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# Information retention and disposal policy

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Date: 24 September 2010  
Version: 1.0

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## *Introduction*

The Legal Ombudsman recognises the importance of effective file keeping, records and data management to enable it to discharge its functions. This requires, amongst other things, a data and record retention policy. The term 'record' applies equally to photographic, microform and electronic media that are used to store records as well as more traditional paper or card records. The period of retention only commences when the record is closed.

The procedure applies to all users of Legal Ombudsman computer systems, including any contractor, agency, casual staff (including those on work experience) and external service providers' staff. Any departure from this procedure may lead to disciplinary action being taken in accordance with the published staff disciplinary process.

## *Storage of data and records*

All staff have a responsibility to consider both safety and security when storing and disposing of personal information in the course of their work. Consideration should also be given to the nature of the personal information involved - for example, how sensitive it is - and the format in which it is held.

Data and records should, wherever possible, be stored electronically. However, alternative formats of storage (e.g. CD or paper) may be more appropriate in certain circumstances - for example, where electronic housekeeping has been undertaken or there are legal requirements to retain a 'wet' signature on a document. The Compliance Team can provide further advice and guidance in this respect.

All data and records must be stored as securely as possible in order to avoid potential misuse or loss. All data and records will be stored in the most convenient and appropriate location, having regard to the period of retention required and the frequency with which access will be made to the record.

The degree of security required for file storage will reflect the sensitivity and confidential nature of any material recorded and due regard to security must also be given to archived filing. Information concerning protective marking can be found in the Information and Data Protection Policy.

## *Relationship with the Data Protection Act*

Data and records should not be kept for longer than is necessary. This principle finds statutory form in the Data Protection Act 1998, which requires that personal data processed for any purpose "shall not be kept for longer than is necessary for that purpose".

To comply with the principles of the Data Protection Act, records containing personal data must be:

- stored appropriately, having regard to the sensitivity and confidentiality of the material recorded;
- retrievable and easily traced;
- retained for only as long as necessary;
- disposed of appropriately to ensure that copyrights are not breached and to prevent them falling into the hands of unauthorised personnel.

Reference should be made to Appendix A, which sets out retention periods which must be complied with for specified records.

## *Record retention schedule*

The record retention schedule (Appendix A) documents the minimum length of time that Legal Ombudsman records should be retained to comply with legal, regulatory and operational requirements. This includes compliance with the Data Protection Act 1998 and the Freedom of Information Act 2000.

The retention schedule is also used to ensure that LeO balances the requirement to not hold on to records unnecessarily with the need to prevent the premature disposal of information we are required to keep. Retention periods outlined in the schedule are applied to records in whatever medium they are held (paper, electronic etc).

## **Using the schedule**

The schedule identifies the relevant functions of LeO and the categories of records they hold. Each section is listed in the documents on the right hand side of this page. The Schedule describes:

- the record type (series);
- examples or descriptions of what makes the record;
- the minimum retention period;
- the recommended disposal action;
- the supporting justification.

Retention periods are independent of format and therefore can be applied to any medium, whether paper or electronic. Retention periods in this document are defined as the 'minimum', which mean that files may be retained for a longer period should they be required but must not be disposed of before the identified time.

## **Long-term storage of paper records**

Although LeO aims to keep paper records to a minimum, the retention schedule may identify paper based records that are required to be retained for several years, even though they are no longer referenced on a regular basis. These records need to be stored in a safe environment, and due regard must be given when storing archived paper based records onsite since this takes up valuable storage space. If required, such archiving material may be sent to an appropriate off-site storage facility.

## ***Destruction and disposal of records***

All information of a confidential or sensitive nature on paper, card, microfiche or electronic media must be securely destroyed when it is no longer required. This ensures compliance with the Data Protection Act 1998 and the duty of confidentiality we owe to our employees, clients and customers.

All information, in any format, destroyed from any location must have due regard to confidentiality of our employees, clients and customers. When records or data files are identified for disposal in the policy are destroyed, details must be provided to the Compliance Team in order to maintain an effective and up to date a register of destroyed records.

The destruction of Legal Ombudsman records must only be undertaken in accordance with the published guidelines. If there is any doubt about the need for authorisation in a specific case, individuals should consult with the Compliance Team.

## **Safe and secure disposal of records**

When records are disposed of, on-site or off, it is important to use methods which do not allow future use or reconstruction.

## **Electronic records**

Special care must be taken with electronic records, which can be reconstructed from deleted information. Similarly, erasing or reformatting computer disks or personal computers with hard drives which once contained personal information is not enough. The deletion of electronic records must be organised in conjunction with the Head of IT and Telecoms, who will ensure the removal of all data from the medium so that it cannot be reconstructed.

Deletion should ultimately mean the complete destruction of the electronic record. This implies rendering data non-recoverable even when using forensic data recovery techniques. In practice, deleting an instance of an electronic record in most technical environments merely removes an operating system or application link to the object and it is not actually removed when the same storage medium space has been reused several times over.

