

# DATA RETENTION POLICY & SCHEDULE



**Kingsbridge**  
**Cleddans**

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HOUSING ASSOCIATION LIMITED

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# Retention Policy and Schedule

## Introduction

The UK General Data Protection Regulation (UK GDPR) provides that organisations which process personal data must not retain that data for any longer than is *necessary* for the purposes for which the personal data are processed.

## Purpose

This policy details KCHA approach to the retention, deletion, and destruction of personal data. All KCHA personnel are obliged to familiarise themselves with this policy and refer to it on an ongoing basis to ensure that its terms are implemented and complied with.

This procedure applies to all directors, associates, members, employees, volunteers, contractors (temporary and permanent) (referred to herein as 'KCHA personnel').

## Storage of Personal Data

KCHA stores personal data in a variety of ways. This includes hard copy documents, emails, digital documents stored on desktop computers, laptops, phones and other devices, data stored on our servers and in our cloud-based storage, along with data stored by third parties on our behalf.

When updating, rectifying, erasing, and deleting any personal data, due care must be taken to ensure that all personal data held in all locations (including back-up storage) and in all forms is dealt with securely and to ensure that a consistent and accurate record of personal data is maintained.

## Retention of Personal Data

Different types of personal data may need to be retained for different periods of time depending on the purposes for which the data is processed and the legal and regulatory retention requirements in relation to certain categories of data.

In determining the appropriate retention period consideration should be given to the following factors:

- the purposes for which the personal data is processed;
- the legal basis for processing that personal data;
- legal requirements for retention (particularly employment and health and safety law); and
- regulatory requirements.

An appropriate retention period should be identified for each category of personal data. Data subjects must be informed of the retention period which applies to their personal data or, if there is no fixed retention period, the criteria used to determine that period; and where the purposes for which the data is processed have changed, any new retention period.

All personal data processed by KCHA shall be retained in accordance with the periods set out in the retention schedule below, consisting of the following parts:

- Part 1: General Governance, incorporating Governance, Data Governance, Formal Meetings, Regulations and Statutory Returns, Strategic and Insurance
- Part 2: Finance, Other Banking Records and Capital Assets
- Part 3: Contracts and Agreements
- Part 4: Human Resources and Health & Safety

- Part 5:Marketing
- Part 6:Vehicles
- Part 7: Charitable Donations
- Part 8: Housing Associations and Tenancy Records
- Part 9: Legal Records for Solicitors

Personal data will be retained in accordance with the appropriate retention period and permanently deleted and/or securely destroyed in accordance with this policy. No personal data shall be destroyed or deleted other than in accordance with this policy.

## Review and Deletion of Personal Data

A review of the personal data processed by KCHA will be carried out every 2 years. During the course of this review, we will:

- Review the retention periods for each category of personal data processed and whether any alteration to these periods is required
- Identify personal data which is due for destruction and deletion
- Arrange for the secure deletion and destruction of personal data which will no longer be retained

## Monitoring and Reporting

Regular monitoring and audits will be undertaken by the Data Protection Lead and/or DPO to check compliance with the law, this policy, and associated procedures. Any concerns will be raised with the DPO at [info@rgdp.co.uk](mailto:info@rgdp.co.uk).

## Policy Review

This policy will be reviewed every 12 months or when required to address any weakness in the procedure or changes in legislation or best practice by the Data Protection Officer.

Dated	11 January 2023
Document Owner	P Immelman
Approved By	Management Committee
Approved Date	24 January 2023
Review Date	30 January 2024

# DATA RETENTION SCHEDULE

## Part 1: General Governance Incorporating Governance, Data Governance, Formal Meetings, Regulations and Statutory Returns, Strategic and Insurance

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>1. GOVERNANCE</b>							
1.1	Governance	Organisation wide Corporate Plans, Policies, Business Continuity, Risk Management and Strategies	Superseded document	N/A	1 year after superseded (longer if required for historical reasons)	Best Practice	
1.2	Governance	Governance Documentation		N/A	Life of company	Required for charitable status	
1.3	Governance	Constitution, Aims and Objectives		Life of company	Life of company	Required for charitable status	
1.4	Governance	Record of HMRC confirmation of charitable status	End of financial year	Minimum 1 year to end of financial year – required for Annual Return as a minimum	Life of company	Annual return and best practice	
1.5	Governance	Record of charitable registration		Life of company	Life of company	Best practice	
1.6	Governance	Certificate of Incorporation		Life of company	Life of company	Legal requirement – s.15 Companies Act 2006	
1.7	Governance	Memorandum of Association		Life of company	Life of company	Legal requirement – s.32 Companies Act 2006	
1.8	Governance	Articles of Association / Model rules		Life of company	Life of company	Legal requirement – s.32 Companies Act 2006	
1.9	Governance	Certificate of registration with housing regulator		Life of company	Life of company	Best practice	
1.10	Governance	Record of registration and certificate of incorporation for change of name	Closure of company	Life of company	Life of company	Legal requirement – s.15 Companies Act 2006	
1.11	Governance	Registration documentation (Co-operative and community benefit societies)		Life of company	Life of company	Legal requirement – s.3 Co-operative and Community Benefit Societies Act 2014	

