

# SA/16

## Data Protection Policy

“Our policies embed our culture, establish boundaries and outline our operating expectations. They have been agreed by our Board(s) as best practice documents for the Group’s decision making.”

### Policy Statement

Every day as a Group we will receive, use and store personal information about our customers, stakeholders and employees. It is important that this information is handled lawfully and appropriately in line with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation.

We take our data protection duties seriously, because we respect the trust that is being placed in us to use personal information appropriately and responsibly.

This policy applies to all ateb Group Limited, Mill Bay Homes and West Wales Care and Repair’s customers, stakeholders and employees.

| Approval Date | Lead Contact | Review Date |
|---------------|--------------|-------------|
|               | Ceri Barnett |             |

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### 2. Principles

The purpose of this policy and any other documents referred to in it, is to set out how ateb Group Limited, Mill Bay Homes and West Wales Care and Repair handles the personal data of our customers, stakeholders and employees. The Policy details the basis upon which we will process any personal data we collect or process in line with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation (collectively referred to as the 'Data Protection Requirements').

When we talk about **Personal data** we mean data (whether stored electronically or paper based) relating to a living individual who can be identified directly or indirectly from that data (or from that data and other information in our possession).

Certain types of personal data is classed as **Sensitive personal data**, this includes personal data about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic, biometric, physical or mental health condition, sexual orientation or sexual life. It can also include data about criminal offences or convictions. Sensitive personal data can only be processed under strict conditions, including with the consent of the individual.

When we talk about **Processing** we mean any activity that involves use of personal data. Processing includes obtaining, recording or holding the data, organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

As a Group when processing personal data we comply with the Data Protection Principles and ensure the following:

1. Data is processed fairly, lawfully and in a transparent manner.

We will only process personal data where it is required for a lawful purpose. The lawful purposes include, when the individual has given their consent, the processing is necessary for performing a contract with the individual, for compliance with a legal obligation, to protect the data subject's vital interests or for the legitimate interest of the business. When sensitive personal data is being processed, additional conditions must be met.

When we rely on a data subject's consent, which will be in limited circumstances, we ensure that consent is indicated clearly, either by a statement or positive action, such as ticking a box. We respect a data subject's right to withdraw consent at any time and will record and honour any request.

2. Data is collected for specified, explicit and legitimate purposes and any further processing is completed for a compatible purpose.

The Data Protection Requirements are not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. If we collect personal data directly from an individual, we will inform them of the following (if applicable) through our Privacy Notices and this Policy:

- a) The purpose or purposes for which we intend to process that personal data, as well as the legal basis for the processing;
- b) Where we rely upon the legitimate interests of the business to process personal data, the legitimate interests pursued;
- c) The types of third parties, if any, with which we will share or disclose that personal data;
- d) The fact that the Group intends to transfer personal data to a non-EEA country or international organisation and the appropriate and suitable safeguards in place;
- e) How individuals can limit our use and disclosure of their personal data.
- f) Information about the period that their information will be stored or the criteria used to determine that period.
- g) Their right to request from us as the controller access to and rectification or erasure of personal data or restriction of processing.
- h) Their right to object to processing and their right to data portability.
- i) Their right to withdraw their consent at any time (if consent was given) without affecting the lawfulness of the processing before the consent was withdrawn.
- j) The right to lodge a complaint with the Information Commissioners Office.
- k) Other sources where personal data regarding the individual originated from and whether it came from publicly accessible sources.
- l) Whether the provision of the personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the individual is obliged to provide the personal data and any consequences of failure to provide the data.
- m) The existence of automated decision-making, including profiling and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the individual.

The following Privacy Notices detail how we will process your data:

- Privacy Notice for **job applicants** which can be found on our job application portal, please see our 'working for us pages' on [www.atebgroup.co.uk](http://www.atebgroup.co.uk)

- Privacy Notice for ateb **customers** can be found on ateb's website [www.atebgroup.co.uk](http://www.atebgroup.co.uk)
- Privacy Notice for **partners** e.g. suppliers, consultants and contractors etc. can be found on ateb's website [www.atebgroup.co.uk](http://www.atebgroup.co.uk)
- Privacy Notice for MBH can be found on MBH's website <https://www.millbayhomes.co.uk/privacy-policy/>
- Privacy Notice for WWC&R can be found on ateb's website [www.atebgroup.co.uk](http://www.atebgroup.co.uk)

As our services improve the above Privacy Notices may be updated.

3. Data is adequate, relevant and limited to what is necessary for the intended purposes.

We will only collect personal data to the extent that it is required for the specific purpose notified to the data subject. We ensure that excessive data is not collected and will not make unnecessary copies.