The Data Protection Act requires that information that is no longer required should cease to be processed.

The Information Commissioner has held that this means that reasonable steps should be taken to ensure the information is not retrievable by normal methods, including restoring using backup facilities. Additionally, it is important to ensure that external IT providers do not frustrate the proper implementation of LeO's official disposal schedules by their own back-up routines.

In view of the technical issues involved in deleting electronic records, the Head of IT and Telecoms shall be responsible for administering the removal of electronic records, including back-up mechanisms and providing an appropriate disposal record to the Compliance Team.

### **Paper records**

Paper records containing confidential and/or personal information must be cross-cut shredded no larger than 6mm and confidentially disposed of. Under no circumstances should confidential and/or personal information be disposed of with other rubbish or general records. Bulk shredding and confidential disposal can be arranged through the Facilities Manager.

### **Disposal schedule**

A disposal schedule is a list indicating what records have been destroyed, when, by whom and using what method of destruction. Records which have been archived should also be documented in order to facilitate effective retrieval. The disposal record applies to both paper and electronic (computer and video) records and must not, in itself, contain personal information. The disposal record must refer to the record type rather than the contents of the record. For example, "2010 complaints" would be acceptable, "complaints: John Smith" would not. LeO's disposal record-keeping is administered by the Compliance Team and all staff archiving and/or destroying data must advise the Compliance Team in advance.

### **Content of the disposal schedule**

The disposal schedule should contain all the following elements:

- the name of the Department creating or holding the records described in the schedule;
- a schedule reference and version number;
- reference numbers (where applicable) of the records;
- a description of the records;
- the retention period and / or disposal action;
- the signature(s) of the Compliance Officer and Department Manager;
- the date on which the schedule was agreed and signed;
- the date of implementation of the schedule.

### **Monitoring and revision of disposal schedules**

It is the responsibility of the Compliance Team to monitor and review the disposal schedule (Appendix A) regularly (usually annually), to ensure that:

- retention periods and disposal actions are still appropriate in the light of experience;
- records no longer generated are removed from the schedules after disposal action on them is complete;
- newly created categories of records are added to the schedules;
- records which are on schedules as needing retention are still in existence.

Where amendments to the disposal schedule have been approved, the Compliance Team will update Appendix A and advise staff as soon as possible.

## *Supporting legislative and regulatory obligations*

### **Freedom of Information Act 2000 (FoIA)**

Disposal schedules are a very important part of accounting for the legitimate absence of information under FoIA. For example, demonstrating to requesters, the Information Commissioner or the Information Tribunal that disposal decisions have been made and implemented following due process will defend legitimate public sector records management activity from undue criticism under the FoIA regime. In particular, it should serve as a defence against a charge under s.77 that a record has been destroyed with the intention of preventing disclosure in response to a request.

Documentation of disposal activity at the policy, schedule and folder (very occasionally record) level will be particularly important to account for records that cannot be confirmed as present in response to a request, a complaint to the Information Commissioner or an appeal to the Information Tribunal.

### **Public Records Act 1958**

Section 3 (1) of the Public Records Act 1958 imposes a duty on public bodies to make proper arrangements for the identification, safeguarding and transfer of records of historical interest to The National Archives. Section 3 (6) also demands the disposal of records not selected for preservation, either by destruction or by other means as approved by the Lord Chancellor.

### **Data Protection Act 1998**

The Data Protection Act 1998 reinforces the imperative to dispose of information in a timely, orderly manner and not to retain personal information without good reason. In general, this implies a presumption that once the legitimate business use for the information has expired, or continuing to retain it has become disproportionate to the processing, then processing should cease. This means that the personal data should be disposed of, unless a further approved purpose of processing applies.

## *Information retention and disposal policy: archive periods*

### **Finance and procurement**

<b>Description</b>	<b>Record</b>	<b>Retention period</b>	<b>Action</b>	<b>Citation</b>
Financial management	Records documenting the development and establishment of the Finance Strategy.	<b>Superseded + 10 years</b>	Review or Archive Value	n/a
	Records documenting the monitoring of performance against the organisation KPIs – <b>core data</b>	<b>Current financial year + 1 year</b>	Destroy	n/a
	Records documenting the monitoring of performance against the organisation KPIs – <b>reports</b>	<b>Current financial year + 10 years</b>	Review or Archive Value	n/a
Financial audit	Records documenting the conduct and results of financial audits, and action taken to address	<b>Last action on audit + 6 years</b>	Destroy	1980 c.58
Financial accounting	Records documenting the issue of sales invoices and the processing of incoming payments	<b>Current financial year + 6 years</b>	Destroy	1970 c.9 1980 c.58 1994 c.23
	Records documenting the receipt and payment of purchase invoices	<b>Current financial year + 6 years</b>	Destroy	1970 c.9 1980 c.58 1994 c.23
	Records of the handling of petty cash	<b>Current financial year + 6 years</b>	Destroy	1970 c.9

