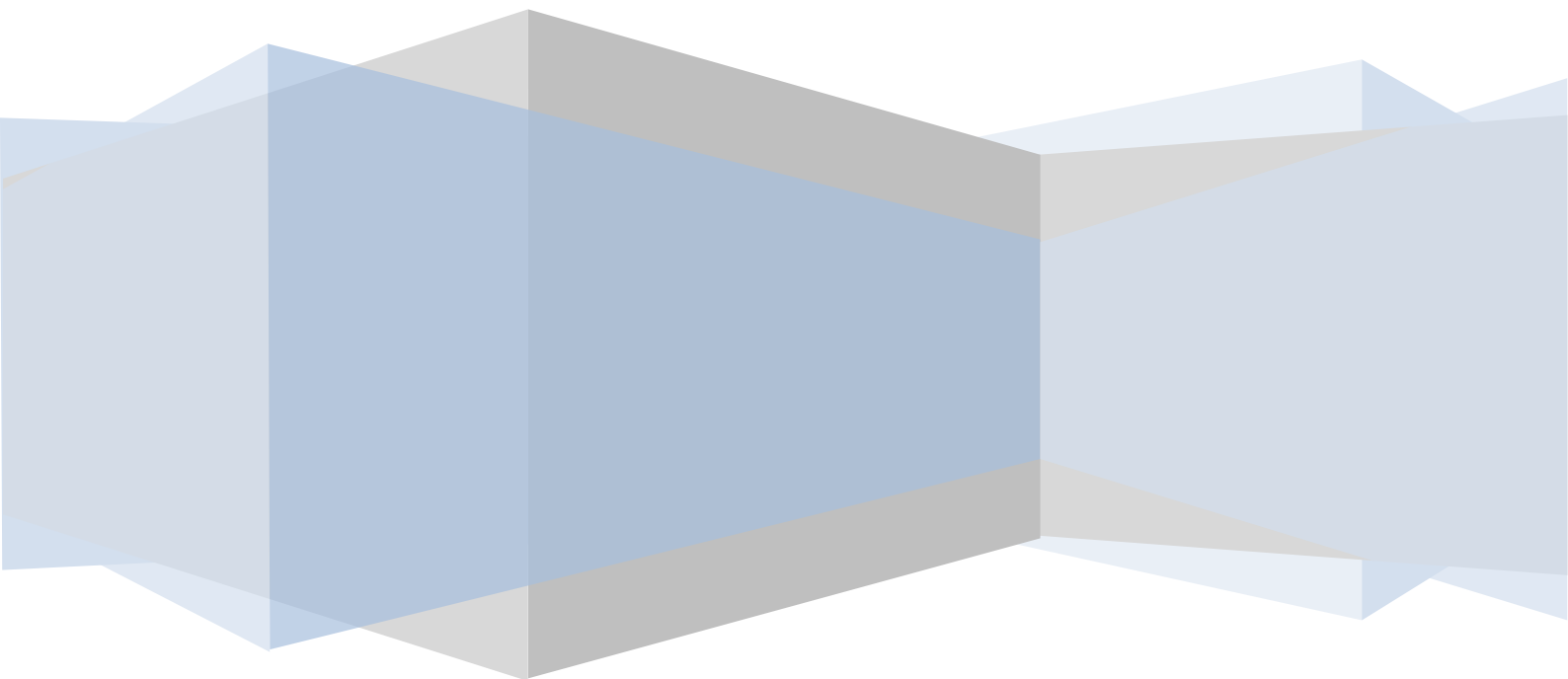




# **DATA RETENTION POLICY & SCHEDULE**

**May 2023**



All policies are available on tape, in braille, and in translation into most languages. Please ask a member of staff if you would like this policy in a different format.

Date of Policy Review: May 2023  
 Date of Committee Approval: 23 May 2023  
 Date of Next Review: May 2026

<p>SCOTTISH HOUSING REGULATOR STANDARDS</p>	<p>STANDARD 1: The Governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</p> <p>STANDARD 2: The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. Its primary focus is the sustainable achievement of these priorities.</p> <p>STANDARD 3: The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay.</p> <p>STANDARD 4: The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisations purpose.</p> <p>STANDARD 5: The RSL conducts its affairs with honesty and integrity.</p> <p>STANDARD 6: The governing body and senior officers have the skills and knowledge they need to be effective.</p>
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## **Introduction**

The UK General Data Protection Regulation ('UK GDPR') provides that organisations which process personal data must not retain that data for any longer than is *necessary* for the purposes for which the personal data are processed.