1.12	Governance	Internal audits, correspondence, terms of reference, meeting minutes, related papers, and reports	After audit	N/A	6 years	Legal requirement – Limitation Act 1980	
1.13	Governance	Board member documents – appointment letters, SLAs, bank details etc	Termination of Board membership	6 years after board membership ceases though some detail should be destroyed when membership ceases e.g., bank details etc.	6 years	Legal requirement - CA 2006	
<b>2. DATA GOVERNANCE</b>							
2.1	Data Governance	Emails	Completion of issue / No longer active	Receipt of email	Retained in accordance with subject matter of email	Legal requirement / best practice depending upon the nature of the email	
2.2	Data Governance	CCTV	Date of recording	Minimum time necessary	30 days	Best practice	
2.3	Data Governance	Telephone call recordings (masked)	Date of recording	Minimum time necessary	6 months	Best practice: FCA Handbook, conduct of business 11.8	
2.4	Data Governance	Data Subjects Rights' Requests, including copies of Subject Access Requests	Date response sent to data subject	6 months	1 year	Best practice: ICO	
2.5	Data Governance	Films / Videos/ photos	Date of recording	Minimum time necessary	3 years	Best practice	
2.6	Data Governance	Data Breach Records	Date of recording	N/A	6 years	Legal requirement – Limitation Act 1980 / Best practice	
2.7	Data Governance	Fraud Records	Date of recording	6 years	6 years	FCA Handbook – Best practice: ICO	
2.8	Data Governance	Data Subject Access Requests	Data Sent	6 months	1 Year	Best Practice: ICO	
<b>3. FORMAL MEETINGS</b>							
3.1	Meetings	Notice of meetings	Date of meeting	N/A	6 years	Best practice in the case of a challenge to the validity of a meeting or resolutions	
3.2	Meetings	Executive meeting agendas, papers, minutes, and resolutions	Date of meeting	N/A	10 years	Best practice in the case of a challenge to the validity of a meeting or resolutions	
3.3	Meetings	Board and Committee Meeting Minutes	Date of meeting	10 years from the	10 years from the	Legal compliance –	

		and Resolutions		date of the meeting or life of company	date of the meeting or life of company	ss.248-249 Companies Act 2006	
3.4	Meetings	Board and Committee meeting agendas and papers	Date of meeting	10 years from the date of the meeting or life of company	10 years from the date of the meeting or life of company	Legal compliance – s.248 and s.250 Companies Act 2006	
3.5	Meetings	Shareholder meeting minute and resolutions	Date of meeting	Life of company	Life of company	Legal compliance – s.356 Companies Act 2006	
3.6	Meetings	Shareholder meeting agendas and papers	Date of meeting	N/A	Life of company	Best practice (if required to support minutes and resolutions)	
3.7	Meetings	Minutes and Resolutions of Trustees (charities)	Date of meeting	Life of company	Life of company	Legal Compliance – s. CC48 Charity Commission requirement	
<b>4. REGULATIONS AND STATUTORY RETURNS</b>							
4.1	Regulations and Statutory Returns	Audited financial statements	Date of submission	Minimum of 3 years	6 years	Legal compliance and best practice - Companies Act 2006 s.388 and Professional Standards Authority and National Archives recommendations for best practice	
4.2	Regulations and Statutory Returns	Sealing Register	Date of register	Life of company	Life of company	Legal compliance – Companies Act 1985	
4.3	Regulations and Statutory Returns	Annual Statutory Returns to the Regulator	Submission	Minimum of 1 year from submission	Life of company	Legal Compliance and best practice – s.90 Co-operative and Community Benefit Societies Act 2014	
4.4	Regulations and Statutory Returns	Register of directors and secretaries	Closure of company	Life of company	Life of company	Legal compliance – s.162 Companies Act 2006	
4.5	Regulations and Statutory Returns	Register of shareholding members	Closure of company	Life of company	Life of company	Legal compliance – s.113 Companies Act 2006	
4.6	Regulations and Statutory Returns	Register of share certificates	Closure of company	Life of company	Life of company	Legal compliance – s.325 Companies Act 1984	
4.7	Regulations and Statutory Returns	Declaration of interest	Closure of company	Life of company	Life of company	Legal compliance – s.177 Companies Act 2006	
4.8	Regulations and	List of members (communities & Benefit		Life of company	Life of company	Required by registrar of	

	Statutory Returns	Society')				Friendly Societies	
4.9	Regulations and Statutory Returns	Nursing home and residential care homes registration certificates	End of management	N/A	7 years following end of management	Best practice – Care Quality Commission Guidelines	
4.10	Regulations and Statutory Returns	Nursing home and residential care homes inspection reports	End of management	7 years following end of management	7 years following end of management	Legal compliance and best practice – Care Quality Commission Guidelines and Limitation At 1980	
<b>5. STRATEGIC MANAGEMENT</b>							
5.1	Strategic Management	Business Plans and Supporting Documentation	End of Business Plan Period	N/A	5 years	Best practice	
<b>6. INSURANCE</b>							
6.1	Insurance	Current/former policies: - crime cover - engineering inspection - motor insurance - property damage - loss of commercial rent - housing contents - office contents - works in progress cover - business interruption cover - all risks cover - engineering insurance - personal accident for staff - professional indemnity - crime/fidelity cover	End of policy term	Life of company	Life of company	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 (National Council for Voluntary Organisations) recommends 3 years after lapse.  Legal compliance and best practice	
6.2	Insurance	Certificate of Employers' Liability Insurance	End of policy term	N/A	40 years	Best practice: 2008 regulations removed requirement to retain for 40 years but need to be mindful of 'long tail' industrial disease claims, etc.	
6.3	Insurance	Annual Insurance Schedule	End of policy term	N/A	Life of company	As current and former policies are kept permanently (above), schedules should be	

						too. Best practice	
6.4	Insurance	Claims and related correspondence	End of settlement	N/A	2 years	Best practice: Zurich Municipal recommendation. NCVO recommends 3 years after settlement	
6.5	Insurance	Indemnities and guarantees	End of term	N/A	6 years	Legal Compliance: **Limitation Act 1980, Limitations for legal proceedings, 12 years if related to land	
6.6	Insurance	Group health policies	End of cessation of benefit	N/A	12 years after cessation of benefit	Best practice	