Description	Record	Retention period	Action	Citation
				1980 c.58 1994 c.23
	Records of the receipt and processing of students' fees	<b>Current financial year + 6 years</b>	Destroy	1970 c.9 1980 c.58
	Records documenting the preparation of the organisation's statutory accounts	<b>Current financial year + 6 years</b>	Destroy	1980 c.58
	Annual accounts	<b>Current financial year + 6 years</b>	Archive.	1970 c.9
	Records of opening, closing and routine administering of bank accounts	<b>Closure of account +6 years</b>	Destroy	1980 c.58
	Records of standing orders, direct debits	<b>Life of instruction +6 years</b>	Destroy	1980 c.58
	Records of routine bank account deposits / withdrawals/ transfers  (paying-in slips, transfer instructions, bank statements etc	<b>Current financial year + 6 years</b>	Destroy	1980 c.58 1970 c.9
	Records of the processing of internal accounting transactions  between operating units (i.e. cross-charges)	<b>Current financial year + 1 year</b>	Destroy	n/a
Management accounting	Records documenting analyses of the internal deployment of the organisation's financial resources	<b>Current financial year + 1 years</b>	Destroy	n/a

<b>Description</b>	<b>Record</b>	<b>Retention period</b>	<b>Action</b>	<b>Citation</b>
	Management Account Journals	<b>Current financial year + 6 years</b>	Destroy	n/a
	Financial systems documentation	<b>Life of system</b>	Destroy	n/a
	Financial statements	<b>Permanently</b>	n/a	n/a
Budget management	Preparation of annual operating budgets	<b>Current financial year + 1 year</b>	Destroy	n/a
	Monitoring of income and expenditure against annual operating budgets, and action taken to deal with variances	<b>Current financial year + 1 year</b>	Destroy	n/a
Funding administration	Administering annual funding allocations from appropriate statutory funding bodies (inc correspondence, invoices)	<b>Current financial year + 10 years</b>	Destroy	n/a
Payroll administration	Calculation and payment of payroll payments to employees	<b>Current tax year + 6 years</b>	Destroy	1970 c.9 1980 c.58 1993 / 744 1999/584
	Employees' authorisation for non-statutory payroll deductions e.g. gym membership, nursery vouchers, travel loans, etc	<b>Current tax year + 6 years</b>	Destroy	1980 c.58
	Records documenting the operation of the statutory sick pay scheme	<b>Current tax year + 3 years</b>	Destroy	1982/894
	Records documenting the operation of the	<b>Current tax year + 3 years</b>	Destroy	1986/1960

Description	Record	Retention period	Action	Citation
	statutory maternity pay scheme			
	Records documenting the payment and/or reimbursement of employees' and Board members' expenses	<b>Current financial year + 6 years</b>	Destroy	1970 c.9 1980 c.58
	Payroll reconciliation	<b>Current financial year + 2 years</b>	Destroy	
Pension administration	Records documenting payments of the organisation's employer's contributions to pensions schemes for its employees	<b>Termination of employment + 75 years</b>	Destroy	1980 c.58
	Records of payments of employees' contributions to pension schemes	<b>Termination of employment + 75 years</b>	Destroy	1980 c.58
Tax management	Records documenting the preparation and filing of the organisation's tax returns	<b>Current tax year + 6 years</b>	Destroy	1994 c.23
	Assessment of tax liabilities	<b>Current tax year + 6 years</b>	Destroy	1994 c.23
	VAT account	<b>Current tax year + 6 years</b>	Destroy	1994 c.23
	PAYE/NI/returns on subcontractors	<b>Current tax year + 3 years</b>	Destroy	1970 c.9
Insurance policy management	Records documenting the arrangement and renewal of insurance policies to meet defined requirements and legal obligations: <b>Employers' Liability insurance (organisation has exemption certificate)</b>	<b>Commencement of policy + 40 years OR Renewal of policy + 40 years</b>	Destroy	1980 c.58
	Records documenting the arrangement and renewal of insurance policies to meet defined requirements and legal obligations: <b>all other</b>	<b>Expiry of policy + 6 years</b>	Destroy	1980 c.58

