Records Retention and Disposal Policy

Document Control

Responsible Person	Chief Executive			
Review Frequency	5 Yearly			
Reviewed by	Board			
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Consultation Required	Yes		No	✓
Equalities Impact Assessment	Yes	✓	No	
Added to Company Website	Yes	✓	No	
Associated Documents Considered	Yes	✓	No	

1. Introduction

1.1. The effective management of records in all formats depends as much on their efficient and timely disposal as on their long-term preservation. Effective management of records will not only facilitate access to information but will also have a positive effect on the working environment. The Record Retention Policy is based on common practice and applicable legislative or regulatory requirements.

2. Purpose

2.1. The UK General Data Protection Regulation (UKGDPR) Article 5(1e – states that Personal Data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject (storage limitation);

For example, when an employee or Board Member leaves Waverley Housing, or a tenant terminates their tenancy with us, their personal details will not necessarily be deleted immediately as they may be required in the future for the provision of references or the defence of possible legal claims. Generally, under this Principle, personal data will be deleted when the relevant statutory or good practice time limit has expired and in accordance with our published Records Retention Periods.

2.2. No personal detail is of sufficient interest to be archived indefinitely, the General Data Protection Regulation makes it an offence to retain personal data for longer than is necessary and it must therefore be disposed of in the correct retention timeframe.

2.3. Waverley Housing has clearly defined policies and procedures for the retention and disposal of records. To ensure compliance, Waverley Housing has established a Records Retention Schedule which details record types held by all areas of the organisation and retention periods.

3. Responsibilities

3.1. All Managers are responsible for supporting and monitoring staff record keeping procedures and the Data Protection Officer (DPO) will monitor that records are destroyed in accordance with our Records Retention periods.

3.2. All Employees and Board Members are responsible for ensuring that all records created in the course of their work are reliable and accurate and retained for the appropriate length of time in accordance with our Records Retention periods.

4. The Length of the Retention Period

4.1. The length of time a record is retained depends on the type of record, its importance to Waverley Housing and any relevant legislation governing it.

4.2. The Records Retention Schedule takes account of these legal and regulatory requirements and sets out recommended retention periods. As a rule of thumb, most complaint records

should be kept for a minimum of six years, which is generally the time limit within which civil claims can be brought.

Records may be retained for longer periods when they:

a) Need to be retained because the information contained in them is relevant to legal action which has been started or is pending. It is the responsibility of the service area to provide information on pending legal action. If such action is pending, a note should be attached to the file stating that the records should not be destroyed. Electronic records, where possible, should be flagged to prevent erasure.

b) Are required to be kept longer by statute. A number of Acts and regulations govern the retention of certain types of records.

c) Are archived for historical purposes.

d) Consist of a sample of records maintained for the purpose of retrospective comparison.

e) Relate to individuals and providers of service who have, or whose staff have, been judged unsatisfactory.

f) Are held in order to provide, for the subject, aspects of his/her personal history.

g) Relate to contracts 'under seal' between Waverley Housing and a private company.

h) Where records require to be archived and password protected, encrypted, where systems do not allow for deletion.

5. Making a Decision to Destroy or Archive

5.1. Once records no longer serve their original purpose, they are either transferred to archives or destroyed. Some records have fixed retention periods whilst others will need more careful consideration.

5.2. All records should have 'owners'. These owners are responsible for ensuring the data is accurate, and is either archived or destroyed in accordance with the Retention Schedule. Record owners should make sure that all records are periodically and routinely reviewed to decide what can be disposed of whilst considering relevant guidance. The frequency of the review depends upon the retention period as specified in the Retention Periods Schedule.

5.3. In order to ensure the records Retention Policy works effectively, each section needs to have systems in place for managing records and for recording the decisions made.

6. Making Arrangements to Destroy or Archive

6.1. Most records must be destroyed as soon as practicable after the expiry of the relevant minimum retention period; these are usually identified following a review. However, there are other options. As a permanent destruction of records is an irreversible act, it is vital to consider all the options and get the decision right.

6.2. If physical storage space is an issue, records can be scanned from paper to computer. This option is advisable where, according to the Retention Periods Schedule, records have longer than average retention periods.