## Part 2: Finance, Other Banking Records, Capital Assets

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>7. FINANCE</b>							
7.1	Finance	Accounting records for limited company	End of financial year	6 years	6 years plus current financial year	Legal compliance: Companies Act Section 388 recommends 3 years. Taxes Management Act 1970 (TMA) Sec20 (Taxes Management Act 1970) may require any documents relating to tax over 6 (plus) years	
7.2	Finance	Accounting records for Communities & Benefit Society' Society or Charity		N/A	6 years	Best practice	
7.3	Finance - Cheques and associated records	Cash books/sheets	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.4	Finance - Cheques and associated records	Petty cash records/books/sheets Postage/courier account/cash records Register of postage expenditure Postage paid record Postage books sheets	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.5	Finance - Cheques and associated records	Creditors' history records	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.6	Finance - Cheques and associated records	Statements of accounts outstanding orders	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.7	Finance - Cheques and associated	Vouchers – claims for payment, purchase orders, requisition for goods and	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM	

	records	services, accounts payable, invoices and so on				treasury guidelines, National Audit Office advice	
7.8	Finance - Cheques and associated records	Wages/salaries vouchers	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.9	Finance - Cheques and associated records	General and subsidiary ledgers produced for the purposes of preparing certified financial statements or published information	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.10	Finance - Expenditure records	Cash books/sheets	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.11	Finance - Expenditure records	Other ledgers (such as contracts, costs, purchases)	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.12	Finance - Expenditure records	Journals – prime records for the raising of charges	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.13	Finance - Expenditure records	Journals – routine adjustments	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.14	Finance - Expenditure records	Trial balances - Year-end balances, reconciliations, and variations to support ledger balances and published accounts	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.15	Finance - Receipts and revenue records	Receipt books/butts Office copies of receipts – cashiers,' cash register, fines and costs, sale of publications, general receipt books/butts/ records	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.16	Finance - Receipts and revenue records	Postal remittance books/records	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.17	Finance - Receipts	Receipt books/records for imposts (such	End of Financial	6 years	6 years plus current	Legal compliance and	

	and revenue records	as stamp duty, VAT receipt books)	Year		financial year	best practice: HM treasury guidelines, National Audit Office advice	
7.18	Finance - Receipts and revenue records	Cash registers - Copies of forms, Reconciliation sheets	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.19	Finance - Receipts and revenue records	Audit rolls, Summaries/analysis records	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.20	Finance - Receipts and revenue records	Debtors' records and invoices - debit notes rendered on debtors (such as invoices paid/unpaid, registers of invoices, debtors ledgers)	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.21	Finance - Receipts and revenue records	Debits and refunds - Records relating to unrecoverable revenue, debts, and overpayments (such as register of debts written off, register of refunds)	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.22	Finance- Salaries and related records	Employees pay histories Note that the last three years' records must be kept for leavers, in either the personnel or finance records system, for the calculation of pension entitlement	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.23	Finance- Salaries and related records	Salary ledger card/records	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.24	Finance- Salaries and related records	Copies of salaries/wages payroll sheets	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.25	Finance- Purchase order records	Purchase order books/records	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.26	Finance- Purchase order records	Railway/courier consignment books/ records/Travel warrants	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM	

						treasury guidelines, National Audit Office advice	
7.27	Finance- Purchase order records	Goods inwards books/records	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.28	Finance- Purchase order records	Delivery dockets, Stock/stores control cards/sheets/records	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.29	Finance - Financial Statements	Statements/summaries prepared for inclusion in quarterly/annual reports	End of Financial Year	6 years	6 years plus current financial year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.30	Finance - Financial Statements	Periodic financial statements prepared for management on a regular basis	End of Financial Year	1 year	1 year	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.31	Finance - Asset register financial records	Assets/equipment registers/records	End of Financial Year	6 years after asset or last one in the register is disposed of	6 years after asset or last one in the register is disposed of	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
7.32	Finance - Asset register financial records	Depreciation registers - Records relating to the calculation of annual depreciation	End of Financial Year	6 years after asset or last one in the register is disposed of	6 years after asset or last one in the register is disposed of	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
<b>8. OTHER BANKING RECORDS</b>							
8.1	Other Banking Records	Cancelled / Dishonoured Cheque	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
8.2	Other Banking Records	Paid/presented cheques	End of Financial Year	6 years + current financial year	7 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
8.3	Other Banking Records	Record of cheques drawn for payment	End of Financial Year	6 years + current financial year	7 years	Legal compliance and best practice: HM	

						treasury guidelines, National Audit Office advice	
8.4	Other Banking Records	Bank deposit books/slips/butts	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
8.5	Other Banking Records	Bank deposit summary sheets - Summaries of daily banking	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
8.6	Other Banking Records	Bank reconciliations files/sheets	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
8.7	Other Banking Records	Bank statements, periodic reconciliations	End of Financial Year	2 years	2 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
8.8	Other Banking Records	Electronic banking and electronic funds transfer	End of Financial Year	6 years	6 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
<b>9. CAPITAL ASSETS</b>							
9.1	Capital Assets	Capital Assets including all land, property, housing stock, corporate buildings, play areas, vehicles, equipment, fixtures & fittings >£400	Asset sold, transferred, or disposed of	N/A	6 years	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice	
9.2	Capital Assets	Fixed Asset Register	N/A	Permanently	Permanently	Legal compliance and best practice: HM treasury guidelines, National Audit Office advice. Charities Act	

