


Services covered by this policy:	General Pre-school Children's Service	The Hamlet at Home Adult Services
Post holder(s) responsible for this policy:	CEO	
Date approved:	June 2023	
Approved by:	CEO – Ellie Coulson	
Signed:		
To be reviewed:	June 2024	

A. Policy statement

Our belief is that everyone at The Hamlet should be happy and safe, is unique and valued, can explore choice and opportunities, is encouraged to unlock their potential, can communicate in their own way and is part of the wider community.

This policy outlines the process for the business and all staff to understand the principles set out in UK GDPR in relation to data retention and data security. The Hamlet is committed to providing consistent and effective records management and has set out within this policy the minimum retention periods for different types of records relating to data we hold to deliver a safe and effective service.

B. Purpose of this policy and why we have it

As an organisation we need to hold a lot of personal data in order to deliver our services to children and adults. The purpose of this policy is:

- To ensure that all staff at The Hamlet understand the principles set out in UK GDPR in relation to data retention and data security.
- By reviewing this policy, The Hamlet will be able to consider appropriate retention periods for the personal data it processes and ensure that it stores personal data for an appropriate period of time.
- This policy will enable staff at The Hamlet to review the policies and procedures they have in place to ensure that the personal data they process is kept secure and properly protected from unlawful or unauthorised processing and accidental loss, destruction, or damage.

This policy will help us to comply with UK GDPR and the Data Protection Act 2018.

C. Scope of this policy

- The Hamlet Users
- Parents/carers/home support staff of Hamlet Users

- The Hamlet staff
- The Hamlet Volunteers
- Educational or work placements e.g., Occupational Therapy or Nursing
- Visitors

D. Policy

It is important that we safeguard the privacy of the data stored and yet keep it accessible for those who really need to use it.

Although we state the retention periods for the data we keep, there may be legitimate reasons for this data to be stored for longer. This may include, for example, retaining personnel records in case a claim arises relating to personal injury caused by The Hamlet that does not become apparent until a future date, or requirements imposed by HMRC in respect of financial documents.

In the interest of practicality, The Hamlet has determined a sensible period of time for which to keep the HR records in their entirety. Please see [Retention Period Table](#).

Retention Period Table		
Data Type	Retention Period	Notes
Accident Books (where accident related to non-Hamlet User aged 18 years or over)	3 years (from last entry)	Source: CIPD - Retention of HR Records Factsheets CIPD
Accident Books (where the accident relates to a non-Hamlet User aged under 18 years)	Until 21 st birthday of child/young person	Source: CIPD - Retention of HR Records Factsheets CIPD
Allegations about staff / volunteers who work at The Hamlet	10 years or reach normal retirement age (whichever is longest)	NSPCC Child protection records retention and storage (icmec.org) (IRMS, 2019)
Archive material (archive cupboard)	Retention period stated on storage	Dependent on what is archived
Contracts for services (Local Authority Service Level Agreements etc)	7 years (inclusive)	Source: Local Authority
CCTV (JP site only)	Pending	
CQC Notification	3 years (after notification or end of investigation)	CQC

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Disclosure information	6 years (from date of leaving) – please see note.	We may seek permission to review the update service. We do not keep a copy of the DBS, but depending on circumstances we may keep: <ul style="list-style-type: none"> • date of issue • name of subject • type of disclosure • position included in the employees file.
Employers and public liability insurance certificate	40 years	Duration starting from 1999 Source: Employers' Liability (Compulsory Insurance) Act 1969 (legislation.gov.uk) Regulation 2 paragraph 4 from 1998; although the 40 year requirement was removed in 2008, we have decided to continue to follow this.
Financial	7 years (inclusive)	Legal requirement Source: auditors.
Hamlet User files – Adult's Service	7 years (from leaving service)	Minimum requirement 6 years after last contact. Source: Social Services
Hamlet User files – Children's Service (children and young people under 18 years of age)	Until 25 th birthday	NSPCC: Child protection records retention and storage guidance NSPCC Learning Information and Records Management Society (IRMS), 2019
Letters relating to donations given to the trust	7 years (inclusive)	Source: Felton Fundraising & Appeals Ltd.
National insurance information	40 years.	M&A Partners, HMRC
Images (photography or video, excluding CCTV)	Indefinitely or until consent is withdrawn	As per permissions form details by The Hamlet, see also Privacy Statement.
Prior to employment: Non short-listed applicants	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
Prior to employment: Shortlisted applicants	6 months from appointment.	6 months

