronic format, must also contain evidence that the participant was made aware that the provision is part funded by ESF.

15. The table below lists the documentation that must be retained as a minimum to meet audit requirements until at least 31 December 2022.

No.	Document/Information
1	Evidence of the 2 way conversation/action planning to support the Attachment Fee payment as detailed in Work Programme Guidance
2	Participant Action Plan or Development Plan
3	Sustainable Development Policy and Action Plans
4	Sustainable 'Health' Action Policy and Plans (London)
5	Equality and Diversity Policy and Action Plans
6	Marketing and Publicity documents including Marketing/Communication plans and products produced to promote ESF to participants
7	Supporting information for job and sustainment claims as detailed in programme specific guidance
8	Supporting information to validate the agreed Progress Measures as detailed in the ESF Families with Multiple Problems Guidance Chapter 6 – Attachments, Payments and Evidence Requirements
9	Evidence to support the assessment and decision on eligibility for the ESF Families with Multiple problems programme secondary referral route
10	Document Retention Policy and Plan

16. You should have submitted a document retention policy and plan to your DWP PM within 4 weeks of the contract starting. This will be monitored and reviewed by your Performance Manager.