## **Purpose**

This policy details Cathcart & District Housing Association's approach to the retention, deletion, and destruction of personal data. All members of staff are obliged to familiarise themselves with this policy and refer to it on an ongoing basis to ensure that its terms are implemented and complied with.

## **Storage of Personal Data**

Cathcart & District Housing Association stores personal data in a variety of ways. This includes hard copy documents, emails, digital documents stored on desktop computers, laptops, phones and other devices, data stored on our servers and in our cloud-based storage, along with data stored by third parties on our behalf.

When updating, rectifying, erasing and deleting any personal data, due care must be taken to ensure that all personal data held in all locations (including back-up storage) and in all forms is dealt with securely and to ensure that a consistent and accurate record of personal data is maintained.

## **Retention of Personal Data**

Different types of personal data may need to be retained for different periods of time depending on the purposes for which the data is processed and the legal and regulatory retention requirements in relation to certain categories of data.

In determining the appropriate retention period consideration should be given to the following factors:

- a) the purposes for which the personal data is processed;
- b) the legal basis for processing that personal data;
- c) legal requirements for retention (particularly employment and health and safety law);
- d) regulatory requirements; and
- e) best practice

An appropriate retention period should be identified for each category of personal data. Data subjects must be informed of the retention period which applies to their personal data or, if there is no fixed retention period, the criteria used to determine that period; and where the purposes for which the data is processed have changed, any new retention period.

All personal data processed by Cathcart & District Housing Association shall be retained in accordance with the periods set out in the retention schedule below.

Personal data will be retained in accordance with the appropriate retention period and permanently deleted and/or securely destroyed in accordance with this policy. No personal data shall be destroyed or deleted other than in accordance with this policy.

### **Review and Deletion of Personal Data**

A review of the personal data processed by Cathcart & District Housing Association will be carried out on an annual basis. During the course of this review, we will:

- a) Review the retention periods for each category of personal data processed and whether any alteration to these periods is required
- b) Identify personal data which is due for destruction and deletion
- c) Arrange for the secure deletion and destruction of personal data which will no longer be retained

### **Monitoring and Review**

This policy was last updated in May 2023 and shall be regularly monitored and reviewed, at least every three years.

## DATA RETENTION SCHEDULE

### CORPORATE AND GOVERNANCE

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Confirmation letter of charitable registration		Statutory Requirement	Permanently	No specific statutory retention period. NFHA best practice – permanently	Funders, Solicitors, HM Revenue & Customs
HMRC confirmation Letter re charitable status		Tax purposes	Permanently	No specific statutory retention period. NFHA best practice – permanently	Regulatory bodies
Registration documents		Statutory Requirement	Permanently	No specific statutory retention period. NFHA best practice - permanently	Publicly available
Memorandum and Articles of Association (Rules)		SFHA Charitable Rules	Permanently	No specific statutory retention period. SFHA best practice permanently	Publicly available
Minutes of Committee Meetings		Record of Committee Meetings	Permanently	CA Signed originals must be kept	Scottish Housing Regulator, Auditors. Publicly available
Video recordings of Committee Meetings		To type up minutes so they are a true record	3 months	Best practice	Corporate Services Officer

## CORPORATE AND GOVERNANCE

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Certificates of Employers' Liability Insurance		<p>The Employers Liability (Compulsory Insurance) Act came into force on 1 January 1999.</p> <p>Authorised inspectors now have the power to require employers to provide them with a copy of both current and past certificates.</p>	40 years	Employers Liability (Compulsory Insurance) Regulations 1998	Publicly available
Annual Returns to Housing Regulator		Record of information submitted to Regulator	5 years	NFHA recommendation – best practice	Scottish Housing Regulator, SHN Benchmarking
Annual Returns to Housing Regulator – working papers		Record of workings for annual returns	3 years	No specific statutory retention period. NFHA best practice - permanently	Scottish Housing Regulator
Audited returns and financial statements (including Annual Returns to Registrar of Friendly Societies)		Record of the Association's financial management position	Permanently	No specific statutory retention period. NFHA best practice - permanently	Management Committee, Lenders, Members, OSCR, Scottish Housing Regulator, Auditors