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		Discrimination claim usually within 3 months from incident – but possibly 6 months allowed by court. Source: CIPD
Quality Assurance records	7 years	With the exception of any Hamlet User identifying information, which would be linked to their data and retention period.
Safeguarding Records – Hamlet User Adult	7 years (from date of leaving)	Documents must be copied and transferred to next setting / local authority when Hamlet User ceases to use The Hamlet in an appropriate manner
Safeguarding Records – Hamlet User Child	Until 25 th birthday	NSPCC: Child protection records retention and storage guidance NSPCC Learning Information and Records Management Society (IRMS), 2019
Sickness records.	6 years (from date of leaving)	There is no longer a specific statutory retention period, The Hamlet have decided to keep the same retention as staff records. Source: CIPD - Retention of HR Records Factsheets CIPD
Staff records	6 years (from date of leaving)	Source: CIPD - Retention of HR Records Factsheets CIPD
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence and leave	6 years (from date of leaving)	The Hamlet have decided to keep the same retention as staff records. Statutory retention period is 3 years after the end of the tax year in which the maternity period ends. Source: CIPD - Retention of HR Records Factsheets CIPD
Statutory Shared Parental Pay records, calculations, certificates (Mat B1s), notices and leave	6 years (from date of leaving)	The Hamlet have decided to keep the same retention as staff records.

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		Statutory retention period is 3 years after the end of the tax year in which the maternity period ends. Source: CIPD - Retention of HR Records Factsheets CIPD
Successful Applicant	6 years (from date of leaving)	To show any agreement made at the interview stage Source: CIPD
Team Meetings	12 Months	Source: Decision made by The Hamlet
Trustees Meetings – Board and Subcommittee meetings	Until charity is dissolved	Source: Charity Commission
Volunteer records – successful applicant	6 years (from leaving)	Volunteers who do not actively volunteer for 8 weeks or more will have their status removed and considered a ‘leaver’.
Volunteer records – unsuccessful applicant	8 weeks (from registration)	Volunteers who register but there is no response to contact, or the response is that they are no longer interested, within 2 weeks can also have their records deleted 8 weeks after their registration.
Website – photographs and policies	In line with our policy review schedules and image permissions	The Hamlet upload data from backend (Umbraco)

Destruction of data

The Hamlet will safely destroy all records that have passed their minimum retention period and are no longer needed. The methods of safe destruction will depend on the type of record.

- On-site paper records are confidentially shredded. The Hamlet uses AVENA Group for this. More information can be found on [Confidential Paper Shredding – Destroy Valuable Documents \(avenagroup.co.uk\)](https://www.avenagroup.co.uk). Proof of destruction certificates are kept for 5 years.
- The Hamlet uses CRM systems, and information stored externally to these is kept on The Cloud. Approved I.T. services are contracted to oversee the security and maintenance of this storage. Deletion schedules are monitored regularly, and deletion is carried out only by those with permission to access them.

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- The Hamlet uses an archiving service provided by Archive-Vault limited, who are locally based and will securely destroy archived data that is past it's retention period. More information about their services can be found at [Archive-Vault Ltd, Norwich - Norfolk](#)

E. Procedures and monitoring

In order to comply with the requirements of UK GDPR The Hamlet must consider data retention with regards to all new projects and plan accordingly.

The Hamlet reviews this policy and the retention times on a regular basis to ensure continuous compliance with legislation, and if necessary will amend policies and procedures surrounding such legislation to remain compliant.

Staff, volunteers, and placements have access to these policies and procedures through the staff portal on The Hamlet website.

Staff training

All staff receive training in GDPR as part of their induction programme and further training in line with their training needs as identified by their supervision, appraisals and policy developments and changes. The training is updated on a regular scheduled basis at least annually.

All training, including induction training, is in line with the guidance and standards produced by the relevant social and healthcare workforce development organisations.

Further information about staff training can be found in the [Training and Professional Development Policy](#)

F. Regulations (Health and Social Care Act) and other legal references

- UK GDPR
- Data Protection Act 2018

This policy should be read in conjunction with any other relevant Hamlet policies and accompanying procedures.

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