When data is no longer needed we ensure that it is deleted, securely destroyed or anonymised in accordance with our retention guidelines which can be found at appendix 1 to this policy.

4. Data is accurate, and where necessary, kept up to date.

We will ensure that personal data we hold is accurate and kept up to date. We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data.

We respect our customers/stakeholders/employees' rights to check the accuracy of any personal data we hold and request any amendments of the same.

5. Kept in a form which permits identification for no longer than necessary for the intended purposes.

We will not keep personal data longer than is necessary for the purpose or purposes for which it was collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required. Please see our retention guidelines at appendix 1 for more details.

6. Processed in line with the individual's rights and in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

We will process all personal data in line with our customers/stakeholders/employees' rights, in particular their right to:

- a) Confirmation as to whether or not personal data concerning them is being processed.
- b) Request access to any data held about them by a data controller.
- c) Request rectification, erasure or restriction on processing of their personal data.
- d) Lodge a complaint with a supervisory authority.
- e) Data portability.
- f) Object to processing including for direct marketing.
- g) Not be subject to automated decision making including profiling in certain circumstances.
- h) Not transferred to people or organisations situated in countries without adequate protection and without firstly having advised the individual.

A customer/stakeholder/employee wanting to invoke any rights listed above or wanting to make a Subject Access Request (request to access personal data), is to make a formal request in writing to the Data Protection Officer.

We will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental or unlawful destruction, damage, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored or otherwise processed.

We will put in place policies, processes and technologies to maintain the security of all personal data from the point of the determination of the means for processing and point of data collection to the point of destruction. Personal data will only be transferred to a data processor if they agree to comply with our policies or processes, or if they have/put in place adequate measures themselves.

We will maintain data security by protecting the confidentiality, integrity and availability of the personal data, defined as follows:

- a) Confidentiality means that only people who are authorised to use the data can access it.
- b) Integrity means that personal data should be accurate and suitable for the purpose for which it is processed.
- c) Availability means that authorised users should be able to access the data if they need it for authorised purposes. Personal data will only be stored on central systems and not on personal devices.

We apply the following security measures:

- a) Door Entry controls. Any stranger seen in entry-controlled areas who is not wearing an ateb group visitor badge is to be reported to the first available Manager who will take necessary steps to identify that stranger.
- b) Use of strong passwords for electronic devices.
- c) Secure lockable desks and cupboards. Desks and cupboards are to be kept locked if they hold confidential information of any kind. (Personal data is always considered confidential.)
- d) Data minimization. Only collecting sufficient personal data for the specified purposes

- e) Pseudonymisation and encryption of data where possible. Replacing any identifying characteristics of data with a pseudonym, in other words, a value which does not allow the data subject to be directly identified.
- f) Ensuring that all personal data sent outside of the Group via electronic means, is encrypted with security measures e.g. password protected
- g) Methods of disposal. Paper documents are to be shredded. Digital storage devices are to be physically destroyed when they are no longer required.
- h) Equipment. Employees are to ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC, or ensure a password protected screen saver is activated as soon as possible when their PC is left unattended. All phones, iPads and tablets issued by the group are to be encrypted/password protected depending on the device. Employees using their own devices for work purposes need are to ensure they use 2 factor verification for emails and are not to save any customer personal data on their systems.
- i) Not transferred to people or organisations situated in countries without adequate protection and without firstly having advised the individual.

We do not transfer data outside of the EEA.

### **Direct Marketing**

We obtain our data subject's prior consent for electronic direct marketing (for example, by email, text or automated calls.) The limited exception for our existing customers known as 'soft opt in' allows us to send marketing texts or emails if we have obtained contact details in the course of providing a service to our customers and we are marketing similar products or services and we gave our customers the opportunity to opt out of this when first collecting their details and do so in every message thereafter.

We give our customers the right to object to direct marketing in an intelligible manner and any objections are honoured, recorded and respected.

## **3. Responsibilities**

### **Group**

This is a Group Policy which applies to all companies within the Group structure.

All companies within the Group are responsible for ensuring the policy is available to their customers, stakeholders and employees and for ensuring appropriate training, support and guidance is given on its application and use.

### **Board of Management**

The ateb Board of Management, as the parent company within the Group, is responsible for approving the use of this policy.

All Subsidiary Boards are responsible for ensuring this policy is being used within their respective companies.

## Key Persons

The Data Protection Officer (DPO) is responsible for overseeing this data protection policy and for ensuring it meets regulatory requirements.

The DPO is responsible for ensuring that there are adequate learning, development, guidance and support opportunities to implement this policy. This includes ensuring there is training available for new starters and annual refresher training for employees.

Any questions about the operation of this policy or the data protection requirements should be directed to the DPO.