## CORPORATE AND GOVERNANCE

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Declarations of Interest		Record of staff declarations of interest	6 years	NFHA recommendation – limitation for legal proceedings	Management Committee, Auditors
Declarations of Interest		Record of Committee declarations of interest	6 years	NFHA recommendation – limitation for legal proceedings	Management Committee, Auditors
Register of Seals		Record of use of seal	Permanently	NFHA recommendation – best practice	Auditors, Chairperson
Register of Share Certificates		Record of share certificates issued and cancelled	Permanently	NFHA recommendation – best practice	Auditors, Chairperson
Registers of Members		Record of Members and ex members	Permanently	Registrar of Friendly Societies	Auditors, Chairperson
Committee Members names, addresses, dates of birth and code of conduct details		Regulatory requirement	All the time while on the Committee and for 6 years thereafter	No specific statutory retention period	Corporate Services Officer, Director, Auditors, Scottish Housing Regulator

## CORPORATE AND GOVERNANCE

Information Collected or Held	Location	Purpose collected or held	Period Retained for	Statutory Retention Source	Exchanged with, or passed on to
Benefits to Staff and Committee Members under Housing (Scotland) Act 2001		Regulatory requirement	Permanently	Scottish Housing Regulator	Publicly available record, Auditors, Scottish Housing Regulator, Management Committee
Complaints to HA and the Ombudsman		To monitor and record complaints	6 years	Prescription and Limitation (Scotland) Act 1973	Ombudsman, Management Committee, Scottish Housing Regulator, Auditors
Telephone recordings		To monitor external calls (no card details are recorded when payments are made over the phone)	6 months	No statutory retention period	N/A
CCTV footage – 3 internal & 3 external cameras covering reception, external building, back office, and car park		Surveillance for security and safety purposes	30 days	No statutory retention period	Police
Staff note pads		For staff to take notes and messages when on the phone to tenants/ owners/customers to then pass on to relevant staff member	Until note pad is finished	No statutory retention period	Relevant staff members



Staff WhatsApp Group		For staff to communicate and keep in contact with each other.	1 month	No statutory retention period	All CDHA staff
Printed documents		For staff to work on a document if unable to do this on laptop.	Until work is complete	No statutory retention period	N/A
Memory stick		Storage of documents	Documents should be moved to a secure drive or deleted as soon as the work is complete	No statutory retention period	N/A
Leavers Accounts		To monitor an inbox when a staff member leaves and to ensure all essential information is kept.	6 months	No statutory retention period – in line with our IT Policy	N/A

<b>HR DOCUMENTS</b>					
<b>Information Collected or Held</b>	<b>Location</b>	<b>Purpose collected or held</b>	<b>Period retained for</b>	<b>Statutory Retention Source</b>	<b>Exchanged with, or passed on to</b>
Employees' Personnel Records		Details of employment and next of kin etc. for efficiency of organisation	6 years after employment ceases	Prescription and Limitation (Scotland) Act 1973	Details supplied for references, Inland Revenue, Police, Pension Scheme, DWP, Auditors, Scottish Housing Regulator, Lawyers, Employee Counselling Service

Employees' Staff Appraisals, Training & Development records		To record employee development	6 years after employment ceases	Prescription and Limitation (Scotland) Act 1973	Details supplied for references, Management Committee, Auditors and Scottish Housing Regulator
Employee's health and sickness records		To calculate entitlement to sickness allowance, to provide referrals to occupational health specialists / GP	6 years after employment ceases	Prescription and Limitation (Scotland) Act 1973	Details supplied for references, HMRC, DWP, Dept of Employment, Auditors and Management Committee
Recruitment shortlists, equality monitoring details, interview notes and related application forms		To provide monitoring details for Equal Opportunities.  To assist in case of dispute of an application.	6 months for all unsuccessful applicants.  Successful job applicants' documents will be transferred to personnel file	SDA RRA  Also, recommendation of the Equality and Human Rights Commission	For monitoring by Management Committee, Auditors, and Industrial Tribunal.