Description	Record	Retention period	Action	Citation
	<b>insurance</b>			
	Records documenting claims made under insurance policies: <b>property and other claims</b>	<b>Settlement of claim + 6 years OR withdrawal of claim + 6 years</b>	Destroy	1980 c.58
	Records documenting claims made under insurance policies: <b>liability/personal injury/nurture claims</b>	<b>Permanent</b>	n/a	1980 c.58
Asset management	Valuation of capital assets	<b>Current financial year + 6 years</b>	Review for Archive	1970 c.9
	Records documenting the disposal of capital assets	<b>Disposal financial year + 6 years</b>	Review for Archive	1970 c.9 1980 c.58
Supplier approval	Records documenting supplier evaluation criteria.	<b>Superseded + 5 years</b>	Destroy	n/a
	Records documenting invitations to prospective suppliers to apply for approval.	<b>Expiry of invitation OR rejection of application + 6 months OR completion of approval</b>	Destroy	n/a
	Records documenting the evaluation of applications for approval from prospective suppliers, and notification of the outcome: <b>approved suppliers.</b>	<b>Termination of approval</b>	Destroy	n/a
	Records documenting the evaluation of applications for approval from prospective suppliers, and notification of the outcome:	<b>Rejection + 1 year</b>	Destroy	n/a

Description	Record	Retention period	Action	Citation
	<b>rejected suppliers.</b>			
	Supplier database	<b>While current</b>	Destroy	n/a
Supply contract tendering	Records documenting the process of inviting and evaluating pre-qualification submissions from prospective suppliers.	<b>Award of supply contract + 1 year</b>	Destroy	1991 / 2680 1993 / 3228 1995 / 201
	Records documenting invitations to tender and tender evaluation criteria.	<b>Termination of supply contract awarded + 6 years</b>	Destroy	1980 c.58 1991 / 2680 1993 / 3228 1995 / 201
	Records documenting the issue of Invitations to Tender and handling of incoming tenders.	<b>Award of supply contract + 1 year</b>	Destroy	1991 / 2680 1993 / 3228 1995 / 201
	Records documenting the evaluation of tenders, the conduct of negotiations with tenders and the notification of the results of the tender evaluation process: <b>rejected tenders.</b>	<b>Award of supply contract + 1 year</b>	Destroy	1991 / 2680 1993 / 3228 1995 / 201
	Records documenting the evaluation of tenders, the conduct of negotiations with tenders and the notification of the results of the tender evaluation process: <b>accepted tenders.</b>	<b>Termination of supply contract awarded + 6 years</b>	Destroy	1980 c.58 1991 / 2680 1993 / 3228

Description	Record	Retention period	Action	Citation
				1995 / 201
	Contract award report (as required by the regulations cited).	<b>Termination of supply contract awarded + 6 years</b>	Destroy	1980 c.58 1991 / 2680 1993 / 3228 1995 / 201
	Statistical reports on contracts awarded (as required by external financial regulations).	<b>Date of creation + 3 years</b>	Destroy	1980 c.58 1991 / 2680 1993 / 3228 1995 / 201
Supply contract management	Records documenting variations to contracts (e.g. revisions, extensions).	<b>Termination of contract + 6 years</b>	Destroy	1980 c.58
	Records documenting the monitoring of supplier performance and action taken regarding under-performance.	<b>Termination of contract + 6 years</b>	Destroy	1980 c.58
Purchasing administration	Records documenting purchasing authorisation limits.	<b>Superseded + 1 year</b>	Destroy	n/a
	Records documenting internal authorisation for procurement.	<b>Current financial year + 1 year</b>	Destroy	n/a

## Human Resources

Description	Record	Retention period	Action	Citation
Strategy, policies and procedures	HR strategy: <b>master copy</b>	Permanent	Retain	
	HR strategy <b>working papers</b>	Adoption + <b>2 years</b>	Destroy	n/a
	HR policies	Superseded + <b>5 years</b>	Destroy	n/a
	HR policies <b>working papers</b>	Adoption + <b>2 years</b>	Destroy	n/a
	HR procedures and guidance	Adoption + <b>2 years</b>	Destroy	n/a
	HR procedures and guidance <b>working papers</b>	Adoption + <b>2 years</b>	Destroy	n/a
Workforce planning	Assessment and analysis of workforce requirements and the identification and evaluation of options for meeting requirements	Creation + <b>5 years</b>	Review	1980 c. 58 s 2
	Records documenting management succession or restructuring plans.	Superseded + <b>5 years</b>	Review	n/a
	Records documenting the internal analysis and discussion for the creation of a new post	Creation + <b>3 years</b>	Destroy	n/a
	Job evaluation exercises: <b>working papers</b>	Completion + <b>1 year</b>	Destroy	n/a
	Job evaluation exercises: <b>results</b>	Completion + <b>10 years</b>	Destroy	n/a
Recruitment	Individual job descriptions and personal spec	Termination + <b>6 years</b>	Destroy	n/a
	Grading of individual jobs: <b>outcomes</b>	Superseded + <b>10 years</b>	Destroy	n/a