Details of the DPO:

Ceri Barnett  
Ateb Group Limited  
Meyler House  
St Thomas Green  
Haverfordwest  
SA61 1QP

## All Managers

All Managers are responsible for ensuring that this policy operates effectively within their team which includes the following duties:

1. Ensuring their team members understand their responsibilities under the Policy.
2. Ensuring their team members attend training opportunities which includes new starter training and refresher training. If any team members require additional training managers are to inform the DPO.
3. Keeping records of their service areas processing and ensuring the records are kept accurate and up to date (data maps). Data Maps are dynamic documents and should be updated as processing activities change. They should be reviewed at least annually by teams.
4. Keeping records of customer consents and withdrawal of consents and sharing the same with the Governance team to include in a central record.
5. Ensuring that processes under their control comply with the Data Protection Requirements and principles listed above and protect the processing of personal data.
6. Reporting any Subject Access Requests or third party requests and any Data Protection Breaches to the DPO and Governance team as soon as possible.
7. Informing the DPO of any changes required to Customer Privacy Notices if a change in their service area leads to change in the way they process customer personal data.
8. Carrying out Data Protection Impact Assessments before the commencement of a project if their work involves implementing major system or business change programmes involving the processing of personal data including:
  - a) Use of new technologies or changing technologies (programmes, systems or processes);
  - b) Automated processing including profiling;

- c) Large scale processing of sensitive data;
  - d) Large scale systematic monitoring of a publicly accessible area. (CCTV).
9. Putting in place adequate Sharing Information Protocols with partners such as statutory bodies when working collaboratively and are required by law to share information with partners. (WASPI agreements)
  10. Ensuring partners or contractors/consultants engaged to provide a service either comply with or have their own Data Protection Policy which meets the Data Protection Requirements. All contracts should include Data Protection clauses.

Managers are to seek the advice of the DPO if they are unsure about how their service area is meeting the Data Protection Principles listed in section 2 of this policy, to include direct marketing, or if they need any advice regarding their responsibilities under this policy.

### **All Employees**

All employees are responsible for ensuring they understand this policy and for complying with this policy when processing a customer's personal data and engaging in marketing activities.

Employees' responsibilities under this policy include the following:

1. Attending Data Protection Training made available to them and for informing their managers if they have not been offered the same;
2. Reporting all data breaches to the DPO and Governance team as soon as they become aware of a suspected breach so they can be supported in dealing with the same. There is a duty on the DPO to report reportable breaches to the ICO within 72 hours so the DPO needs to be aware of any breaches.
3. Reporting any requests by customers to access their data (Subject Access Requests) to the DPO or Governance team so requests can be recorded, and dealt with within a reasonable timeframe (no longer than a month).
4. Recording and reporting to the DPO or Governance team any request by customers to implement any of their rights listed in section 2 of this policy.
5. Reporting any third party requests for data to the DPO or Governance team for advice as to whether the same can be disclosed.
6. Refraining from accessing, disclosing, or processing any personal data other than is necessary to carry out their employee duties.
7. Obtaining consent before taking and using photographs of customers/employees or stakeholders.

### **Stakeholders**

All partners, contractors and consultants engaged with the Group are required to comply with this Data Protection Policy when processing Group customer data or evidence to the Group how their own policies meet the Data Protection Requirements.



## Customers

Customers are responsible for informing the DPO should they have any concerns about the way the Group is using their data. If customers are not satisfied with the response from the DPO they have the right to report a complaint to the Information Commissioners Office:

Information Commissioner's Office – Wales  
2<sup>nd</sup> Floor, Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Customers are to inform the Group if their contact details change so we can keep their details accurate.

When making a request to access personal data (Subject Access Request) or when accessing any rights outlined in section 2 of this policy, customers need to put their request in writing for the attention of the DPO. We will aim to record and action any request within 30 days of receipt. We will require identification from customers before providing any personal data.

## 4. Control

The Data Protection Officer is the lead contact for this policy and for ensuring it remains operationally effective. The Data Protection Officer will review this policy at least every 2 years.

This policy is a dynamic document and will be amended as required following service reviews or changes to the operating environment.

Board approval will be obtained before any amendments are published and employees will receive refresher training as applicable.

## 5. Links to other documents

### Internal

- Privacy Notices for Customers, Employees, Job Applicants and Partners can be found on our website.  
[www.atebgroup.co.uk](http://www.atebgroup.co.uk) or [www.millbayhomes.co.uk/privacy-policy/](http://www.millbayhomes.co.uk/privacy-policy/)
- Data Processing Schedule [www.atebgroup.co.uk](http://www.atebgroup.co.uk)
- Website and cookie use  
[www.atebgroup.co.uk](http://www.atebgroup.co.uk) or [www.millbayhomes.co.uk/privacy-policy/](http://www.millbayhomes.co.uk/privacy-policy/)
- CCTV Policy
- IT Security Measures – Computer usage procedure (under review)
- Guidance on BYOD, Data Breaches, SAR, Third party requests can be found on Yammer or requested from the Governance Team.