## Part 3: Contracts and Agreements

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
10.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Legal compliance: Limitation Act 1980	
10.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	6 years after completion (including any defects liability period)	Legal compliance: Limitation Act 1980 (12 years if related to land)	
10.3	Contracts and Agreements	Documentation relating to small one-off purchases of goods and services, where there is no continuing maintenance or similar requirement	After purchase	N/A	3 years. Suggested limit: goods or services up to £10,000	Best practice	
10.4	Contracts and Agreements	Loan agreements	Last payment	12 years after last payment	12 years after last payment	Best practice	
10.5	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Legal compliance: Limitation Act 1980	
10.6	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Legal compliance: Limitation Act 1980	
10.7	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Legal compliance: Limitation Act 1980	
10.8	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years	Best practice	
10.9	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification	Best practice	
10.10	Contracts and Agreements	Forms of tender	After notification	N/A	6 years	Best practice	
10.11	Contracts and Agreements	Documentation relating to purchase of medical devices		N/A	11 years	Best practice	

# Part 4: Human Resources and Health & Safety

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>11. EMPLOYEES TAX AND SECURITY</b>							
11.1	Tax and Social Security	Record of taxable payments; record of tax deducted or refunded; record of earnings on which standard NI Contributions payable; record of employer's and employee NI contributions	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Legal Compliance: HM Revenue and Customs requires retention of each payment for 3 years. Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	
11.2	Tax and Social Security	NIC contracted out arrangements; Inland Revenue notice of code changes, pay and tax details.	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Legal compliance: Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996. Taxes Management Act 1970	
11.3	Tax and Social Security	Copies of notices to employees (e.g., P45, P60)	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years plus current financial year	Legal compliance: Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996. Taxes Management Act 1970	
11.4	Tax and Social	HMRC notice of code changes, pay & tax	End of Financial	6 years	6 years	Legal compliance: Taxes	

	Security	details	Year			Management Act 1970	
11.5	Tax and Social Security	Expenses claims	End of Financial Year	3 years from the end of the tax year they relate to	6 years	Best practice: HMRC	
11.6	Tax and Social Security	Record of sickness payments	On payment	6 years	6 years	Legal compliance: Taxes Management Act 1970 Inland Revenue require retention of each payment for 3 years. SSPR recommends 3 years following year to which they relate	
11.7	Tax and Social Security	Record of maternity payments, statutory paternity pay, statutory shared parental pay and statutory adoption pay	On payment	6 years	6 years	Legal compliance: The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended. The Statutory Paternity Pay and Statutory Adoption Pay (admin) Regulations 2002 (SI 2002/2820) and Statutory Shared Parental Pay (Admin) regulations 2014 (SI 2014/2929)	
11.8	Tax and Social Security	Income Tax and NI returns	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Legal compliance: Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97).  The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	
11.9	Tax and Social Security	Redundancy details and record of payments & refunds	Date of redundancy	N/A	6 years	Best practice: CIPD recommended	
11.10	Tax and Social Security	Revenue and Customs approvals	N/A	N/A	Permanently	Best practice: CIPD recommended	
11.11	Tax and Social Security	Annual earnings summary	End of Financial Year	N/A	12 years	Best practice	
11.12	Tax and Social	Payroll/ salary records, overtime,	End of Financial	Not less than 3	3 years	Legal compliance:	



	Security	bonuses expenses etc.	Year	years after the end of the financial year to which they relate		Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	
11.13	Tax and Social Security	Actuarial valuation reports	N/A	N/A	Permanently	Best practice: CIPD recommended	
11.14	Tax and Social Security	Detailed returns of pension fund contributions; annual reconciliations of fund contributions	N/A	N/A	Permanently	Best practice	
11.15	Tax and Social Security	Money purchase details	After transfer or value taken	N/A	6 years	Best practice: CIPD recommended	
11.16	Tax and Social Security	Qualifying service details	After transfer or value taken	N/A	6 years	Best practice: CIPD recommended	
11.17	Tax and Social Security	Investment policies	From end of benefits payable under policy	N/A	12 years	Best practice: CIPD recommended	
11.18	Tax and Social Security	Trade Union agreements	Date of cessation	N/A	10 years after ceasing to be effective	Best practice: CIPD recommended	
11.19	Tax and Social Security	Inland Revenue approvals	End of company	N/A	Life of company	Best practice: CIPD recommended	
11.20	Tax and Social Security	Annual earnings summary	End of Tax Year	N/A	3 years from the end of the tax year to which they relate	Best practice: HMRC	
<b>12. HUMAN RESOURCES – PENSION SCHEMES</b>							
12.1	Pension Schemes	Actuarial valuation reports	N/A	N/A	Permanently	Best practice: CIPD recommended	
12.2	Pension Schemes	Detailed returns of pension fund contributions	End of Financial Year	N/A	6 years	Best practice: Pensions Regulator	
12.3	Pension Schemes	Annual reconciliations of fund contributions	End of Financial Year	N/A	6 years	Best practice: Pensions Regulator	
12.4	Pension Schemes	Money purchase details	After transfer	N/A	6 years after transfer of value taken	Best practice: CIPD recommended	
12.5	Pension Schemes	Qualifying service details	After transfer	N/A	6 years after transfer of value taken	Best practice: CIPD recommended	
12.6	Pension Schemes	Investment policies	End of benefits payable under policy	N/A	12 years	Best practice: CIPD recommended	
12.7	Pension Schemes	Pensioner records	After benefits cease	N/A	12 years after benefits cease	Best practice: CIPD recommended	
12.8	Pension Schemes	Records relating to retirement benefits	After transfer or	N/A	6 years	Best practice: RBS(IP)R	