Description	Record	Retention period	Action	Citation
	Grading of individual jobs: <b>correspondence and working papers</b>	Upon advertisement of post	Destroy	n/a
	Authorisation to recruit	Completion of appointment + <b>5 years</b>	Destroy	n/a
	Advertisement of vacancies; <b>working papers</b>	Appointment of successful candidate + <b>6 months</b>	Destroy	1975 c.65, 1976 c.74, 1995 c.50
	Advertisement text (screenshot)	Termination of employment in role	Destroy	n/a
	Enquiries about vacancies and requests for application forms	Completion of appointment + <b>6 months</b>	Destroy	n/a
	Review/short listing of applicants	Completion of appointment + <b>5 years</b>	Destroy	n/a
	Selection of staff: interview notes, test results ( <b>successful and unsuccessful candidates</b> )	Completion of appointment + <b>6 months</b>	Destroy	n/a
	Application forms (excluding equal opportunities monitoring form) and CVs: <b>successful candidates</b>	Retain for <b>6 years</b> after termination of employment.	Destroy	1980 c. 58 s 2
	Application forms and CVs: <b>unsuccessful candidates</b>	Completion of appointment + <b>6 months</b>	Destroy	n/a
	References <b>successful candidates</b>	Provision of reference + <b>6 months</b>	Destroy	n/a

Description	Record	Retention period	Action	Citation
	References <b>unsuccessful candidates</b>	Completion of appointment + <b>6 months</b>	Destroy	n/a
	Recommendation to recruit individual	Completion of appointment + <b>5 years</b>	Destroy	n/a
	CRB clearance documentation	Date of clearance + <b>up to a maximum of 6 months</b>	Destroy	CRB code of practice
	Clearance to work documentation	Retain for <b>6 years</b> after termination of employment.	Destroy	n/a
	Equal opportunities form	Immediately after information entered onto database	Destroy	n/a
	Equal opportunities database information	Entry + <b>10 years</b>	Destroy	n/a
	Equal opportunities regular statistical reports	Creation + <b>10 years</b>	Destroy	n/a
	Equal opportunities ad hoc statistical reports	Creation + <b>2 years</b>	Destroy	n/a
	Data for analyses of recruitment effectiveness	Analyses + <b>6 months</b>	Destroy	n/a
	Analyses of recruitment effectiveness	Analyses + <b>3 years</b>	Destroy	n/a
	Unsolicited applications	Reply + <b>6 months</b>	Destroy	n/a
Training, development, induction and performance	Identification of staff development needs and the development of plans to meet those needs	Creation + <b>5 years</b>	Review	1980 c. 58 s 2
	Records documenting the development, overall delivery and assessment of induction or other training programmes	Current year + <b>2 years</b>	Destroy	n/a

Description	Record	Retention period	Action	Citation
	Feedback analysis of induction or other training programmes.	Current year + <b>2 years</b>	Destroy	n/a
	Records documenting the administration of induction or other training sessions, including feedback forms	Current year + <b>1 year</b>	Destroy	n/a
	Records documenting analyses of the impact of training and development programmes	Current year + <b>4 years</b>	Destroy	n/a
	Probation review/reports	Current year + <b>2 years</b>	Destroy	n/a
	Annual appraisal documents	Current year + <b>5 years</b>	Destroy	n/a
	Quarterly appraisal documents	Current year + <b>2 years</b>	Destroy	n/a
Remuneration and reward	Records documenting the development of the organisation's remuneration structure and strategy	Superseded + <b>6 years</b>	Review	n/a
	Records documenting pay reviews	Creation + <b>6 years</b>	Review	n/a
	Records documenting reward and progression schemes	Creation + <b>6 years</b>	Review	1980 c. 58 s 2
	Records documenting individual wage/salary records	Creation + <b>6 years</b>	Review	1980 c. 58 s 2
Workforce relations	<b>Grievances:</b> record of investigation where allegations are unsubstantiated	Conclusion of investigation + <b>6 months</b> <i>[a note may be retained showing investigation took place but allegation was unsubstantiated]</i>	Destroy	n/a

Description	Record	Retention period	Action	Citation
	<b>Grievances:</b> record of investigation and outcome	Last action of investigation + <b>6 years</b>	Destroy	1980 c. 58 s 2
	<b>Disciplinary:</b> record of investigation where allegations are unsubstantiated	Conclusion of investigation + <b>6 months</b> <i>[a note may be retained showing investigation took place but allegation was unsubstantiated]</i>	Destroy	n/a
	<b>Disciplinary:</b> oral warnings	Date of issue + <b>1 year</b>	Destroy	1980 c. 58 s 2
	<b>Disciplinary:</b> written and other formal warnings	Retain for period stipulated when issued (usually date of issue + <b>1 year</b> )	Destroy	1980 c. 58 s 2
	Equality complaints handling (Human Resources related)	Last action of investigation + <b>6 years</b>	Destroy	1980 c. 58 s 2
	Workforce surveys and consultations	Completion of survey + <b>5 years</b>	Review	n/a
	Workforce – individual responses to surveys	Completion of analysis	Destroy	n/a
	Workforce - summary of survey results	Completion of survey + <b>5 years</b>	Review	n/a
	Performance assessment development	Life of assessment + <b>5 years</b>	Review	n/a
	Summary results of performance assessments (anonymous)	Current year + <b>3 years</b>	Review	n/a
	Analysis of impact of performance assessments	Current year + <b>3 years</b>	Review	n/a