## HR DOCUMENTS

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Disclosure Scotland Records		To comply with legislation where staff or committee are working with vulnerable groups	Paper copy retained for 6 months then destroyed	Employment legislation and Disclosure Scotland guidelines	For monitoring by Management Committee, Auditors

## HEALTH AND SAFETY - EMPLOYEES

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Accident records, reports		To record health and safety incidents and any action required	3 years after date of occurrence unless the person involved in the accident is under the age of 18, in which case the record needs to be retained until that individual turns 21.	Limitation for legal proceedings for personal injury claims.	Details supplied for reference, Health & Safety Advisors, or representatives
Accident Books		To record incidents	3 years after date of last entry unless the person involved in the accident is under the age of 18, in which case the record needs to be retained until that individual turns 21.	Limitation for legal proceedings for personal injury claims	Details supplied for reference, Health & Safety Advisors or representatives
DSE workstation checklist		To assess risk from the way employee's use display screens at work and to assess each workstation	3 years	Health and Safety (Display Screen Equipment) Regulations 1992	Health and Safety Administrator, Health and Safety representatives

## HEALTH AND SAFETY - EMPLOYEES

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Medical records relating to control of asbestos		To record any medical issues as a result of asbestos	40 years after the last entry in those records	Control of Asbestos Regulations 2012	Health and Safety Administrator, Health and Safety Representatives
Health and Safety policy statements		Sets out how the Association manages health and safety within the workplace	6 years after employment ceases	Best Practice	Health and Safety Administrator

## FINANCE - EMPLOYEES

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Record of taxable payments		HMRC requirement	6 years plus current financial year	HMRC	HMRC, Auditors
Record of earnings on which NI contributions payable		HMRC requirement	6 years plus current financial year	HMRC	HMRC, Auditors
Copies of notices to employees (P45, P60)		HMRC requirement	6 years plus current financial year	HMRC	All P45s now processed online to IR, with copy given to employee.

## FINANCE - EMPLOYEES

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
HMRC notices of code changes, pay and tax details		HMRC requirement	6 years plus current financial year	HMRC	Sent from IR to Association. Employees receive copy direct from IR
Expense Claims		HMRC requirement / budgetary control	6 + 1 years after audit	HMRC	HMRC re Subscription Expenses, Auditors
Record of sickness payments		HMRC requirement	6 years plus current financial year	NFHA (HMRC require retention of each payment for 3 years)	Employee, Auditors
Record of maternity payments		HMRC requirement	6 years plus current financial year	NFHA (HMRC require retention of each payment for 3 years)	HMRC, Employee, Auditors
Redundancy details and record of payments and refunds		Legal and Inland Revenue requirement	6 years from date of redundancy	CIPD recommendation (HMRC require retention for 6 years)	Auditors, Solicitors, HMRC, Employee

## FINANCE - ACCOUNTING

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Accounting Records		Statutory Obligation	6 years plus current financial year (electronic records kept permanently)	Legal requirement	References, auditors, Scottish Housing Regulator, borrowing facilities
Offers of Grant (Scottish Government Housing Investment / Wider Role / EDC / NHP / Scottish Water		To monitor conditions attached to grants	6 years plus current financial year (electronic records kept permanently)	Best practice	Private Lenders, Auditors, any other relevant party
Contractor Invoices		For auditing purposes and budget control	6 years plus current financial year	VATA Revenue & Customs requirement for VAT registered bodies	Auditors, Scottish Housing Regulator
Debtors Invoices		For auditing purposes and budget control	6 years plus current financial year	VATA Revenue & Customs requirement for VAT registered bodies	Auditors, Scottish Housing Regulator
Bank Statements and pay in books		Auditing Purposes and budget control	6 years plus current financial year	Best practice	Auditors, Scottish Housing Regulator

## FINANCE - ACCOUNTING

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
VAT Returns		Legal and Inland Revenue requirement	6 years plus current financial year	HMRC	HMRC, Auditors
Books of prime entry e.g. cash book, ledgers, petty cash records		Legal and Inland Revenue requirement	6 years plus current financial year	HMRC	HMRC, Auditors, Management Committee, Finance staff and Director
Cash received records		Legal and Inland Revenue requirement	6 years plus current financial year	HMRC	HMRC, Auditors, Management Committee, Finance staff and Director

## HOUSING MANAGEMENT

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Current Tenant Files		Details relating to tenancy including details of any complaints	Duration of tenancy	No statutory retention period – NFHA recommendation	Details supplied for references, auditors, Scottish Housing Regulator and Solicitors

