

# Donhead Data retention Policy

Date of last review: 11/05/2018

Date of next review: 11/05/2019

Review Period: 2017-18

Owner: JiB Curia

# Document retention

---

## 1. INTRODUCTION

- 1.1. The main aim of this policy is to enable Jesuits in Britain [JiB] Donhead to manage our records effectively and in compliance with data protection and other regulation. As an organisation we collect, hold, store and create significant amounts of data and information and this policy provides a framework of retention and disposal of categories of information and documents.
- 1.2. JiB is committed to the principles of data protection including the principle that information is only to be retained for as long as necessary for the purpose concerned.
- 1.3. The table below sets out the main categories of information that we hold, the length of time that we intend to hold them, and the reason for this.
- 1.4. For information, the Appendix sets out the legal requirements for certain categories of document. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table at Section 2.
- 1.5. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The Headmaster shall be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.
- 1.6. If a document or information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to your Headmaster, who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

## 2. DOCUMENT RETENTION PERIOD

<b>DOCUMENT CATEGORY</b>	<b>RETENTION PERIOD</b>	<b>REASON</b>
<b>Corporate / Constitutional</b>		
Trustees Minutes	Permanent	(Recommended at least 10 years)
Committee Meetings;	10 years at least	inform Trustee meetings
Finance	Permanent	Data Protection regulation Limitation Act 1980
Documents of historic/archival significance	Length of contract + 6 years	Limitation Act 1980
Contracts, e.g. with funders or grantees, confidentiality & non-disclosure agreements	Length of contract + 12 years	Limitation Act 1980
Contracts executed as deeds	Life of service provision or IP + 6 years recommended	Limitation Act 1980
IP records & legal files re provision of service		
<b>Insurance</b>		
Employer's Liability	40 years	Employers' Liability (compulsory insurance regulation) 1998
Public Liability	Permanent	To note coverage of any claims against safeguarding
Policies	3 years after lapse	commercial
Claims correspondence	3 years after settlement	commercial

	(permanent where safeguarding matters are concerned)	
--	--	--

<b>Health &amp; Safety</b>		
General Records		
Records re. work with hazardous substances	3 years minimum	Limitation Act 1970
Accident Books/records & reports	Permanent (40 years min.)	Reporting of hazardous substances to health regulations 2002
Medical scheme documentation	3 years after last entry or end of investigation	Reporting of Injuries Diseases & Dangerous Occurrences Regulations 1995
	Permanent unless personal data is included	commercial

<b>Charity Property</b>		
Original Title Deeds	Permanent [to disposal of property]	Limitation Act 1980
Leases	12 years after expiry of lease	Limitation Act 1980
Building records, plans, consents & certification & warranties, etc.	6 years after disposal or Permanent if of historic/archival interest. Carry out review re longer retention periods, e.g. if possible action against contractors	Limitation Act 1980
<b>Pension Records</b>		
Records about employees & workers		<b>See detailed guidance for employers (April 2017)</b> <a href="http://www.thepensionsregulator.gov.uk">www.thepensionsregulator.gov.uk</a>
Records re the scheme		
Records re active members & opt in/out		
Title Deed/Rules & HMRC approvals		
Trustees minutes & annual accounts		
Policies including investment policies		

Tax and Finance		
Annual Accounts & review	Permanent (6 years minimum)	Charities Act 2011
Tax & accounting records	6 years from end of relevant tax year	Finance Act 1998 & Taxes Management Act 1970
Information relevant for VAT	6 years min from end of relevant period	Finance Act 1998 & HMRC notice 700/21
Banking records, receipt books, sales ledger	6 years from transaction	Charities Act 2011
Deed of Covenant/gift aid declarations & correspondence re donations	6 years after last payment or 12 years if payments are outstanding or dispute over deed	As part of tax records
Legacies – correspondence & financial records	6 years after completion of estate administration	