			value taken			recommended	
<b>13. HUMAN RESOURCES – PERSONNEL RECORDS</b>							
13.1	Personnel Records	Records relating to retirement benefits	After a year of retirement	N/A	6 years	Best practice: RBS(IP)R recommended	
13.2	Personnel Records	Terms and conditions of service, both general terms and conditions applicable to all staff, and specific terms and conditions applying to individuals	Leaving date	N/A	6 years	Legal compliance: *Limitation Act 1980 Limitation for legal proceedings	
13.3	Personnel Records	Benefits and Deductions (Service contracts for directors (companies))	Date of cessation of directorship	3 years	6 years	Best practice: ICOSA	
13.4	Personnel Records	Remuneration package	Leaving date	N/A	6 years	Legal compliance: Limitations Act 1980	
13.5	Personnel Records	Former employees' Human Resources files	Leaving date	N/A	6 years	Best practice: CIPD recommended	
13.6	Personnel Records	References to be provided for former employees	Leaving date	N/A	6 years	Best practice: CIPD recommended	
13.7	Personnel Records	Training Programmes	Leaving date	N/A	6 years	Best practice: CIPD recommended	
13.8	Personnel Records	Individual Training Records	Leaving date	N/A	6 years	Best practice: CIPD recommended	
13.9	Personnel Records	Short lists, interview notes and related application forms	Recruitment decision	N/A	1 year	Best practice: CIPD recommended	
13.10	Personnel Records	Application forms of non-short-listed candidates	After notification	1 year	1 year	Legal compliance: *Limitations Act 1980 SDA & RRA recommend 3 months Commission for Racial Equality and Equal Opportunities recommends 6 months.	
13.11	Personnel Records	DBS certificate number	Date of clearance	Date of clearance + up to a maximum of 6 months	3 years	Legal compliance: KCHA Housing hold only the certification number but the system reminds HR to check again in 3 years. DBS check code of practice (Home office)	
13.12	Personnel Records	Timecards/ sheets	End of Financial Year	N/A	2 years	Best practice: CIPD recommended	
13.13	Personnel Records	Trust deeds, rules, and minutes (for joint employee/employer sports/social clubs, etc. set up under trust)		N/A	Permanently	Best practice: CIPD recommended	
13.14	Personnel Records	Employer / Employee committee minutes (Staff Forum)		N/A	Permanently	Best practice: CIPD recommended	
13.15	Personnel Records	Parental leave records	Date of birth of child	N/A	18 years from birth of child	Best practice: CIPD recommended	
<b>14. HEALTH AND SAFETY</b>							
14.1	Health & Safety	Medical records relating to control of asbestos	40 years continuous	40 years	40 years	Legal compliance: The Control of Asbestos at	

						Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632	
14.2	Health & Safety	Health and safety assessments; records of consultations with safety reps	N/A	Permanently	Permanently	Legal compliance: Health and Safety at Work Act 1979	
14.3	Health & Safety	Health and safety policy statements	N/A	Permanently	Permanently	Legal compliance: Health and Safety at Work Act 1979	
14.4	Health & Safety	Accident records, reports, accident books	Date of occurrence	3 years or until person is 21	3 years or until person is 21	Legal compliance: RIDDOR Limitation for legal proceedings RIDDOR 1995 and Limitation Act 1980 Special rules apply concerning incidents involving hazardous substances.	
14.5	Health & Safety	Sickness records	Date of occurrence	3 years	6 years from date of sickness	Legal compliance: The Statutory Sick Pay (General) Regulations 1982 (SI 1982/894) as amended Professional Standards Agency	
14.6	Health & Safety	Health and safety statutory notices	Once compliant	6 years after compliance	6 years after compliance	Legal compliance: *Limitation Act 1980 Limitation for legal proceedings	

# Part 5: Marketing

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>Marketing</b>							
15.1	Marketing	Consent					
15.2	Marketing	Soft Opt-In					
15.3	Customer Insights	Profiling					

# Part 6: Vehicles

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>Vehicles</b>							
16.1	Transport & Vehicles	Mileage records & defect sheets	Vehicle disposal	N/A	2 years	Best practice	
16.2	Transport & Vehicles	Maintenance records & MOT tests	Vehicle disposal	N/A	2 years	Best practice	
16.3	Transport & Vehicles	Copy Registrations	Vehicle disposal	N/A	2 years	Best practice	
16.4	Transport & Vehicles	Vehicle disposal log	Vehicle disposal	N/A	1 year	Best practice	
16.5	Transport & Vehicles - Operators Licence Only	Operator's Licence certificates and documents of title	N/A	Permanently	Permanently	Legal compliance: Driver & Vehicle Standards Agency (DVSA) Operators Licence requirement	
16.6	Transport & Vehicles - Operators Licence Only	Mileage records & defect sheets	Vehicle disposal	15 months	2 years	Best practice: 2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	
16.7	Transport & Vehicles - Operators Licence Only	Maintenance records & MOT tests (up to 3.5T)	Vehicle disposal	15 months	2 years	Best practice: 2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	
16.8	Transport & Vehicles - Operators Licence Only	Maintenance records & MOT tests (HGV over 3.5T)	Vehicle disposal	15 months	2 years	Best practice: 2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	
16.9	Transport & Vehicles - Operators Licence Only	Copy Registrations (up to 3.5T)	Vehicle disposal	15 months	2 years	Best practice: 2 years is best practice. DVSA requirement to keep for 15 months under Operators Licence	
16.10	Transport &	Copy Registrations	Vehicle disposal	15 months	2 years	Best practice: 2 years is	

	Vehicles - Operators Licence Only	(HGV over 3.5T)				best practice. DVSA requirement to keep for 15 months under Operators Licence	
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# Part 7: Charitable Donations

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>Charitable Donations</b>							
17.1	Charitable donations	Deeds of covenant		N/A	12 years after last payment	Best practice: TMA recommends 12 years after last payment. Limitation for legal proceeding if related to land	
17.2	Charitable Donations	Index of Donations granted		N/A	6 years	Best practice	
17.3	Charitable donations	Account documentation		3 years	6 years	Best practice: Companies Act recommends 3 years.	