## HOUSING MANAGEMENT

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Former Tenant Files – Key Details (excluding tenancy agreements)		Details relating to tenancy including details of any complaints	5 years on an exception basis where file contents are judged sufficiently Important	No statutory retention period – NFHA recommendation	Details supplied for references, auditors, Scottish Housing Regulator and Solicitors
Former Tenants' Tenancy Agreements, and details of their leaving		Details relating to former tenancy agreement	5 years on exception basis where file contents are judged sufficiently important	No statutory retention period – NFHA recommendation	Details supplied for references, auditors, Scottish Housing Regulator and Solicitors
Cancelled housing list application forms		Details of applicants applying to be rehoused. For assessment of housing circumstances /priority	Application forms cancelled on Home Master on annual review or on applicant's request then deletion after 5 years.	Best Practice	Auditors, Scottish Housing Regulator & Management Committee



## HOUSING MANAGEMENT

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Housing Benefit Notifications		Details of housing benefit awards for reference and entitlement checks	2 years	Recommendation of Institute of Rent Officers (now merged with CIH)	Auditors, Scottish Housing Regulator & Management Committee
Welfare Rights Files		Details of welfare rights cases to enable client's entitlements to be assessed and pursued	13 months after case closed	DWP Requirement	Auditors, Scottish Housing Regulator & Management Committee
Tenancy Support Records		Referral details, contact details, housing support assessment, support plans and contact records as well as any related correspondence	5 years	Best Practice	Social Services / Care Commission
Tenant Rent details		Record rent payments, arrears, and housing benefit arrangements, produce statistical reports	Whilst resident or arrears cleared for former tenants	Best Practice	Details used for Scottish Housing Regulator, Solicitors and Management Committee

## HOUSING MANAGEMENT

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Tenants Survey Results		Ascertain service performance and analysis for service improvements	3 years	Best Practice	Management Committee, Scottish Housing Regulator
Tenants' financial details		Direct debit mandates or any other financial arrangements for rent and debt management	Duration of tenancy, and if terminated, Association may have to recall info for debt recovery or tenancy references	Best practice	Other housing providers who require tenancy reference by signed mandate, Auditors, Scottish Housing Regulator, Courts if action taken, Solicitors if case notes passed over to raise action.
Anti-social complaints records		To record reports of alleged anti-social behaviour and record action taken by the Association	While resident	Best practice	Information used for Scottish Housing Regulator, Solicitors and Management Committee

## HOUSING MANAGEMENT

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Right to Buy applications and information		Details relating to Right to Buy applications	Permanently	Best Practice	Scottish Housing Regulator, Auditors, Solicitors, Management Committee
Records of Estate Management Inspections		To monitor service performance and analyse service improvements	5 years	Best Practice	Management Committee, Scottish Housing Regulator
Details re collection of Former Tenant Arrears		To monitor service performance	5 years	Prescription and Limitation (Scotland) Act 1973	Management Committee, Scottish Housing Regulator

## HOUSING MANAGEMENT

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Record of Lets		To monitor service performance	5 years	Best Practice	Management Committee, Scottish Housing Regulator, Housing, Newsletter

## MAINTENANCE

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Maintenance repair orders and property maintenance records		Details of individual repairs carried out in properties, to produce statistical and historical reports	6 + 1 years Limitation for legal action	NFHA Guidelines	Management Committee, Scottish Housing Regulator, Auditors

## MAINTENANCE

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Development documentation		Details of developments within the Association's programme	12 years after settlement of all issues  Limitation for legal action relating to land or contracts under seal	NFHA Best Practice	Management Committee, Scottish Housing Regulator, Auditors, Bank
Mileage records for company vans		Company vehicle record	2 years after disposal	Best Practice	Insurers / relevant parties
Maintenance records, MOT tests for company vans		Company vehicle record	2 years after disposal	Best Practice	Insurers / relevant parties
Copy registration for company vans		Company vehicle record	2 years after disposal	Best Practice	Insurers / relevant parties
Insurance Policy for company vans		Company vehicle record	For current period of insurance + 1 year after renewal	Best Practice	Insurers / relevant parties