### External

- Data Protection Act 2018/ General Data Protection Regulations 2018
- Information Commissioners Office (ICO)

## Additional help

Contact our customer team  
quoting the policy reference:

Tel: **01437 763688**

Email: **hello@atebgroup.co.uk**

Facebook **@atebgroup**

Face to Face: **Meyler House, Haverfordwest, SA61 1QP**

## Version History

| Ver. | Date       | Changes                  |
|------|------------|--------------------------|
| 1    | 28.11.2019 | Policy approved by Board |
| 2    |            |                          |
| 3    |            |                          |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |   |  |
|---|-----------------------------------|-----------------------------------|---|--|
| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>   | <b>Comments</b>  |
| <b>1. Governance Documents</b>  |                                   |                                   |   |  |
| Certificate of Registration with the Housing regulator                            | N/A                               | N/A                               | Permanently   | Implied by CA, Sec.15.   |
| Certificate of change of company name   | N/A                               | N/A                               | Permanently   | Implied by CA, Sec.80.   |
| Memorandum and articles of association (original)                                 | N/A                               | N/A                               | Permanently   | Best practice.   |
| Articles of association (current)   | Permanently                       | CA                                | Permanently   | Best practice.   |
| Governance Documentation  | N/A                               | N/A                               | Permanently   | Required for charitable status.  |
| Constitution, Aims and Objectives   | N/A                               | N/A                               | Permanently   | Required for charitable status.  |
| Confirmation letter of charitable registration                                    | N/A                               | N/A                               | Permanently   | Best practice.   |
| HMRC confirmation of charitable status  | N/A                               | N/A                               | Permanently   | Best practice.   |
| Registration documentation (I & P Societies)                                      | Permanently                       | IPSA                              | Permanently   | Best practice.   |
| Certificate of registration with the housing regulator                            | N/A                               | N/A                               | Permanently   | Best practice.   |
| Board member documents – apt letters, SLAs, bank details etc.                     | N/A                               | N/A                               | 6 years after board membership ceases though some details should be destroyed when membership ceases e.g. bank details etc. | DPA 1998 5th principle<br><br>CA 2006 recommendation for docs post termination of directorship |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>   |                                   |                                   |                                     |   |
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|   |                                   |                                   |                                     |   |
| <b>2. Meetings (Including AGMs)</b>   |                                   |                                   |                                     |   |
| Notices of meetings   | N/A                               | N/A                               | 6 Years                             | In case of challenge to validity of meeting or resolutions. |
| Board and committee minutes (companies)   | Permanently                       | CA                                | Permanently                         | Signed originals must be kept.                              |
| Board resolutions (companies)   | Permanently                       | CA                                | Permanently                         | Signed originals must be kept.                              |
| Minutes and resolutions of trustees (charities)   | N/A                               | N/A                               | Permanently                         | Charity Commission requirement CC48                         |
| <b>3. Registrations and Statutory Returns</b>   |                                   |                                   |                                     |   |
| Annual returns to the regulator   | N/A                               | N/A                               | 5 Years                             | Best practice.  |
| Audited company returns and financial statements (including I & P Societies' Annual Returns to Registrar of Friendly Societies) | N/A                               | N/A                               | Permanently                         | Best practice.  |
| Declarations of interest  | N/A                               | N/A                               | 6 Years                             | Limitation for legal proceedings.                           |
| Register of directors and secretaries   | Permanently                       | CA                                | Permanently                         |   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>                          |                                   |                                   |                                     |  |
|--|-----------------------------------|-----------------------------------|-------------------------------------|--|
| <b>Document</b>  | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b> | <b>Comments</b>  |
| Register of Shareholding members   | Permanently                       | CA                                | Permanently                         | Records may be removed from register 20 years after membership ceases. |
| Register of seals  | N/A                               | N/A                               | Permanently                         | Best practice.   |
| Register of share certificates   | N/A                               | N/A                               | Permanently                         | Best practice.   |
| List of members (I & P Societies)  | N/A                               | N/A                               | Permanently                         | Required by Registrar of Friendly Societies.                           |
| Nursing home and residential care homes registration certificates  | N/A                               | N/A                               | Permanently                         | Best practice.   |
| Nursing home and residential care homes inspection reports   | N/A                               | N/A                               | 6 years following end of management | Limitation for legal proceedings. Reports are public documents.        |
| <b>4. Strategic Management</b>   |                                   |                                   |                                     |  |
| Business plans & supporting documentation (e.g. organisation structures, aims, objectives, funding issues) | N/A                               | N/A                               | 5 years after plan completion       | Best practice.   |
| <b>5. Insurances</b>   |                                   |                                   |                                     |  |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |                                     |  |
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| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b> | <b>Comments</b>  |
| Current and former policies   | N/A                               | N/A                               | Permanently                         | Limitation can commence from knowledge of potential claim and not necessarily the cause of the claim. N.B. Housing Association Boards must annually reaffirm formally their continuation of the Voluntary Board Members Liability Policy (automatically provided via NHF membership). NCVO recommends 3 years after lapse. |
| Annual Insurance schedule   | N/A                               | N/A                               | 6 Years                             | Best practice.   |
| Claims and related correspondence   | N/A                               | N/A                               | 2 Years after settlement            | Zurich Municipal recommendation. NCVO recommends 3 years after settlement  |
| Indemnities and guarantees  | N/A                               | N/A                               | 12 Years                            | Limitation for legal proceedings. 12 years if related to land.   |
| Group health policies   | N/A                               | N/A                               | 12 Years after cessation of benefit | Best practice  |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |                                     |   |
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| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b> | <b>Comments</b>   |
| Employer's liability insurance certificate  | N/A                               | N/A                               | 100 Years                           | 2008 regs removed requirement to retain for 40 years but need to be mindful of 'long tail' industrial disease claims etc. |
| <b>5. Finance, Accounting &amp; Tax Records</b>                                   |                                   |                                   |                                     |   |
| Accounting records for Limited Company  | 3 years from the date made        | CA Sec 388                        | 7 Years                             | TMA Sec.20. May require any documents relating to tax over 6 (plus) years.  |
| Accounting records for I&P Society or Charity                                     | N/A                               | N/A                               | 7 Years                             | Required by Registrar of Friendly Societies and Charity Commissioner.   |
| Balance sheets and supporting documents   | N/A                               | N/A                               | 6 to 10 Years                       | Best practice. To relate to accounting records.   |
| Loan account control reports  | N/A                               | N/A                               | 7 Years                             | Best Practice   |
| Social Housing Grant documentation  | N/A                               | N/A                               | Permanently                         | Best Practice   |
| Signed copy of report and accounts  | N/A                               | N/A                               | Permanently                         | Best Practice   |
| Budgets and internal financial reports  | N/A                               | N/A                               | 2 Years                             | Best Practice   |
| Tax returns and records   | N/A                               | N/A                               | 10 Years                            | TMA Sec.20. may require any documents relating to   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |                                     |   |
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|   |                                   |                                   |                                     | tax over 6 (plus) years.                                |
| VAT records   | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| Orders and delivery notes   | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| Copy invoices   | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| Credit and debit notes  | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| Cash records & till rolls   | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| Journal transfer documents  | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| Creditors, debtors & cash income control accounts                                 | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |
| VAT related correspondence  | 6 Years                           | VATA                              | 7 Years                             | Customs & Excise requirement for VAT registered bodies. |



| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>  |   |                                   |  |  |
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| <b>6. Other Banking Records (Including Giro)</b>   |   |                                   |  |  |
| Cheques  | N/A   | N/A                               | 6 Years  | Limitation for legal proceedings.  |
| Paying in counterfoils   | N/A   | N/A                               | 6 Years  | Limitation for legal proceedings.  |
| Bank statements and reconciliations  | 3 years from the end of the financial year the transactions were made | CA                                | 6 Years  | Limitation for legal proceedings.  |
| Instructions to bank   | N/A   | N/A                               | 6 Years  | Limitation for legal proceedings.  |
| <b>7. Contracts and Agreements</b>   |   |                                   |  |  |
| Contracts under seal and/or executed as deeds  | N/A   | N/A                               | 12 years after completion (including any defects liability period) | Limitation for legal proceedings.  |
| Contracts for the supply of goods or services, including professional services   | N/A   | N/A                               | 12 Years   | Limitation for legal proceedings (12 years if related to land).          |
| Documentation relating to small one-off purchases of goods and services, where there is no continuing maintenance or similar requirement | N/A   | N/A                               | 3 years  | Best practice. Suggested limit: goods or services costing up to £10,000. |
| Loan agreements  | N/A   | N/A                               | 12 years after last payment  | Best Practice and conclusion of any other liabilities                    |
| Licensing agreements   | N/A   | N/A                               | 6 years after expiry   | Limitation for legal proceedings.  |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |                                     |  |
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| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b> | <b>Comments</b>  |
| Rental and hire purchase agreements   | N/A                               | N/A                               | 6 years after expiry                | Limitation for legal proceedings.  |
| Indemnities and guarantees  | N/A                               | N/A                               | 6 years after expiry                | Limitation for legal proceedings.  |
| Documents relating to successful tender   | N/A                               | N/A                               | 6 years after end of contract       | Best Practice  |
| Documents relating to unsuccessful tenders  | N/A                               | N/A                               | 2 years after notification          | Best practice.   |
| Forms of tender   | N/A                               | N/A                               | 6 Years                             | Best practice.   |
| <b>8. Charitable Donations</b>  |                                   |                                   |                                     |  |
| Deeds of covenant   | 6 years after last payment        | TMA                               | 12 years after last payment         | Limitation for legal proceedings if related to land.   |
| Index of donations granted  | N/A                               | N/A                               | 6 Years                             | Best practice.   |
| Account documentation   | 3 years                           | CA                                | 6 years                             | Best practice.   |
| <b>9. Application for Tenancy Records</b>   |                                   |                                   |                                     |  |
| Applications for accommodation  | N/A                               | N/A                               | 6 years after offer accepted        | Best practice  |
| Continuous Recording of lettings and sales (CORE) data record form                | N/A                               | N/A                               | None                                | Best practice in DPA compliance requires form to be destroyed immediately statistics have been recorded. |
| Housing Benefit notifications   | N/A                               | N/A                               | 2 years                             | Recommendation of Institute of Rent Officers (now merged with CloH).                                     |
| Rent statements   | N/A                               | N/A                               | 2 years                             | Best practice.   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>                                     |                                   |                                   |   |   |
|---|-----------------------------------|-----------------------------------|---|---|
| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>   | <b>Comments</b>   |
| Tenants' tenancy Files, including rent payment records, and details of any complaints and harassment cases            | N/A                               | N/A                               | In general, for the length of the tenancy up to 6 years post tenancy. There may be occasion to weed very old, but still current, files. Judgement should be used in what to keep and destroy. Any live issues must be kept. | Limitations Act 1980 and Best practice with DPA compliance 5th principle. For rent payment details, best practice suggests live system holds 2 years records plus current year.         |
| Former tenants' Tenancy Agreements, and details of their leaving  | N/A                               | N/A                               | 6 years   | Best practice with DPA compliance 5th principle   |