Employees / Administration		
Payroll/Employee/Income Tax & NI records: P45; P6; P11D; P60 etc.	6 years from end of current year	Taxes Management Act 1970/lt (PAYE) regulations
Maternity Pay	3 years after the end of the tax year	Statutory Maternity Pay Regulations
Sick Pay	3 years after the end of the tax year	Statutory Sick Pay (General) Regulations
National Minimum Wage records	3 years after the end of the tax year	National Minimum Wage Act
Foreign National ID docs	2 years from the end of employment min.	Immigration (Restrictions on Employment) Order 2007
HR files and training records	6 years maximum from end of employment	Limitation Act 1970 & Data Protection Regulation
Records re working time	2 years	Working Time Regulations 1998 as amended

Job Applicants (CVs & related materials re unsuccessful applicants)	6-12 months from notification of outcome of application	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976
Pre-employment / Volunteer vetting	6 months	ICO Employment Practices Code
Disclosure & Barring Service checks	Record only satisfactory/unsatisfactory result & delete other information	ICO Employment Practices Code
Volunteer Records	Assess to decide period taking account of risk (e.g. safeguarding re work with children or vulnerable adults)	
<b>Safeguarding</b>		
Records relating to children & young adults	Until the person reaches the age of 21	
Complaints of sexual abuse or exploitation & investigation reports	Permanent	



<b>Subscribers, customers and donors</b>		
<p>Contact details</p> <p>Donation records</p> <p>Purchase information</p> <p>Attendance/participation information</p>	<p>Indefinitely in Salesforce or Raisers Edge but data cleaned by third party agency every two years</p> <p>Indefinitely if attached to contact record in Salesforce or Raisers Edge. For 6 years in finance files.</p> <p>Indefinitely if attached to contact record in Salesforce or Raisers Edge. For 6 years in finance files</p> <p>Indefinitely when attached to contact record in Salesforce Paper records destroyed after 1 year</p>	<p>In our experience people re-engage after long gaps with different services, in different ways, across different parts of the organisation. Data is deleted immediately if request is made by the data subject. In the case of deceased persons data is deleted after 7 years following the last gift made in their lifetime or kept indefinitely if they make a gift in their will. Gone away records are retained but not contacted as these data subjects do sometimes reconnect with us.</p>
<p>Personal information relating to spiritual direction (retreat application forms)</p>	<p>Paper copy retained in retreat house office and shredded after two years. Directors' copies shredded immediately on completion of the retreat. Digital copy retained for two years after completion of retreat</p>	<p>It is useful to review information on past retreats when guiding a data subject on a subsequent retreat, to provide the best service</p>
<p>Gift Aid declaration</p>	<p>Six years from date of last gift</p>	<p>HMRC requirements</p>

<b>Spiritual directors</b>		
Contact details and record of work carried out	Six years from date of last contact	
<b>Asylum seekers (Jesuit Refugee Service)</b>		
Case records	Six years from last opening of the case file	

Never deliberately delete or destroy anything in order to avoid disclosure in response to a Subject Access Request

### 3. DELETION OF DOCUMENTS

3.1. When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

#### **Confidential waste**

3.2. This should be made available for collection for shredding.

3.3. Anything that contains personal information should be treated as confidential.

3.4. Where deleting electronically, please refer to Headmaster to ensure that this is carried out effectively.

#### **Other documentation**

3.5. Other documentation can be deleted or placed in recycling bins where appropriate.

#### **Automatic deletion**

3.6. Certain information will be automatically archived by the computer systems, details of which are set out below. Should you want to retrieve any information, or prevent this happening in a particular circumstance, please contact Headmaster. **Individual responsibility**

3.7. Much of the retention and deletion of documents will be automatic, but when faced with a decision about an individual document, you should ask yourself the following:

3.7.1. Has the information come to the end of its useful life?

3.7.2. Is there a legal requirement to keep this information or document for a set period? (Refer to the Appendix for more information)

3.7.3. Would the information be likely to be needed in the case of any legal proceedings? (Is the information contentious, does it relate to an incident that could potentially give rise to proceedings?)

3.7.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?

3.7.5. Is the document of historic or statistical significance?

3.8. If the decision is made to keep the document, this should be referred to Headmaster and reasons given.