6.3. Though not common, records of potential historical significance or those that need to be kept indefinitely should be placed in archive in a separate storage facility.

7. Rules on Destruction

7.1. A significant number of our records contain sensitive or confidential information. It is vital that confidentiality is safeguarded at every stage and that the method used to destroy such records is fully effective.

7.2. Destruction is normally carried out onsite using in-house shredding machines. Alternatively, an approved contractor may be used for larger quantities of documents to be securely disposed of also onsite, and in these instances written evidence should be obtained from the supplier as proof of destruction prior to documents being removed from the building. Copies of documentation from the approved contractor should be saved into the appropriate folder.

7.3. If a record for destruction is known to be the subject of a request for information, destruction should be delayed until disclosure has taken place, or, if Waverley Housing has decided not to disclose the information, until the complaint and appeal provisions of the relevant legislation have been exhausted.

8. Training

8.1. Operational Managers will be responsible for training their staff in handling, filing and disposal of documents.

9. Retention Periods Schedule

9.1. It will be the responsibility of the Data Protection Officer (DPO) to provide and populate a Record Retention Schedule (see Appendix 1) showing the recommended retention period for all the records, both physical and electronic, held by Waverley Housing.

Appendix 1

Records Retention Schedule

Document	Recommended Retention Period	Owner/Responsible Person
Annual Insurance Policy & Schedule	6 Years	Corporate Services Director
Annual Returns to SHR (Financial)	5 Years	Corporate Services Director
Annual Returns to SHR (ARC) and notifiable events	5 Years	Operations Director
Balance Sheets and Supporting Documents	6 Years	Corporate Services Director
Bank Statements and Reconciliations	6 Years	Corporate Services Director
Board & Committee Minutes	Permanently	Company Secretary
Board Resolutions	Permanently	Company Secretary
Board and Committee Agenda and Reports	6 Years	Executive Support Officer
Budgets and Internal Financial Reports	6 Years	Corporate Services Director
Business Plans and Supporting Documentation e.g. Organisation Structures, Aims, Objectives etc.	6 Years after Plan Completion	Chief Executive
Cash Records	6 Years	Corporate Services Director
Cheques	6 Years	Corporate Services Director
Claims and Related Correspondence	3 Years after Settlement	Corporate Services Director
Emails	3 years and then deleted	IT Officer
Employers' Liability Insurance	Minimum 40 Years	Corporate Services Director
Copy Invoices	6 Years	Corporate Services Director
Credit and Debit Notes	6 Years	Corporate Services Director
Creditors, Debtors and Cash Income Control Accounts	6 Years	Corporate Services Director
Current Policies	Permanently	Executive Support Officer
Former Policies	5 Years	Executive Support Officer
Satisfaction Surveys	Retain current and previous	Property Services Manager
Use of Image Consent Forms and related Images/Photographs (non-board members or employees)	5 Years – by consent	Corporate Services Director
Group Health Policies	6 Years after Cessation of Benefit	Corporate Services Director
Instructions to Bank	6 Years	Corporate Services Director

Document	Recommended Retention Period	Owner/Responsible Person
Journal Transfer Documents	6 Years	Corporate Services Director
Loan Account Control Reports	6 Years	Corporate Services Director
Notice of Board Special Meetings	6 Years	Executive Support Officer
Orders and Delivery Notes	6 Years	Corporate Services Director
Pay-In Counterfoils	6 Years	Corporate Services Director
Register of Board Members (including parent and subsidiary companies)	Permanently	Company Secretary
Signed Copy of Annual Report and Annual Accounts	Permanently	Chief Executive
Memorandum & Articles of Association and any updates (including parent and subsidiary companies)	Permanently	Company Secretary
Annual Returns - AR01 (including parent and subsidiary companies)	Permanently	Company Secretary
Confirmation Statements (including parent and subsidiary companies)	Permanently	Company Secretary
Register of Interest in Voting Shares	Permanently	Company Secretary
Register of Charges (including parent and subsidiary companies)	Permanently	Company Secretary
Grant Documentation	Permanently	Corporate Services Director
Tax Returns and Records	10 Years	Corporate Services Director
VAT Records	6 Years	Corporate Services Director
VAT Related Correspondence	6 Years	Corporate Services Director