## MAINTENANCE

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Statutory Consents (including habitation certificates)		Legal requirement	Permanently	Best practice	Relevant parties as required
Energy Performance Certificates		Legal requirement	10 years	Best Practice	Copy fixed to property
Gas Servicing		Legal requirement and to audit contractor's performance in meeting requirements	3 years	Gas Safety (Installation and Use) Regulations 1998	Relevant parties as required
Public Liability Insurance		To process insurance claims relating to public liability	Up to 2 years after claim has settled	Best practice	Insurance broker, tenants, 3 <sup>rd</sup> party claimants, legal advisors

## CONTRACTS AND AGREEMENTS

Information Collected or Held	Location	Purpose collected or held	Period retained for	Statutory Retention Source	Exchanged with, or passed on to
Contracts for the purchase of goods or services, including professional services		Record of agreement and services purchased	6 years after completion	NFHA recommendation  Limitation for legal proceedings	Relevant parties to contract, Auditors
Loan agreements		Record of borrowing, and conditions attached	12 years after last payment	NFHA recommendation	Scottish Housing Regulator, Accountant, and relevant parties to agreement
Documents relating to successful tenders		To support management of contracts	6 years after end of contract	NFHA recommendation – best practice	Relevant parties
Documents relating to unsuccessful tenders		N/A	Until expiry of standstill period	Legal advice received	N/A

## **STATUTORY RETENTION PERIODS**

The following represents an ever-changing list of retention periods. The list is not exhaustive. The list may need to be modified to suit your particular organisation.

The main UK legislation regulating statutory retention periods is summarised below. If employers are in doubt, it's a good idea to keep records for at least 6 years (5 in Scotland), to cover the time limit for bringing any civil legal action.

### **Accident books, accident records/reports**

Statutory retention period: 3 years from the date of the last entry (or, if the accident involves a child/young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos).

Statutory authority: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).

### **Accounting records**

Statutory retention period: 3 years for private companies, 6 years for public limited companies.

Statutory authority: Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006.

### **Income tax and NI returns, income tax records and correspondence with HMRC**

Statutory retention period: not less than 3 years after the end of the financial year to which they relate.

Statutory authority: The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631).

### **Medical records and details of biological tests under the Control of Lead at Work Regulations**

Statutory retention period: 40 years from the date of the last entry.

Statutory authority: The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676).

### **Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)**

Statutory retention period: 40 years from the date of the last entry.

Statutory authority: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).

### **Medical records under the Control of Asbestos at Work Regulations:**

Medical records containing details of employees exposed to asbestos and medical examination certificates

Statutory retention period: (medical records) 40 years from the date of the last entry; (medical examination certificates) 4 years from the date of issue.



Statutory authority: 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)

### **Medical records under the Ionising Radiations Regulations 1999**

Statutory retention period: until the person reaches 75 years of age, but in any event for at least 50 years.

Statutory authority: The Ionising Radiations Regulations 1999 (SI 1999/3232).

### **Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)**

Statutory retention period: 5 years from the date on which the tests were carried out.

Statutory authority: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).

### **Records relating to children and young adults**

Statutory retention period: until the child/young adult reaches the age of 21.

Statutory authority: Limitation Act 1980.

### **Retirement Benefits Schemes** – records of notifiable events, for example, relating to incapacity

Statutory retention period: 6 years from the end of the scheme year in which the event took place.

Statutory authority: The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)

### **Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence**

Statutory retention period: 3 years after the end of the tax year in which the maternity period ends.

Statutory authority: The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended.

### **Wage/salary records (also overtime, bonuses, expenses)**

Statutory retention period: 6 years.

Statutory authority: Taxes Management Act 1970.

### **National minimum wage records**

Statutory retention period: 3 years after the end of the pay reference period following the one that the records cover.

Statutory authority: National Minimum Wage Act 1998.

### **Records relating to working time**

Statutory retention period: 2 years from date on which they were made.

Statutory authority: The Working Time Regulations 1998 (SI 1998/1833).

### **Recommended (non-statutory) Retention Periods**

For many types of HR records, there is no definitive retention period: it is up to the employer to decide how long to keep them. Different organisations make widely differing decisions about the retention periods to adopt. Employers must consider what a necessary retention period is for them, depending on the type of record.

