

Retention of Data / Records at The Hamlet

Article 5 of the GDPR requires that personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to individuals;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;
- processed 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.

Storage

- All financial records must be archived immediately after the auditors have completed the audit and are kept in clearly marked files in chronological order (oldest at the top) in the archive cupboard.
- All HR files are kept on the HR drive with strict access limited to Snr Manager and HR assistant only for the correct length of time and then deleted.
- All children service user files and adult services user files are also filed here no longer than three months after the last contact.
- All files must be clearly marked and marked in a way that makes them easily accessible e.g. by date or in alphabetical order.

Retention Times:

DATE	TIME KEPT	REASON
Financial	7 years including current year	Legal requirement Source: auditors.
Contracts for services (Local Authority Service Level Agreements etc)	7 years (as for financial records)	Source LA.
Letters relating to donations given to the trust	7 years (as for financial records)	Source: Richard Felton
ESF (Mobile Toy Library)	12 years	Ditto Source: EYDCP
National insurance information	40 years.	Ditto
Employers public liability insurance certificate	40 years. Starting 1999	Ditto Source: insurance brokers.
Staff	Six years from date of leaving	Unfair dismissal 3 months from incident. Personal injury 3 years from date of injury or injury becoming noticed. Breach of contract 6 years. Working time direc.2 yrs Minimum wage. 3 yrs. Source: CIPD
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence and leave	3 years after the end of the tax year in which the maternity period ends	HMRC Source: The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended and Maternity & Parental Leave Regulations 1999
Statutory Shared Parental Pay records, calculations, certificates (Mat B1s), notices and leave	3 years after the end of the tax year in which the maternity/adoption period ends	HMRC Maternity & Parental Leave Regulations 1999
Sickness records.	For up to 6 years from date of leaving depending on circumstances.	Ditto as above before "Staff" Source: inland revenue.
Prior to employment	Non shortlisted applicants – Application forms and shortlisting notes shredded 6 months after date of interviews.	6 months Discrimination claim usually within 3 months from incident – but possibly 6 months allowed by court. Source: CIPD
	Shortlisted applicants: - application forms and interview notes shredded after 6 months from appointment.	As above Source: CIPD
Disclosure information	We <i>may</i> keep date of issue, name of subject,type of disclosure, position	DBS - this document is the property of the applicant and we are not sent a copy.

	disclosure requested for, the unique ref.	
Successful applicant	Interview notes kept on personnel file.	Could show any agreement made at the interview stage. Source: CIPD
Adults service users files	7 years from date of last contact.	7 yrs – civil action 6 yrs. Source: Social Services.
Children service users files	7 years since date of last contact	Children with Disabilities Team
Accident records	3 years from incident unless issues have arisen from the accident and are being investigated	Source: RIDDOR
Volunteers	Six months from date of leaving.	
Trustee Meetings - Board and Subcommittee meetings	Until the charity is dissolved.	Charity Commission
Team meetings	12 months	Hamlet Centre Trust
Archive material and photos	Selection to be kept in the archive cupboard. All photographs to be deleted at the end of each term unless specifically required for archive purposes	Hamlet Centre Trust
Safeguarding Records relating to child or adult	Records should be kept for seven years following last contact with The Hamlet. Documentation must be copied and transferred to the next setting / local authority when the child ceases to use The Hamlet in an appropriate manner	NSCB (guidance for schools / colleges)
Allegations about staff / volunteers who work at The Hamlet.	HR or the Senior Manager of the employee in question should keep a clear and comprehensive summary of any allegations made, details of how the allegations were followed up and resolved, and of any action taken and decisions reached. These should be kept in a person's confidential personnel file and a summary should be given to the individual by the employer. Please note that the record of Multi-Agency LADO meetings must not be given to the person subject of the process. They may apply for the record through the Norfolk County Council	NSCB

	<p>Information Management Service.</p> <p>Such information should be retained on file, including for people who leave the organisation at least until that person reaches normal retirement age, or for 10 years if that is longer. The purpose of the record is to enable accurate information to be given in response to any future request for a reference under safer recruitment procedures. It will provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction. It will also prevent unnecessary re investigation if, as sometimes happens, allegations resurface after a period of time.</p>	
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