Registers

Document	Recommended Retention Period	Owner/Responsible Person
Accidents/RIDDOR Near Misses	Permanently 6 years after date of occurrence	HR Officer
Approved Contractors	6 Years	Property Services Managers
Code of Conduct – staff / board	6 years	Executive Support Officer
Complaints	6 years	Corporate Services Director/HR Officer
Consultation (Completed questionnaires / voting slips) Mailing lists Letters Outcomes spreadsheets)	6 years for register 2 years for supporting evidence	All Persons carrying out Consultations
Contracts Tender Information Unsuccessful Tenders	6 Years 2 Years after Notification 6 months after tender closing date	Persons putting Contracts in place
Data Breach	6 years	Data Protection Officer
Declaration of Interest	6 years	Executive Support Officer
Disclosures including DSAR / EIRS / FOI / SIC Returns	6 years	Data Protection Officer
Display Screen Equipment	Permanently	Corporate Services Director
Disposals (of Housing Stock)	Permanently	Corporate Services Director
Driving Validation	2 years	Corporate Services Director
Emergency Call Out	6 years	Property Services Manager/Housing Services Manager
EPB (including gifts and hospitality)	6 years	Executive Support Officer/HR Officer
Equality & Diversity Requests	6 years	HR Officer
Fire Incident	Permanently	Property Services Manager/Housing Services Manager
Fraud	Permanently	Corporate Services Director/Finance Officer
Improvements to Service	6 years	HR Officer

Document	Recommended Retention Period	Owner/Responsible Person
Information Asset	Permanently	Operational Managers
Insurance Inventory (Fixed Assets)	Permanently	Corporate Services Director
Key	Current year only – live document	HR Officer
Notifiable Events	Permanently	Executive Team
Panic Alarm	6 years	Housing Services Manager
PAT Testing	6 years	IT Assistant
PPE	6 years	Property Services Manager
Praise & Compliments	2 years	All Staff
Registered Tenant Organisations	6 years	Housing Services Manager
Sale of Land	Permanently	Operations Director
Sharps Collection and Disposal	6 years	HR Officer
Sponsorship	6 years	Corporate Services Director
Suggestion Box	6 years	HR Officer
Tools & Equipment	Current year only - Live Document	Property Services Manager
Use of Images	5 years from consent date – Employees – on cessation of contract	Corporate Services Administrative Assistant
Vulnerable Adults & Child Protection	Duration of current tenancy and 6 years after termination	Housing Services Manager
WH Garage Lock Up	Current year only - Live Document	Property Services Manager
White Goods	Current year only - Live Document	Housing Services Manager
Working at Heights	6 years	Property Services Manager

Contracts and Agreements

Document	Recommended Retention Period	Owner/Responsible Person
Documents Relating to Successful Tenders	6 Years after End of Contract	Persons putting Contracts in place
Documents Relating to Unsuccessful Tenders	2 Years after Notification	Persons putting Contracts in Place
Indemnities and Guarantees	6 Years after Expiry	Corporate Services Director
Licensing Agreements	6 Years after Expiry	Corporate Services Director
Loan Agreements	12 Years after Last Payment	Corporate Services Director
Rental and Hire Purchase Agreements	6 Years after Expiry	Corporate Services Director

Application and Tenancy Records

Document	Recommended Retention Period	Owner/Responsible Person
Applications for Accommodation	Duration of current tenancy and 6 years after termination. Housing applications retained on housing list electronically whilst current (subject to periodic review of housing list) Cancelled applications – 12 months after cancellation date	Housing Services Manager
ASB Case Files and Associated Documents	Duration of current tenancy and 6 years after termination or any legal action	Housing Services Manager
Care Plans for Adults, Children and Related Documents	Duration of current tenancy and 6 years after termination	Housing Services Manager
Current Tenants' Tenancy Files, including Rent Payment Records, Details of any Complaints and Harassment Cases, Permissions sought	Duration of current tenancy and 6 years after termination	Housing Services Manager
Documentation, Correspondence and Information provided by other Agencies relating to Special Needs of Current Tenants	Duration of current Tenancy and 6 years after termination	Housing Services Manager
Former Tenants' Tenancy files including Tenancy Agreements, Details of their Leaving and any other relevant documentation	6 years after termination	Housing Services Manager
Housing Benefit Notifications	Basic details held electronically for duration of tenancy and 6 years after termination	Housing Services Manager
Records Relating to Offenders	Duration of tenancy and 6 years after termination	Housing Services Manager