| Care plans for children and related documents   | 75 years                          | Ch A                              | Permanently   | Some documents may be transferred to subsequent caring agency.  |
| Care plans for adults and related documents   | N/A                               | N/A                               | Permanently   | May be subject to DPA. Some documents may be transferred to subsequent caring agency.   |
| Documentation, correspondence and information provided by other agencies relating to special needs of current tenants | N/A                               | N/A                               | While tenancy continues   | Information held on 'need to know' basis. Medical and Social Services records liable to be confidential. To be returned or passed to subsequent agency at end of tenancy, or destroyed. |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |   |   |
|---|-----------------------------------|-----------------------------------|---|---|
| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>   | <b>Comments</b>   |
| Records relating to offenders, ex-offenders and persons subject to cautions       | N/A                               | N/A                               | While tenancy continues   | Information held on 'need to know' basis. Police sourced records may be confidential. To be dealt with as required by police. |
| <b>10. Property Records</b>   |                                   |                                   |   |   |
| Fair rent documentation   | N/A                               | N/A                               | 6 years   | Rent Officer recommendation.  |
| Leases and deeds of ownership   | N/A                               | N/A                               | While owned Deeds of title –permanently or until property disposed of.<br>Leases – Fifteen years after expiry [from NCVO] | Best practice   |
| Copy of former leases   | N/A                               | N/A                               | 12 years after settlement of all issues   | Limitation for legal action relating to land or contracts under seal.   |
| Wayleaves, licences and easements   | N/A                               | N/A                               | 12 years after rights given or received cease   | Limitation for legal action relating to land or contracts under seal.   |
| Abstracts of title  | N/A                               | N/A                               | 12 years after interest ceases in the land  | Limitation for legal action relating to land or contracts under seal.   |
| Planning and building control permissions   | N/A                               | N/A                               | 12 years after interest ceases in the land  | Limitation for legal action relating to land or contracts under   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |   |   |   |   |
|---|---|---|---|---|
| <b>Document</b>   | <b>Statutory Retention Period</b>             | <b>Statutory Retention Source</b>             | <b>Recommended Retention Period</b>           | <b>Comments</b>   |
|   |   |   |   | seal.   |
| Searches  | N/A   | N/A   | 12 years after interest ceases in the land    | Limitation for legal action relating to land or contracts under seal. |
| Property maintenance records  | N/A   | N/A   | 6 years                                       | Limitation for legal action.  |
| Reports and professional opinions   | N/A   | N/A   | 6 years                                       | Limitation for legal action.  |
| Development documentation   | N/A   | N/A   | 12 years after settlement of all issues       | Limitation for legal action relating to land or contracts under seal. |
| Invoices  | 6 years                                       | VATA  | 12 years                                      | Limitation for legal action relating to land or contracts under seal. |
| VAT documentation   | See Finance, Accounting & Tax Records section | See Finance, Accounting & Tax Records section | See Finance, Accounting & Tax Records section | See Finance, Accounting & Tax Records section                         |
| Insurance   | See Insurances section                        | See Insurances section                        | See Insurances section                        | See Insurances section  |
| <b>11. Vehicles</b>   |   |   |   |   |
| Mileage records   | N/A   | N/A   | 2 years after disposal                        | Best practice.  |
| Maintenance records, MOT tests  | N/A   | N/A   | 2 years after disposal                        | Best practice.  |
| Copy registrations  | N/A   | N/A   | 2 years after disposal                        | Best practice.  |
| <b>12. Capital Assets</b>   |   |   |   |   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |                                   |                                   |   |   |
|---|-----------------------------------|-----------------------------------|---|---|
| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>   | <b>Comments</b>   |
| Capital Assets  | N/A                               | N/A                               | Date of purchase to at least 12 years after date sold, transferred or disposed of | Best practice   |
| Fixed Asset Register  | CA Charities Act                  | N/A                               | Permanently   |   |
| <b>13. Employees: Tax and Social Security</b>                                     |                                   |                                   |   |   |
| Record of taxable payments  | 6 Years                           | TMA                               | 6 Years   | Inland Revenue require retention of each payment for 3 years. |
| Record of tax deducted or refunded  | 6 Years                           | TMA                               | 6 Years   | Inland Revenue require retention of each payment for 3 years. |
