

The Charterhouse

Records Retention Policy

Document retention

1. INTRODUCTION

- 1.1. The main aim of this policy is to enable the Charterhouse 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. The Charterhouse 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 Bursar 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 the Bursar, 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

DOCUMENT TYPE	LEGISLATION/REASONS FOR RETENTION	RETENTION PERIOD
CORPORATE/CONSTITUTIONAL RECORDS		
Company Articles of Association	Companies Act 2006	Permanent
Trust Deed, Charity Schemes and constitution	Charities Act 2011	Permanent
Trustee/director minutes of meetings	Companies Act 2006, Charities Act 2011	Permanent
Documents of clear historical/archival significance	Data Protection regulation	Permanent if relevant data protection regulation provisions are met
Contracts e.g. with funders or grantees, confidentiality and non-disclosure agreements	Limitation Act 1980	Length of contract term plus 6 years
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years
IP records and legal files re provision of service	Limitation Act 1980	Life of service provision or IP plus 6 years
FINANCE		
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006, Charities Act 2011, CIO (General) Regulations 2012	Permanent record
Tax and accounting records	Finance Act 1998, Taxes Management Act 1970	6 years from end of relevant tax year
Information relevant for VAT purposes	Finance Act 1998 and HMRC Notice 700/21	Minimum 6 years from end of relevant period
Banking records/receipts book/sales ledger	Companies Act 2006, Charities Act 2011	6 years from transaction

DOCUMENT TYPE	LEGISLATION/REASONS FOR RETENTION	RETENTION PERIOD
FUNDRAISING and COMMERCIAL OPERATIONS		
Deed of covenant/Gift Aid declarations and correspondence re donations	As part of tax records	6 years after last payment or 12 years if payments are outstanding or dispute over deed
Strategy documents and performance against targets reports	Historical record	5 years after superceeded
Records of potential and actual donors and donations	Best practice	As long as donor or potential donor is actively engaged or may be actively engaged with the charity or memorialised as agreed with the donor.
Legacies – correspondence and financial records	Best practice	6 years after completion of estate administration or memorialised as agreed with the donor
Contacts for promotion and use of services	Best practice	As Privacy Policy
Museum & Learning Centre visitors details	Best practice	Hard copy 3 months, database as Privacy Policy
BROTHERS' RECORDS		
Application documents and file of papers relating to a Brother	To make sure beneficiaries are eligible under the Scheme; to best manage the care provided	1 year if not accepted; 3 years after death or 3 months if no longer supported
Information about how best to support the person (support plans, risk assessments; health action plan and medical information and appointments etc.)	CQC	3 years after death or 3 months if no longer supported
Records of complaint and investigations	As beneficiaries of the charity to comply with Scheme	3 years or 3 months if no longer supported

DOCUMENT TYPE	LEGISLATION/REASONS FOR RETENTION	RETENTION PERIOD
Medication records (medication administration records sheets; PRN guidance; how the person takes their medication; self-assessments for self-medicating; how to order medication etc.)	CQC	3 years after death or 3 months if no longer supported
Personal Finance records	CQC	
Accident and Incident reports and other events and occurrences that require notification to CQC	CQC	
Safeguarding of Vulnerable Adults reports	CQC / Commercial	
Mental Capacity Act / Supported Decision Making records	CQC	
Use of restraint and Deprivation of Liberty Safeguards	CQC / Commercial	
Documentation required by the Commission	CQC	
Monitoring Documents (e.g. bowel movement charts, weight or certain behaviours records)	Commercial	
Personal documents (Accommodation and Service agreement; financial/benefit statements etc.)	As beneficiaries of the charity to comply with Scheme	
Communication with families	CQC	

DOCUMENT TYPE	LEGISLATION/REASONS FOR RETENTION	RETENTION PERIOD
TENANTS RECORDS		
Tenancy details, rent payment information, H&S records	Best practice	For duration of tenancy + 3 months; H&S records see below
EMPLOYEE/ADMINISTRATION		
Payroll/Employee/Income Tax and NI records: P45; P6; P11D; P60 etc	Taxes Management Act 1970 /IT (PAYE) Regulations	6 years from end of current year
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year
Sick pay	Statutory Sick Pay, (General) Regulations	3 years after the end of the tax year
National Minimum wage records	National Minimum Wage Act	3 years after the end of the tax year
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007	Minimum 2 years from end of employment
HR files and training records	Limitation Act 1970 and Data Protection regulation	Maximum 6 years from end of employment
Records re working time	Working Time Regulations 1998 as amended	2 years
Job applications (CVs and related materials re unsuccessful applicants)	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976	6-12 months from notification of outcome of application
Pre-employment/volunteer vetting	ICO Employment Practice Code	6 months
Disclosure & Barring Service checks	ICO Employment Practice Code	Record only satisfactory/unsatisfactory result and delete other information

DOCUMENT TYPE	LEGISLATION/REASONS FOR RETENTION	RETENTION PERIOD
Volunteer records	Best practice	As for staff, noting need to take account of risk (e.g. safeguarding re work with children or vulnerable adults)
INSURANCE		
Employer's Liability Insurance certificates	Employers' Liability (Compulsory Insurance Regulation) 1998	40 years
Policies	Commercial	3 years after lapse
Claims correspondence	Commercial	3 years after settlement
HEALTH & SAFETY/MEDICAL		
General records	Limitation Act 1970	Minimum 3 years
Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Permanent
Accident books/records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation
Medical Scheme documentation	Commercial	Permanent unless personal data is included
CHARITY PREMISES/PROPERTY		
Original title deeds		Permanent/to disposal of property
Leases	Limitation Act 1980	12 years after lease has expired

DOCUMENT TYPE	LEGISLATION/REASONS FOR RETENTION	RETENTION PERIOD
Building records, plans, consents and certification and warranties etc	Limitation Act 1980	6 years after disposal or permanent if of historical/archival interest.
PENSION RECORDS	Detailed Guidance for Employers: (April 2017) http://www.thepensionsregulator.gov.uk	
Records about employees and workers, Records re active members and opt in/opt out		Lifetime of employee
Records re the Scheme		Permanent

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 shredded in the office, or placed for collection in the confidential waste sacks located in the office.

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

3.4. Where deleting electronically, please refer to appropriate SMT member 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 Jaytag support.

Individual responsibility

3.7. Much of the retention and deletion of documents will be down to department heads, but when faced with a decision about an individual document, they should ask themselves 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?

ENDS

Last updated 9/4/18