<b>Description</b>	<b>Record</b>	<b>Retention period</b>	<b>Action</b>	<b>Citation</b>
Employee welfare	Development of welfare schemes and services	Current year + <b>3 years</b>	Review	n/a
	Monitoring of hours worked	Date of record + <b>2 years</b>	Destroy	S.I 1998/1833
	Referrals to occupational health provider by self or manager	Last treatment + <b>10 years</b>	Destroy	n/a
Industrial relations	Recognition of union	(De)recognition + <b>6 years</b>	Review	1980 c. 58 s 2
	Agreements with unions	End of agreement + <b>10 years</b>	Review	1980 c. 58 s 2
	Routine communications including minutes of meetings	Current year + <b>20 years</b>	Review	n/a
	Consultations and negotiations	Last action + <b>20 years</b>	Review	n/a
Employee contract management	Contract of employment	Termination of employment + <b>6 years</b>	Destroy	n/a
	Changes to terms and conditions	Termination of employment + <b>6 years</b>	Destroy	n/a
	Records of termination of employment by resignation, redundancy (inc estimates), retirement, dismissal (excluding compromise agreements)	Termination of employment + <b>6 years</b>	Destroy	1980 c. 58 s 5
	Individual staff: statutory leave entitlement e.g. parental leave	Completion of entitlement + <b>6 years</b>	Destroy	SI 1999/3312
	Income tax and National Insurance; correspondence with HMRC	Termination of employment + <b>6 years</b>	Destroy	n/a

Description	Record	Retention period	Action	Citation
	Statutory sick pay and statutory maternity pay	Current tax year + <b>3 years</b>	Destroy	n/a
	Major injuries arising from workplace accidents, exposure to hazardous substances, disease	Termination of employment + <b>40 years</b>	Destroy	n/a
	Compromise agreements and agreed forms of reference	Termination of employment + <b>40 years</b>	Destroy	n/a
	Ex-staff records: pension files	Termination of employment + <b>75 years</b>	Destroy	n/a
Pensions	Records documenting the organisation's Relationships with pension schemes	End of relationship + <b>5 years</b>	Destroy	1980 c. 58 s 2
	Routine communications with the pension schemes	Creation + <b>5 years</b>	Destroy	1980 c. 58 s 2
	Individual staff pension information (inc opt in/out form)	Termination of employment + <b>6 years</b>	Destroy	1980 c. 58 s 5
	Records in relation to ex-staff now pensioners	Cessation of benefits + <b>12 years</b>	Destroy	n/a
Management information	Senior HR team minutes and papers master set	Permanent	Retain	n/a
	Staff committee minutes and papers: master set	Permanent	Retain	n/a
	Statistics on staff turnover	Creation + <b>5 years</b>	Destroy	n/a
	Benchmarking results for short term contracts	Creation + <b>10 years</b>	Destroy	n/a

## Legal Affairs (Compliance)

Description	Record	Retention period	Action	Citation
Contracts and agreements	Records documenting the negotiation, establishment and review of contracts and agreements between the organisation and third parties: agreements and contracts under seal (by deed).	Termination of contract + <b>12 years</b>	Destroy	1980 c. 58 s 8
	Records documenting the negotiation, establishment and review of contracts and agreements between the organisation and third parties: other contracts and agreements.	Termination of contract + <b>6 years</b>	Destroy	1980 c. 58 s 8
Legal claims	Records documenting the provision of legal support and representation for the organisation in dealing with claims by or against the organisation which <b>do not proceed to litigation or settlement by an agreement.</b>	Settlement of claim + <b>6 years</b> OR withdrawal of claim + <b>6 years</b>	Destroy	1980 c. 58 s 8
	Records documenting litigation between the organisation and third parties where legal precedents are set.	Life of organisation	Permanent	n/a
	Records documenting litigation between the organisation and third parties which does not set legal precedents.	Settlement of case + <b>6 years</b>	Destroy	1980 c. 58 s 2 and s 5
Legal interpretation and advice (records documenting legal advice)	Interpretation of legislation affecting the organisation's legal framework, governance, responsibilities or operations	Life of organisation	Permanent	n/a
	Proposals for new legislation affecting the organisation's legal framework, governance,	Life of organisation	Permanent	n/a