| Record of earnings on which standard National Insurance Contributions payable     | 6 Years                           | TMA                               | 6 Years   | Inland Revenue require retention of each payment for 3 years. |
| Record of employer's and employee's National Insurance Contributions              | 6 Years                           | TMA                               | 6 Years   | Inland Revenue require retention of each payment for 3 years. |
| NIC contracted-out arrangements   | 6 Years                           | TMA                               | 6 Years   |   |
| Copies of notices to employee (e.g. P45, P60)                                     | 6 years plus current year         | TMA                               | 6 Years plus current year   |   |
| Inland Revenue notice of code changes, pay & tax details                          | 6 years                           | TMA                               | 6 years   |   |
| Expense claims  | N/A                               | N/A                               | 6 years plus current year   | Best practice.  |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |   |                                   |  |   |
|---|---|-----------------------------------|--|---|
| <b>Document</b>   | <b>Statutory Retention Period</b>           | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>                | <b>Comments</b>   |
| Record of sickness payments   | 3 years following year to which they relate | SSPR                              | 6 years  | Inland Revenue require retention of each payment for 3 years. |
| Record of maternity payments  | 3 years following year to which they relate | SMPR                              | 6 years  | Inland Revenue require retention of each payment for 3 years. |
| Income tax PAYE and NI returns  | 3 years following year to which they relate | IT(E)R                            | 6 years  | Best practice.  |
| Redundancy details and record of payments & refunds                               | N/A   | N/A                               | 12 years   | Institute of Personnel and Development (IPD) recommendation.  |
| Inland Revenue approvals  | N/A   | N/A                               | Permanently  | IPD recommendation  |
| Annual earnings summary   | N/A   | N/A                               | 12 years   | Best practice.  |
| <b>14. Employees: Pension Schemes</b>   |   |                                   |  |   |
| Actuarial valuation reports   | N/A   | N/A                               | Permanently  | IPD recommendation.   |
| Detailed returns of pension fund contributions                                    | N/A   | N/A                               | Permanently  | Best practice.  |
| Annual reconciliations of fund contributions                                      | N/A   | N/A                               | Permanently  | Best practice.  |
| Money purchase details  | N/A   | N/A                               | 6 years after transfer or value taken              | IPD recommendation.   |
| Qualifying service details  | N/A   | N/A                               | 6 years after transfer or value taken              | IPD recommendation.   |
| Investment policies   | N/A   | N/A                               | 12 years from end of benefits payable under policy | IPD recommendation.   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>   |                                   |                                   |  |                                   |
|---|-----------------------------------|-----------------------------------|--|-----------------------------------|
| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>                                      | <b>Comments</b>                   |
| Pensioner records   | N/A                               | N/A                               | 12 years after benefits cease  | IPD recommendation.               |
| Records relating to retirement benefits   | 6 years after year of retirement  | RBS(IP)R                          | 6 years after year of retirement   | Statutory requirement.            |
| <b>15. Employees (Personnel Procedures)</b>   |                                   |                                   |  |                                   |
| Terms and conditions of service, both general terms and conditions applicable to all staff, and specific terms and conditions applying to individuals | N/A                               | N/A                               | 6 years after last date of currency                                      | Limitation for legal proceedings. |
| Service contracts for directors (companies)   | 3 years                           | CA                                | 6 years after directorship ceases  | Best practice.                    |
| Remuneration package  | N/A                               | N/A                               | 6 years after last date of currency                                      | Limitation for legal proceedings. |
| Former employees' Personnel Files   | N/A                               | N/A                               | 6 years  | IPD recommendation.               |
| References to be provided for former employees  | N/A                               | N/A                               | 20 years or until former employee reaches age 65 (whichever comes first) | Best practice.                    |
| Training programmes   | N/A                               | N/A                               | 6 years after completion   | Best practice.                    |
| Individual training records   | N/A                               | N/A                               | 6 years after employment ceases  | IPD recommendation.               |
| Short lists, interview notes and related application forms  | N/A                               | N/A                               | 1 year   | IPD recommendation.               |



| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>                         |   |                                   |   |   |
|---|---|-----------------------------------|---|---|
| <b>Document</b>   | <b>Statutory Retention Period</b>                 | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b>               | <b>Comments</b>   |
| Application forms of non-shortlisted candidates   | Three months after notification                   | SDA & RRA                         | 6 months  | Recommendation of Commission for Racial Equality and Equal Opportunities Commission. LA – 1 year limitation for defamations |
| DBS clearance documentation   | Date of clearance + up to a maximum of six months |                                   | Date of clearance + up to a maximum of six months | DBS check code of practice (Home office)  |
| Time cards  | N/A   | N/A                               | 2 years after audit                               | IPD recommendation.   |
| Trade union agreements  | N/A   | N/A                               | 10 years after ceasing to be effective            | IPD recommendation.   |
| Trust deeds, rules and minutes (for joint employee/employer sports/social clubs, etc, set up under trust) | N/A   | N/A                               | Permanently                                       | IPD recommendation.   |
| Employer/employee committee minutes   | N/A   | N/A                               | Permanently                                       | IPD recommendation.   |
| Insurance claims  | See Insurances section                            | See Insurances section            | See Insurances section                            | See Insurances section  |
| <b>16. Employees: Health &amp; Safety</b>   |   |                                   |   |   |
| Medical records relating to control of asbestos   | 40 Years  | CAWR                              | 100 Years   |   |
| Health and Safety assessments   | N/A   | N/A                               | Permanently                                       | IPD recommendation.   |
| Health and Safety policy statements   | N/A   | N/A                               | Permanently                                       | Good Practice   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b> |  |                                   |                                     |  |
|---|--|-----------------------------------|-------------------------------------|--|
| <b>Document</b>   | <b>Statutory Retention Period</b>  | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b> | <b>Comments</b>  |
| Records of consultations with safety representatives                              | N/A  | N/A                               | Permanently                         | IPD recommendation.  |
| Accident records, reports   | 3 years after date of settlement   | RIDDOR                            | 6 years after date of occurrence    | Limitation for legal proceedings. DPA  |
| Accident books  | N/A  | N/A                               | 6 years after date of last entry    | Limitation for legal proceedings.  |
| Sickness records  | Three years after the end of each tax year for Statutory Sick Pay purposes | SSP (general) regulations         | 6 years from end of sickness        | Limitation for legal proceedings. NCVO recommends 3 years. However for industrial injuries not detectable within that period e.g. asbestos, the time period may be extended. Also for employees exposed to hazardous substances. |
| Health and safety statutory notices   | N/A  | N/A                               | 6 years after compliance            | Limitation for legal proceedings   |
| <b>17. Technical and Research</b>   |  |                                   |                                     | NCVO recommends 12-15 years after requirements have ended for both Records & reports and drawings & other data   |
| <b>18. ASB case files and associated documents</b>                                |  |                                   |                                     | 5 years or until end of legal action   |

| <b>Appendix 1 - Statutory retention periods and recommended retention periods</b>                                   |                                   |                                   |                                     |                     |
|---|-----------------------------------|-----------------------------------|-------------------------------------|---------------------|
| <b>Document</b>   | <b>Statutory Retention Period</b> | <b>Statutory Retention Source</b> | <b>Recommended Retention Period</b> | <b>Comments</b>     |
| <b>19. Supporting people – subsidy claims / support plans / single assessments including supporting information</b> |                                   |                                   |                                     | Duration of tenancy |
| <b>20. Resident meeting minutes</b>   | N/A                               | N/A                               | 6 Years                             | DPA                 |