



ABBNEYFIELD POLICY & PROCEDURE/GOOD PRACTICE GUIDELINES

Policy Ref:	LG015P	Effective date:	March 2015
Owner:	Legal	Next review date:	March 2017

Approved by ECM 3 March 2015

TITLE	RECORDS RETENTION POLICY
1 Background	Abbeyfield must comply with best practice and legal and regulatory requirements in relation to the retention and secure disposal of records and electronically stored information. This will help Abbeyfield run as efficiently as possible and ensure we are complying with our data protection obligations.
2 Objectives	<p>Through the delivery of this policy we aim to:</p> <ul style="list-style-type: none"> • To ensure that records required to be kept for legal and other relevant purposes are kept for the appropriate period; • To manage and maintain records in such a way that there is full compliance with all regulatory and statutory requirements, and in particular to avoid fines from the Information Commissioner's Office. • To ensure records are stored in the most economical way, are accessible and are disposed of in a way which is auditable and meets all legal, environmental and other requirements. • To ensure records are kept secure and safe from loss, damage or tampering and are destroyed in a secure manner. • To protect Abbeyfield's reputation.
3 Scope	<p>This policy applies to all established staff, agency staff and volunteers; regional staff; staff based at the national office in St Albans.</p> <p>It applies to all records which may be held electronically on computer, or in hard copy/paper based filing systems and includes any audio or visual recordings made, for example, telephone or CCTV recordings.</p> <p>It also applies to records held in all Abbeyfield locations, including the national office, divisional offices, care homes and houses.</p>

ABBEYFIELD POLICY

<p>4 Policy 4.1</p> <p>4.2</p> <p>4.2.1</p> <p>4.2.2</p>	<p>Introduction</p> <p>All personal and confidential information held by Abbeyfield that it no longer needs should be destroyed in a secure manner subject to minimum retention periods. The Record Retention Schedules attached to this policy list different types of records and the time these should be kept for.</p> <p>It is important to appreciate that this policy and the schedules cannot be completely comprehensive and include every conceivable type of record or every circumstance in which such records might be required in future. Individuals may sometimes have to make their own judgements based on experience and expectation of need. The Data Protection Compliance Officer or the Legal team can provide additional advice if required.</p> <p>Retention of Records – General Principles</p> <p>In some cases, legislation specifies how long a record should be retained for. The Data Protection Act 1998 also requires that information on identifiable living individuals should not be kept for longer than is necessary for the purposes for which it was obtained and processed (see the Data Protection Policy).</p> <p><u>Electronic Records</u></p> <ul style="list-style-type: none">• All electronic data should be contained in a robust filing system to allow it to be kept secure, accessed and destroyed as appropriate. All emailed information can be called upon as evidence. Any important information sent by email should be included as an attachment, not in the body of the email so it can be appropriately stored. Staff should be encouraged to file, archive and periodically clear out all of their email boxes and to remember the insecure nature of emails sent outside of Abbeyfield. Please refer to the Computer and Internet Usage Policy for further guidance. <p><u>Paper/Hard Copy Records</u></p> <ul style="list-style-type: none">• Any paper files or other hard copy records such as CD's, DVD's, tapes..etc. which need to be retained must be kept secure and safe from destruction (including environmental effects such as light, dust, heat and damp) and tampering. Records can be archived if frequent referral is unnecessary, or
---	--

<p>4.2.3</p>	<p>in some cases if an electronic summary can be used while the originals are only used for legal purposes (e.g. accounting records). All records included those which have been archived must be destroyed appropriately according to the schedules.</p> <p><u>Archiving</u></p> <p>Archived records must be indexed so that they can be located within the archive and accessed within a reasonable time, for example in order to deal with investigations or comply with Subject Access Requests (see Access to Personal Records Policy).</p> <p>Records may be scanned for archiving purposes where it is unnecessary to keep the originals but must be properly indexed.</p>
<p>4.3</p>	<p>Which schedules are relevant to you?</p> <ul style="list-style-type: none">• Each team or location within Abbeyfield should devise their own systems for storing and destroying documentation, in line with the guidance provided here. If you would like the Legal team to review your plan, please contact them. There are sections that will be of use to all teams.• <u>Corporate Resources</u> – a large proportion of the schedules will affect the St Albans and divisional offices, specifically the contracts section (<i>Schedule 1</i>) which, for example states that contracts should be kept for 6 years from the date of termination. Please also keep in mind the accounts section (<i>Schedule 2</i>), governance (<i>Schedule 5</i>) and employment (<i>Schedule 6</i>). There are a number of prescribed time limits within these schedules that <u>must</u> be adhered to.• <u>Fundraising & Marketing</u> – of particular importance is the fundraising and marketing section (<i>Schedule 3</i>) covering records such as correspondence regarding donations, gift aid declarations and claims, image consent forms ..etc.
<p>4.4</p>	<p>Destruction and Disposal of Records</p> <p>It is recommended that records (paper/hard copy and electronic) should be reviewed annually. If data/information is no longer needed and is older that the retention period set out in the Schedules, it should be destroyed.</p> <p>It is not against the law to destroy records before the end of their recommended retention period. However, if a record is required to</p>

ABBNEYFIELD POLICY

<p>4.5</p>	<p>be produced as evidence in court and it cannot be produced, the court will make its own assumptions on the reason for the evidence having been destroyed. For this reason, destruction of records before the date given is not recommended.</p> <p>Any record which contains confidential information (including personal data) must be disposed of using secure confidential disposal. Small volumes of records can be destroyed using a cross-cut shredder. Large volumes of records should be disposed of using an approved contractor. When using such a contractor, there must be a contract in place which addresses data protection and confidentiality obligations (please contact the Legal Team if assistance is required with this). In addition, it is important to get a certificate of destruction from such a contractor as proof that the destruction process has been completed.</p> <p>The IT Manager [or Member Society equivalent] can provide advice on the secure destruction of data stored on IT equipment (e.g. on hard drives) if required. Any Abbeyfield IT equipment which is faulty or no longer needed should be returned to the IT Manager [or Member Society equivalent] in any event.</p> <p>Staff are reminded that they are personally responsible for the proper disposal of any confidential records they retain and for the records' security until they are destroyed or collected for disposal.</p> <p>Third Parties Processing Abbeyfield Data</p> <p>Records owned by Abbeyfield but held and/or processed by third parties must also be retained according to these schedules. The Data Protection Compliance Officer or the Legal team can provide advice on adding data protection and record retention information into a supplier contract or service agreement to ensure that a third party supplier or partner is aware of their obligations in this regard.</p>
<p>5 Finance (Any procurement activity required to be included), Value for Money & Social Value</p>	<p>Possibly document management services such as records destruction and external archiving/storage facilities.</p>
	<p>Record Retention Schedules.</p>

ABBNEYFIELD POLICY

6 Supporting Appendices	
7 Linked Policies	Access to Personal Records Policy Data Protection Policy Internet and Computer Usage Policy
8 Legislation / Regulation	Data Protection Act 1998
9 Review	Every 2 years, subject to any regulatory or legislative updates.

Key Changes (Reviewer please record any key changes you have made to the policy in the box below)

Previously we used the NHF Document Retention Policy. This latest version of the policy has been drafted specifically for Abbeyfield and includes a number of categories of documents which were not covered including marketing and fundraising, care records, volunteer records.

The title has been changed to Records Retention Policy to reflect the scope of records it covers including paper and electronic.

It has also been updated to refer to current legislation.