Description	Record	Retention period	Action	Citation
requested by, and provided to, the organisation, concerning	responsibilities or operations			
	The organisation's relationships with government bodies and regulators	Life of organisation	Permanent	n/a
	Industrial relations issues	Life of organisation	Permanent	n/a
	Health, safety and environmental issues	Life of organisation	Permanent	n/a
	Records documenting legal advice on other matters requested by, and provided to, the organisation.	Superseded <b>+ 5 years</b>	Destroy	n/a
Property acquisition	Records documenting the acquisition of ownership of properties.	Ownership of property	Destroy	n/a
	Deeds and certificates of title for properties owned by the institution.	Ownership of property	Destroy	n/a
	Records documenting negotiations for properties where the property was not acquired.	Closure of negotiations <b>+ 6 years</b>	Destroy	1980 c.58
	Records documenting the acquisition of use of properties by lease or rental.	Disposal of property <b>+ 6 years</b>	Destroy	1980 c.58
Property disposal	Records documenting the disposal of properties.	Disposal of property <b>+ 6 years</b>	Destroy	1980 c.58

## Governance (Compliance)

Description	Record	Retention period	Action	Citation
Legal framework	Records documenting the establishment and development of the organisation's legal framework.	Life of organisation	Permanent	n/a
Governing body/Board management	Records documenting the appointment of members of the governing body/Board. <b>This information will be retained by the Legal Services Board.</b>	Termination of appointment + <b>6 years</b>	Destroy	1980 c. 58 s 5
	Records documenting the provision of training and development for members of the governing body/Board. <b>This information will be retained by the Legal Services Board.</b>	Date of creation + <b>3 years</b>	Destroy	n/a
	Records documenting the arrangements of meetings of the governing body/Board.	Date of creation + <b>1 years</b>	Destroy	n/a
	Records documenting the conduct and proceedings of meetings of the governing body/Board, agenda, minutes and supporting papers.	Date of creation + <b>50 years</b>	Review	n/a
Board committee administration	Records documenting the development and establishment of terms of reference for committees.	Life of organisation	Permanent	n/a
	Records documenting the appointment of	Termination of appointment +	Destroy	1980 c. 58 s 5

	members of the committees.	<b>6 years</b>		
	Records documenting the provision of training and development committee members.	Termination of appointment + <b>6 years</b>	Destroy	n/a
	Records documenting training undertaken by individual members of a committee.	Termination of appointment + <b>6 years</b>	Destroy	1980 c. 58 s 2 and s 5
	Records documenting the arrangements for meetings of a committee.	Current year + <b>1 year</b>	Destroy	n/a
	Records documenting the organisation of meetings of Board committees	Date of creation + <b>1 years</b>	Destroy	n/a
	Records documenting the conduct and proceedings of meetings of Board committees, agenda, minutes and supporting papers.	Date of creation + <b>50 years</b>	Review	n/a
Organisation committee administration	Records documenting the development and establishment of the terms of reference, and the rules and procedures, for a committee.	Life of committee + <b>6 years</b>	Destroy	1980 c. 58 s 5
	Records documenting the appointment/election/designation of members of a committee.	Termination of membership + <b>6 years</b>	Destroy	1980 c. 58 s 5
	Records documenting the arrangements for meetings of a committee.	Current year + <b>1 year</b>	Destroy	n/a
	Records documenting the conduct of the business of a committee: agenda, minutes and supporting papers.	Life of committee + <b>5 years</b>	Destroy	n/a
	Records documenting the conduct of the business of a committee: correspondence and	Current year + <b>5 years</b>	Destroy	n/a

	other records relating to the preparation of committee business or to actions to be taken (or not taken) as a result of committee decisions.			
	Records documenting the appointment/ election/designation of the organisation's senior officers.	Termination of appointment + <b>6 years</b>	Destroy	1980 c. 58 s 5
Public interest disclosure (whistle blowing) investigations	Records documenting the investigation, determination and resolution of an allegation made by a member of staff under the Public Interest Disclosure Act 1998.	Closure of case + <b>6 years</b>	Destroy	1980 c. 58 s 2 and s 5
Official external representation (the activities involved in representing the organisation officially on external bodies.)	Records documenting the appointment/ designation of staff to officially represent the organisation.	Termination of representation	Destroy	n/a
Risk management, identification and assessment	Records documenting identified risks to the organisation and assessments of those risks.	Superseded + <b>1 year</b>	Destroy	n/a
Business continuity planning	Records documenting identified risks to the organisation and assessments of those risks.	Superseded + <b>1 year</b>	Destroy	n/a
Internal and	Records documenting the planning of audits	Completion of audit + <b>5 years</b>	Destroy	n/a

external audit management	Records documenting the conduct of audits	Completion of audit + <b>5 years</b>	Destroy	n/a
	Records documenting the results of audits	Life of organisation	Permanent	n/a
	Records reviewing and responding to audit reports, including drawing up action plans to address issues raised	Life of organisation	Permanent	n/a
Organisation strategy development	Records documenting the development and establishment of strategy	Superseded + <b>10 years</b>	Review	n/a
Organisation business planning	Records documenting the formulation of plans for implementing strategy	Superseded + <b>3 years</b>	Review	n/a
Organisation policy and procedural development	Policy development working papers	Superseded + <b>2 years</b>	Review	n/a
	Approved policy	Superseded + <b>10 years</b>	Review	n/a
	Procedure development working papers	Superseded + <b>1 years</b>	Review	n/a
	Approved procedure	Superseded + <b>5 years</b>	Review	n/a