# Part 8: Housing Applications and Tenancy Records

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>Applications and Tenancy Records</b>							
18.1	Application and Tenancy Records	Applications for accommodation	Offer accepted	N/A	6 years after offering accepted	Best practice: Limitation Act 1980, section 2	
18.2	Application and Tenancy Records	Continuous Recording of lettings and sales (CORE) data record form		N/A	As long as it is deemed necessary to support social housing policy.	Best practice: CORE Data Sharing Agreement 12.1	
18.3	Application and Tenancy Records	Housing Benefit notifications		N/A	2 Years	Best practice: Recommendation from Chartered Institute of Housing. Good practice as per DWP guidance	
18.4	Application and Tenancy Records	Rent statements		N/A	2 years	Best practice	
18.5	Application and Tenancy Records	Tenants' tenancy Files, including rent payment records, and details of any complaints and harassment cases		6 years	6 years	Legal compliance: **Limitations Act 1980	
18.6	Application and Tenancy Records	Former tenants' Tenancy Agreements, and details of their leaving	End of tenancy	6 years	6 years	Legal compliance: **Limitations Act 1980	
18.7	Application and Tenancy Records	Care plans for children and related documents		Until 75th year of child's birth or 15 years after death if child dies before 18. (Case records including care plans)	Until 75th year of child's birth or 15 years after death if child dies before 18. (Case records including care plans)	Legal compliance: Arrangements for Placements of Children (General) Regulations 1999 and Children's Act 1989. Some documents may be transferred to subsequent caring agency.	
18.8	Application and Tenancy Records	Care plans/ case files for adults and related documents	End of support	8 years from end of care. (Adult Social Care)	8 years from end of care. (Adult Social Care)	Legal compliance: Records Management Code of Practice for Health and Social Care 2016. Some documents may be transferred to subsequent caring agency.	



18.9	Application and Tenancy Records	Documentation, correspondence, and information provided by other agencies relating to special needs of current tenants		While tenancy continues	While tenancy continues	Best practice	
18.10	Application and Tenancy Records	Records relating to offenders, ex-offenders, and persons subject to cautions		While tenancy continues	While tenancy continues	Best practice: NACRO	
18.11	Application and Tenancy Records	Safeguarding Referral		10 years	10 years	Legal compliance: Statutory requirement under the Safeguarding Vulnerable Groups Act 2006 and Care Act 2014	
18.12	Application and Tenancy Records	Safeguarding Records - Serious Case Review		Minimum of 364 days or when notified Home Office has closed DHR	Minimum of 364 days or when notified Home Office has closed DHR	Legal compliance: Records relating to child protection should be kept for 7 years after your organisation's last contact with the child and their family – NSPCC guidance	
<b>Property Records</b>							
19.1	Property Records	Rent registrations (superseded)	Superseded document	N/A	6 years	Best practice: Rent Officer Handbook recommendation	
19.2	Property Records	Rent Registration (not superseded)		N/A	Life of company	Best practice: Rent Officer Handbook recommendation	
19.3	Property Records	Fair rent documentation		N/A	6 years	Best practice: Rent Officer Handbook recommendation	
19.4	Property Records	Leases and deeds of ownership		N/A	15 years after expiry.	Best practice: NCVO	
19.5	Property Records	Copy of former leases	Settlement of all issues	12 years	12 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. **Limitations Act 1980	
19.6	Property Records	Wayleaves, licences, and easements	Rights given or received cease	12 years	12 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. **Limitations Act 1980	
19.7	Property Records	Abstracts of title	Interest ceases	12 years after interest ceases	12 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. **Limitations Act 1980	
19.8	Property Records	Planning and building control permissions	Interest ceases	12 years after	12 years	Legal Compliance:	

				interest ceases		Limitation for legal action relating to land or contracts under seal. **Limitations Act 1980	
19.9	Property Records	Searches	Interest ceases	12 years after interest ceases	12 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. **Limitations Act 1980	
19.10	Property Records	Property maintenance records		6 years	6 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. *Limitations Act 1980	
19.11	Property Records	Reports and professional opinions		6 years	6 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. *Limitations Act 1980	
19.12	Property Records	Development documentation	Settlement of all issues	12 years	12 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. *Limitations Act 1980	
19.13	Property Records	Invoices		12 years	12 years	Legal Compliance: Limitation for legal action relating to land or contracts under seal. *Limitations Act 1980	
<b>Technical and Research Records</b>							
20.1	Technical and Research	Technical and research records	After requirements have ended	N/A	12-15 years after requirements have ended for both records and reports and drawings and other data.	Best practice: NCVO	
<b>ASB case files and associated documents</b>							
21.1	ASB case files and associated documents	ASB (Anti-social behaviour) case files and associated documents		N/A	5 years or until end of legal action	Best practice	
<b>Supporting people – Subsidy claims / support plans / single assessments including supporting information</b>							
22.1	Supporting People	Supporting people – subsidy claims / support plans / single assessments including supporting information		N/A	Duration of tenancy + 6 years	Best practice	
<b>Resident Meetings</b>							
23.1	Resident Meetings	Resident Meeting Minutes	From date of meeting	N/A	1 year	Best practice: ICOSA recommended	
<b>Property Sales</b>							