The advice in this factsheet is based on the time limits for potential UK tribunal or civil claims. The period is often a question of judgement rather than there being any definitive right answer. For example, some records managers in public sector organisations recommend keeping an employee's records until they reach the age of 100, especially for pension purposes.

The UK Limitation Act 1980 contains a 6-year time limit for starting many legal proceedings. So, where documents may be relevant to a contractual claim, it's recommended that these are kept for at least a corresponding 6-year period.

### **Actuarial valuation reports**

Recommended retention period: permanently.

### **Application forms and interview notes (for unsuccessful candidates)**

Recommended retention period: 6 months to a year. (Because of the time limits in the various discrimination Acts, minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicants documents will be transferred to the personnel file in any event.

### **Assessments under health and safety regulations and records of consultations with safety representatives and committees**

Recommended retention period: permanently.

### **HMRC/HMRC approvals**

Recommended retention period: permanently.

### **Money purchase details**

Recommended retention period: 6 years after transfer or value taken.

### **Parental leave**

Recommended retention period: 5 years from birth/adoption of the child or 18 years if the child receives a disability allowance.

### **Pension scheme investment policies**

Recommended retention period: 12 years from the ending of any benefit payable under the policy.

### **Pensioners' records**

Recommended retention period: 12 years after benefit ceases.

### **Personnel files and training records** (including disciplinary records and working time records)

Recommended retention period: 6 years after employment ceases.

### **Redundancy details, calculations of payments, refunds, notification to the Secretary of State**

Recommended retention period: 6 years from the date of redundancy

### **Senior executives' records** (that is, those on a senior management team or their equivalents)

Recommended retention period: permanently for historical purposes.

### **Statutory Sick Pay records, calculations, certificates, self-certificates**

Recommended retention period: The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. Although there is no longer a specific statutory retention period, employers still have to keep sickness records to best suit their business needs. It is advisable to keep records for at least 3 months after the end of the period of sick leave in case of a disability discrimination claim. However, if there were to be a contractual claim for breach of an employment contract it may be safer to keep records for 6 years after the employment ceases.

#### **Timecards**

Recommended retention period: 2 years after audit.

#### **Trade union agreements**

Recommended retention period: 10 years after ceasing to be effective.

#### **Trust deeds and rules**

Recommended retention period: permanently.

#### **Trustees' minute books**

Recommended retention period: permanently.

#### **Works council minutes**

Recommended retention period: permanently.

**Appendix 1:**

**Cathcart & District Housing Association  
Equality Impact Assessment**

<b>Name of policy to be assessed</b>	Data Retention Policy and Schedule	<b>Is this a new policy or a review?</b>	Review
<b>Person completing the assessment</b>	Emma Connelly	<b>Date of Assessment</b>	05.05.23

1. Briefly describe the aims, objectives and purpose of the policy	This policy details Cathcart & District Housing Association’s approach to the retention, deletion, and destruction of personal data. We aim to comply with legal and regulatory requirements concerning data retention and with our data protection obligations, in particular, the UK GDPR principle which states that organisations must not retain data for any longer than is necessary for the purposes for which the personal data is processed.
2. Who is intended to benefit from the policy? (e.g. staff, applicants, tenants, staff, contractors)	Staff, Committee, Tenants, Housing Applicants, Owners, Customers and Contractors
3. What outcomes are wanted from this policy? (e.g. benefits to customers)	<p>The Association requires staff to manage our data appropriately and within legal and regulatory requirements. This policy is designed to ensure all staff know what is to be retained, why and for how long. This provides assurances to those noted at 2 above that the Association is managing their data responsibly.</p> <p>The policy ensures that the appropriate retention period is identified for personal data retained and permanently deleted and/or securely destroyed.</p>

4. Which protected characteristics could be affected by the policy (tick all that apply)		
Minority Ethnic:		Age:
Gender:		Religion/belief:
Disability:		Transgender:
Sexual Orientation:		Maternity/Pregnancy:
Marriage/civil partnership:		Socio-economic status:
5. If the policy is not relevant to any of the protected characteristics listed in part 4. State why and end the process here.		
This policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.		
6. Describe the likely positive or negative impacts the policy could have on the groups identified in part 4.	<b>Positive Impacts</b>	<b>Negative Impacts</b>
7. What actions are required to address the impacts arising from this assessment?	N/A	

Signed: Emma Connelly

Date: 05.05.23