Property Records

Document	Recommended Retention Period	Owner/Responsible Person
Copy of Former Commercial Leases	12 Years after Settlement of all Issues	Corporate Services Director
Deeds of Ownership	Deeds of Title – Permanently or Until Property Disposed Of	Company Solicitors
Planning and Building Control Conditions	12 Years after Interest Ceases	Property Services Manager
Property Maintenance Records	6 Years	Property Services Manager
Property Reports and Professional Opinions	6 Years	Property Services Manager
Searches	12 Years after Interest Ceases	Company Solicitors
Contractor Files	6 years after termination from Approved Contractor List – Annual update of information carried out, as part of Annual Performance Review.	Property Services Manager
Wayleaves, Licenses and Easements	12 Years after Rights given or received cease.	Company Solicitors

Vehicles

Document	Recommended Retention Period	Owner/Responsible Person
Annual Driving Licence Check and Risk Assessment	2 Years	Corporate Services Director
Copy Registrations for company owned vehicles	2 Years after Disposal	Corporate Services Director
Maintenance Records, MOT Tests for company owned vehicles	2 Years after Disposal	Corporate Services Director
Mileage Records	2 Years after Disposal	Corporate Services Director

Employees

Document	Recommended Retention Period	Owner/Responsible Person
Personnel files: including application form details, references, offer letter & acceptance, Contracts, POR form, induction & training records, beneficiary forms, absence management records, salary details, appraisals	Personnel file contents are retained for the duration of current employment and for six years following cessation of employment.	HR Officer
Application forms, interview notes for unsuccessful candidates	6 months after interviews held	HR Officer
Disciplinary and Grievance records and PIP records	12 months (as per Disciplinary and Grievance Policy)	HR Officer
Flexitime records	Current and previous year only	HR Officer
ID and other photographs/images	Duration of Employment – as per consent	Admin Assistant – Corporate Services
CCTV images/Video doorbell	3 months	IT Officer
Employee tracking (in/out swipe)	Indefinitely with restricted access	IT Officer
Vehicle tracking	These are not retained other than for any disciplinary/grievance matters – when held for 12 months. Reports can be accessed for up to 3 years on the Webfleet portal but are deleted automatically there after.	HR Officer
Telephone call recordings	12 months	IT Officer
Accident records and reporting	Permanently	HR Officer
Redundancy details, calculations of payments, refunds, notifications to the Secretary of State	6 years (from redundancy date) if less than 20 redundancies; 12 years if 20 or more redundancies throughout the Company	Corporate Services Director
Parental leave	18 years	HR Officer

Document	Recommended Retention Period	Owner/Responsible Person
Health & Safety assessments and records of consultations with safety representatives etc	Permanently	CEO
Declarations of Interest/Code of Conduct records	6 years	Executive Support Officer
Payroll Records	6 years	Corporate Services Director
Health & Safety Assessments	Permanently	CEO
Health & Safety Policy Statements	Permanently	CEO
Health & Safety Statutory Notices	6 years after compliance	CEO
Records of Consultations with the Health & Safety Executive (HSE)	Permanently	CEO

Board Members

Document	Recommended Retention Period	Owner/Responsible Person
Board Member documentation files, e.g. application forms, appointment letters, induction and training records etc	6 years after cessation of board membership	Executive Support Officer
Bank details	Immediately following final payment of expenses	Corporate Services Director
Code of Conduct/Declarations of Interest forms	6 years	Executive Support Officer
ID photograph and other images/photographs	Duration of board membership (by consent)	Executive Support Officer
Expenses	6 years after cessation of board membership	Corporate Services Director