24.1	Home Ownership	New Sales applications	Offer accepted	6 years after offering accepted	6 years	Best practice: Limitation Act 1980, section 2	
24.2	Property Sales	Registrations of interest	Sale of property	N/A	2 years	Best practice	
24.3	Property Sales	Offer Details	Offer accepted	current year plus 6 years	6 years	Legal compliance: Estate Agency Act 1979	
24.4	Property Sales	Completion documentation	Completion of Sale	12 years	12 years	Best practice: Housing Act 1985	
24.5	Property Sales	Post purchase questionnaire/ customer feedback	Date of creation	N/A	3 years	Best practice: National Archives guidance	
24.6	Property Sales	Help to Buy applications	Offer accepted	6 years after offering accepted	6 years	Best practice: Limitation Act 1980, section 2	
24.7	Property Sales	Resales (Shared Ownership)	Offer accepted	6 years after offering accepted	6 years	Best practice: Limitation Act 1980, section 2	
24.8	Property Sales	Staircasing process documents	Completion of Sale	12 years	12 years	Best practice: Housing Act 1985	
24.9	Property Sales	Right to Buy/ Acquire files	Completion of Sale	12 years	12 years	Best practice: Housing Act 1985	

# Part 9: Legal for Solicitors

Document Overview			Retention Schedule			Document Management	
No	Function	Record Type	Retention Trigger	Minimum Retention Period	Recommended Retention Period	Reason for Retention	Information Asset Owner
<b>Legal Client Records</b>							
25.1	Simple Debt Collection	Debt Collection	Aged Debt	10 years after final completion, i.e., after the time for appeal has elapsed	10 years after final completion	Best practice / Sector Guidance: Law Society Scotland	
25.2	Divorce and Consistorial Matters			10 years after final completion, i.e., after maintenance, residence and contact order have ceased to have effect, or children have reached maturity	10 years after final completion	Best practice / Sector Guidance: Law Society Scotland	
25.3	Civil Court Cases			10 years after final completion	10 years after final completion	Best practice / Sector Guidance: Law Society Scotland	
25.4	Criminal Cases; - Summary Cases			Files in respect of summary cases should be retained for three 3 years following the date of conclusion of proceedings	3 years following date of conclusion	Best practice / Sector Guidance: Law Society Scotland	
25.5	Criminal Cases: - Solemn Cases	In solemn cases resulting in conviction		Files should be retained for the duration of the custodial sentence if it is 25.6more than three years in length	Duration of custodial Sentence	Best practice / Sector Guidance: Law Society Scotland	
25.6	Criminal Cases: - Solemn Cases	If the client is acquitted or the sentence is one of less than 3 years		Files should be retained for three years from the date of conclusion of proceedings	3 years following date of conclusion	Best practice / Sector Guidance: Law Society Scotland	

25.7	Criminal Cases: - Solemn Cases	If the case is neither indicted nor reduced to summary		The file should be kept for a three-year period beginning one year after the date of first appearance on petition (or three years from the date that written confirmation is received from the Crown that there are to be 'no further proceedings')	4 years from date of first appearance on petition	Best practice / Sector Guidance: Law Society Scotland	
25.8	Criminal Cases: - Solemn Cases	In murder cases and other cases involving disposal by way of life imprisonment (such as the imposition of an Order for Lifelong Restriction)		All papers should be retained indefinitely	Indefinitely	Best practice / Sector Guidance: Law Society Scotland	
25.9	Executries	The retention period may be of particular importance in cases where no clear decision has been taken to discharge legal rights.		Files should be retained for the period which is the later of:	(i) 20 years after the date of the approval of the "final" accounts of the executry; or (ii) 2 years from the death of the deceased's spouse or civil partner (if applicable)	Best practice / Sector Guidance: Law Society Scotland	
25.10	Continuing Trusts			Ten years after the termination of the Trust	10 years	Best practice / Sector Guidance: Law Society Scotland	
25.11	Conveyancing	The following suggested timings are	Solicitors should be	<b>Purchase:</b> 10	10 years	Best practice / Sector	

	Transactions	primarily aimed at residential conveyancing files as we are aware that commercial firms generally have their own policies	vigilant to the fact that there may be obligations placed upon them to retain files by other bodies, such as UK Finance, and should ensure that these obligations are complied with	years after completion- although the file may be of use until the property is subsequently disposed of  <b>Sale:</b> 1 year later after completion (i.e., after implementing Letter of Obligation; dealing with any funds retained; and after Missives have ceased to have effect)	1 year	Guidance: Law Society Scotland	
25.12	Company Work			Ten Years after completion	10 years	Best practice / Sector Guidance: Law Society Scotland	
25.13	Endowment and Investment Business			Given the nature of this work endowment and investment business files should be retained in line with the guidance provided by the	<a href="#">FCA</a>	Best practice / Sector Guidance: Law Society Scotland / Financial Conduct Authority	
25.14	Other correspondence Files			Five years after completion of the business	5 years	Best practice / Sector Guidance: Law Society Scotland	
25.15	Money Laundering	Customer Due Diligence Records	Various	5 years	between 5 and 10 years	Regulation 40 of the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017: <a href="http://www.legislation.gov.uk/uksi/2017/692/pdfs/uk_si_20170692_en.pdf">http://www.legislation.gov.uk/uksi/2017/692/pdfs/uk_si_20170692_en.pdf</a>	
25.16	Closing of Files	This is clearly sound common sense in	In cases where the	This allows for		Best practice / Sector	

		the situation where the solicitor is sitting waiting for further instructions.	matter in which a solicitor was instructed has not come to an obvious and natural conclusion there is a professional duty upon a solicitor to advise a client in writing that the file will be closed in the absence of their instructions within a specific, reasonable period of time.	dormant files to be closed, accounts to be rendered either to the client or SLAB and both solicitor and client know the matter has come to an end.		Guidance: Law Society Scotland / Financial Conduct Authority	
25.17	Records of Destruction	Various	When files, papers and/or documents are destroyed a separate record should be retained of the date of destruction which should include a general description of what was destroyed	Anonymised / Personal Data Removed	25 years	Best practice / Sector Guidance: Law Society Scotland / Financial Conduct Authority	

## **STATUTORY RETENTION PERIODS**

The following represents an ever-changing list of retention periods. The list is not exhaustive. The list may need to be modified to suit your particular organisation

The main UK legislation regulating statutory retention periods is summarised below. If employers are in doubt, it is a good idea to keep records for at least 6 years to cover the time limit for bringing any civil legal action.

