



**Policy Title: Record Retention**

**Date: September 2021**



## Version Control

| <b>Version Number</b> | <b>Date</b> | <b>Revisions</b>   | <b>By</b>        |
|-----------------------|-------------|--|------------------|
| 0.1                   | 21.06.2019  | Full transfer to HWMK branded policy template  | Maxine Taffetani |
| 0.2                   | 13.09.2021  | Review. Alterations to storage of information held on internal databases to provide specific timeframes. Alignment with data storage timeframes as set out in Employee Data Retention Policy | Maxine Taffetani |

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## Policy Statement

Accurate, proportionate records are kept in order to:

- Provide a high-quality service to patients and the public.
- To ensure that feedback can be provided.
- To ensure good support and supervision to volunteers
- To comply with all employment, charity and company legal requirements
- To comply with quality assurance systems.

All records are made and held in accordance with the principles of the General Data Protection Regulations (GDPR) 2018. It is Healthwatch Milton Keynes' responsibility to ensure that our activities, whether solely or as part of another organisation, are covered by registration with the Information Commissioner's Office (ICO).

Records are retained for the period specified in the procedure below, and with the exception of items that must be stored permanently, are then safely destroyed.

Under GDPR, Healthwatch Milton Keynes holds and publishes an Information Asset Register (IAR) which sets out the type of personal data the organisation collects (processes) and how it manages, stores and disposes of that data. It also sets out the legal basis for processing personal data.

## Procedures

1. Any records required to be held as paper copies are held securely in locked filing cabinets in the main Healthwatch Milton Keynes Office. These include, HR files, comments received, signed consent forms and Record of Concerns Forms (ROCA). Where possible such records will be scanned and saved electronically either in the Microsoft 365 cloud server or the Breathhr platform.
2. Electronic files are kept securely, password protected and regularly backed up. Electronic files and information include data held in the Civi CRM database, payroll information, financial records, all HR records and retention records.
3. Members of the public who choose to engage with Healthwatch Milton Keynes are asked for explicit consent that their comments be stored within Civi CRM. They are informed about what personal information is stored, for what purpose(s), where the information is stored and for what time period. They will be informed that all personal information will be kept confidential and will not be shared unless

explicit consent has been given. When seeking consent to pass on personal details Healthwatch Milton Keynes will always confirm how the information will be used.

4. When DBS checks are requested, Healthwatch Milton Keynes will keep a record of the DBS reference number and the date the check was completed on the relevant volunteer or staff file but will not keep a copy of the DBS check.
5. Healthwatch Milton Keynes complies with the requirements of the law in relation to Charitable Incorporated Organisations, and records are maintained and retained in accordance with the retention summary below. Healthwatch Milton Keynes also complies with the Statement of Recommended Practice (SORP) in relation to its financial record keeping and reporting. All financial records are retained in accordance with the retention summary below.
6. Healthwatch Milton Keynes stores insurance policies and employer's liability insurance certificates and records relating to the leasehold of premises securely, and in line with the retention summary below.
7. Confidential hard copy records that are waiting to be destroyed must be kept securely and shredded or disposed of using a reputable company.
8. Electronic records should be destroyed in line with the retention schedule below by a reputable company and a certificate of destruction provided.

## Retention Schedule

| Retention of records in Healthwatch Milton Keynes  |   |
|--|---|
| <b>Employment</b>  |   |
| Staff and volunteer records should be retained for six years after the end of employment but need to only contain sufficient information in order to provide a reference (e.g. training and disciplinary records). |   |
| Copies of any reference given should be retained for six years after the reference request.  |   |
| Trustee files should be retained for six years.  |   |
| Application form   | Duration of employment destroy when employment ends |
| References received  | Duration of employment destroy when employment ends |
| Sickness and maternity records   | Six years from end of employment                    |
| Annual leave records   | Six years from end of employment                    |
| Unpaid leave/special leave records   | Six years from end of employment                    |
| Records relating to an injury or accident at work  | 12 years  |

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|--|---|
| References given/information to enable a reference to be provided  | Six years from end of employment  |
| Recruitment and selection material (unsuccessful candidates)   | 6 months, or longer if litigation requires this   |
| Disciplinary records   | Six years after employment has ended  |
| Statutory maternity pay records, calculations and certificates   | Retain while employed and for seven years after employment has ended                      |
| Redundancy details, calculation of payments and refunds  | Seven years from date of redundancy   |
| Note: if an allegation has been made about the member of staff, volunteer or trustee the staff record should be retained until they reach the normal retirement age or for ten years, if that is longer. E.g. around Safeguarding. |   |
| <b>Record of comments and other evidence, e.g. observations, experiences and views shared by the public, patients and service users, interviews, enter and view notes.</b>   |   |
| Comments recorded on internal databases  | 10 years  |
| Any paper-based comments and other evidence recorded on internal databases.  | 2 years   |
| Comments and or other evidence that have not been recorded on the database.  | 10 years  |
| Signed consent forms   | Destroy in line with above  |
| <b>DBS checks</b>  |   |
| Record disclosure reference numbers and date of check and return to the volunteer or staff member.   |   |
| <b>Record of Concern Forms (ROCA)</b>  |   |
| All ROCAs and related information should be kept for ten years. If the record relates to children and young people the record must be kept till they are 21 years old before destroying.   |   |
| <b>Financial records</b>   |   |
| Financial records  | 6 years (public funded companies)   |
| Income tax and NI returns, income tax records and correspondence with HMRC   | Not less than 3 years after the end of the financial year to which they relate            |
| Inland Revenue/HMRC approvals  | Permanently   |
| Payroll records (also overtime, bonuses, expenses)   | During employment and 6 years after employment has ended                                  |
| Pension contribution records   | 6 years   |
| Pension scheme investment policies   | 12 years from any benefit payable under the policy  |
| Statutory Maternity Pay records, calculations, certificates (MATB1) or any other medical evidence  | 3 years after the end of the tax year in which the maternity ends                         |
| Parental Leave   | 5 years from the birth/adoption of the child or 18 years if claiming disability allowance |
| <b>Corporate</b>   |   |
| Employers liability certificate  | 40 years  |
| Insurance policies   | Permanently   |

|  |   |
|--|---|
| <b>Certificate of incorporation</b>                            | Permanently   |
| <b>Minutes of Board of Trustees</b>                            | Permanently   |
| <b>Memorandum of association</b>                               | Original to be kept permanently   |
| <b>Articles of association</b>                                 | Original to be kept permanently   |
| <b>Variations to the governing Documents</b>                   | Original to be kept permanently   |
| <b>Statutory registers</b>                                     | Permanently   |
| <b>Membership records</b>                                      | 20 years from commencement of membership register   |
| <b>Rental or hire purchase agreements</b>                      | 6 years after expiry  |
| <b>Business agreements, agreements and other arrangements</b>  | Length of contract and 6 years after  |
| <b>Others</b>  |   |
| <b>Deeds of title</b>  | Permanently   |
| <b>Leases</b>  | 6 years after lease has expired   |
| <b>Accident books</b>  | Minimum of 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). |
| <b>Health and safety Assessments</b>                           | Permanently   |
| <b>Assessment of risks under health and safety legislation</b> | Retain until superseded   |