### **Accident books, accident records/reports**

Statutory retention period: 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). (See below for accidents involving chemicals or asbestos).

Statutory authority: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).

### **Accounting records**

Statutory retention period: 3 years for private companies, 6 years for public limited companies.

Statutory authority: Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006.

### **Income tax and NI returns, income tax records and correspondence with HMRC**

Statutory retention period: not less than 3 years after the end of the financial year to which they relate.

Statutory authority: The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631).

### **Medical records and details of biological tests under the Control of Lead at Work Regulations**

Statutory retention period: 40 years from the date of the last entry.

Statutory authority: The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676).

### **Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)**

Statutory retention period: 40 years from the date of the last entry.

Statutory authority: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).

### **Medical records under the Control of Asbestos at Work Regulations:**

Medical records containing details of employees exposed to asbestos and medical examination certificates



Statutory retention period: (medical records) 40 years from the date of the last entry; (medical examination certificates) 4 years from the date of issue.

Statutory authority: The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632)

### **Medical records under the Ionising Radiations Regulations 1999**

Statutory retention period: until the person reaches 75 years of age, but in any event for at least 50 years.

Statutory authority: The Ionising Radiations Regulations 1999 (SI 1999/3232).

### **Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)**

Statutory retention period: 5 years from the date on which the tests were carried out.

Statutory authority: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).

### **Records relating to children and young adults**

Statutory retention period: until the child/young adult reaches the age of 21.

Statutory authority: Limitation Act 1980.

**Retirement Benefits Schemes** – records of notifiable events, for example, relating to incapacity

Statutory retention period: 6 years from the end of the scheme year in which the event took place.

Statutory authority: The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)

### **Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence**

Statutory retention period: 3 years after the end of the tax year in which the maternity period ends.

Statutory authority: The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended.

### **Wage/salary records (also overtime, bonuses, expenses)**

Statutory retention period: 6 years.

Statutory authority: Taxes Management Act 1970.

### **National minimum wage records**

Statutory retention period: 3 years after the end of the pay reference period following the one that the records cover.

Statutory authority: National Minimum Wage Act 1998.

## **Records relating to working time**

Statutory retention period: 2 years from date on which they were made.

Statutory authority: The Working Time Regulations 1998 (SI 1998/1833).

## **Recommended (non-statutory) Retention Periods**

For many types of HR records, there is no definitive retention period: it is up to the employer to decide how long to keep them. Different organisations make widely differing decisions about the retention periods to adopt. Employers must consider what a necessary retention period is for them, depending on the type of record.

The advice in this factsheet is based on the time limits for potential UK tribunal or civil claims. The period is often a question of judgement rather than there being any definitive right answer. For example, some records managers in public sector organisations recommend keeping an employee's records until they reach the age of 100, especially for pension purposes

In England and Wales, the Limitation Act 1980 contains a 6-year time limit for starting many legal proceedings. So, where documents may be relevant to a contractual claim, it is recommended that these are kept for at least a corresponding 6-year period. In Scotland, the time limits are generally 5 years, as set out in the Prescription & Limitation (Scotland) Act 1973, as amended.

## **Actuarial valuation reports**

Recommended retention period: permanently.

## **Application forms and interview notes (for unsuccessful candidates)**

Recommended retention period: 6 months to a year. (Because of the time limits in the various discrimination Acts, minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicant's documents will be transferred to the personnel file in any event.

## **Assessments under health and safety regulations and records of consultations with safety representatives and committees**

Recommended retention period: permanently.

## **Inland Revenue/HMRC approvals**

Recommended retention period: permanently.

## **Money purchase details**

Recommended retention period: 6 years after transfer or value taken.

## **Parental leave**

Recommended retention period: 5 years from birth/adoption of the child or 18 years if the child receives a disability allowance.

**Pension scheme investment policies**

Recommended retention period: 12 years from the ending of any benefit payable under the policy.

**Pensioners' records**

Recommended retention period: 12 years after benefit ceases.

**Personnel files and training records** (including disciplinary records and working time records)

Recommended retention period: 6 years after employment ceases.

**Redundancy details, calculations of payments, refunds, notification to the Secretary of State**

Recommended retention period: 6 years from the date of redundancy

**Senior executives' records** (that is, those on a senior management team or their equivalents)

Recommended retention period: permanently for historical purposes.

**Statutory Sick Pay records, calculations, certificates, self-certificates**

Recommended retention period: The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. Although there is no longer a specific statutory retention period, employers still have to keep sickness records to best suit their business needs. It is advisable to keep records for at least 3 months after the end of the period of sick leave in case of a disability discrimination claim. However, if there were to be a contractual claim for breach of an employment contract it may be safer to keep records for 6 years after the employment ceases.

**Timecards**

Recommended retention period: 2 years after audit.

**Trade union agreements**

Recommended retention period: 10 years after ceasing to be effective.

**Trust deeds and rules**

Recommended retention period: permanently.

**Trustees' minute books**

Recommended retention period: permanently.

**Works council minutes**

Recommended retention period: permanently.