## Operational

Description	Record	Retention period	Action	Citation
Case management	Complaint case file including case call recording	Closure/last contact + 1 year	Destroy	n/a
	Non-case call recording	Closure/last contact + 1 year	Destroy	n/a
Internal complaints	Complaint case file including case call recording	Closure/last contact + 1 year	Destroy	n/a
	Non-case call recording	Closure/last contact + 1 year	Destroy	n/a
Subject access requests (Data Protection Act)	Request for information	Closure/last contact + 1 year	Destroy	n/a
Freedom of information requests	Request for information	Closure/last contact + 1 year	Destroy	n/a
Environmental information requests	Request for information	Closure/last contact + 1 year	Destroy	n/a
Performance management	Performance monitoring reports	Current year + 3 years	Review	n/a
	Performance monitoring data and analysis	Current year + 3 years	Review	n/a
	Audit reviews, results and responses	Current year + 3 years	Review	n/a
Quality standards management	Annual performance monitoring	Current year + 3 years	Review	n/a
	Internal reviews and audits	Current year + 3 years	Review	n/a
	Customer feedback: <b>data and analysis</b>	Current year + 3 years	Review	n/a

Description	Record	Retention period	Action	Citation
	Customer feedback: <b>reports</b>	Current year + <b>3 years</b>	Review	n/a
	Development of the organisation's internal quality assurance processes.	Current year + <b>3 years</b>	Review	n/a
	Conduct and results of internal and external reviews of research quality, and responses to the results.	Current year + <b>3 years</b>	Review	n/a
Research and enterprise	Records of the development, establishment and implementation of the organisation's research strategy	Superseded + <b>10 years</b>	Review	n/a
	Records of strategy review (includes all data, reports and audit material)	Current year + <b>10 years</b>	Destroy	n/a
	Announcements of research results in publications or through the media	Issue of announcement + <b>3 years</b>	Destroy	n/a
	Preparation of publications, presentations, demonstrations or other means of disseminating research results.	Publication / delivery + <b>3 years</b>	Destroy	n/a
Project management	Records documenting the management of internally-funded research projects (e.g. budgets, staff, etc)	Completion of project + <b>3 years</b>	Destroy	n/a
	Records documenting the management of externally-funded research projects (e.g. budgets, staff etc)	Completion of project + <b>6 years</b> (unless a longer period is required by sponsor contract)	Destroy	1980 c.58

## **Retention schedule citations**

### **Acts of the UK Parliament**

- 1957 c.31 Occupiers Liability Act 1957
- 1969 c.57 Employers' Liability (Compulsory Insurance) Act 1969
- 1970 c.9 Taxes Management Act 1970
- 1970 c.41 Equal Pay Act 1970
- 1974 c.37 Health and Safety at Work etc. Act 1974
- 1975 c.65 Sex Discrimination Act 1975
- 1976 c.74 Race Relations Act 1976
- 1980 c.58 Limitation Act 1980
- 1992 c.4 Social Security Contributions and Benefits Act 1992
- 1994 c.23 Value Added Tax Act 1994
- 1994 c.30 Education Act 1994
- 1995 c.50 Disability Discrimination Act 1995
- 1998 c.29 Data Protection Act 1998

### **Statutory instruments of the UK Parliament**

- S.I. 1977 / 500 The Safety Representatives and Safety Committees Regulations 1977
- S.I. 1981 / 917 The Health and Safety (First Aid) Regulations 1981
- S.I. 1982 / 894 The Statutory Sick Pay (General) Regulations 1982
- S.I. 1986 / 1960 The Statutory Maternity Pay (General) Regulations 1986
- S.I. 1989 / 635 The Electricity at Work Regulations 1989
- S.I. 1989 / 682 The Health and Safety Information for Employees Regulations 1989
- S.I. 1989 / 1790 The Noise at Work Regulations 1989
- S.I. 1991 / 2680 The Public Works Contracts Regulations 1991

S.I. 1992 / 2792 The Health and Safety (Display Screen Equipment) Regulations 1992

S.I. 1992 / 2793 The Manual Handling Operations Regulations 1992

S.I. 1992 / 2932 The Provision and Use of Work Equipment Regulations 1992

S.I. 1992 / 2966 The Personal Protective Equipment at Work Regulations 1992

S.I. 1993 / 744 The Income Tax (Employments) Regulations 1993

S.I. 1993 / 3228 The Public Services Contracts Regulations 1993

S.I. 1995 / 201 The Public Supply Contracts Regulations 1995

S.I. 1995 / 3163 The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

S.I. 1996 / 341 The Health and Safety (Safety Signs and Signals) Regulations 1996

S.I. 1996 / 972 The Special Waste Regulations 1996

S.I. 1996 / 1513 The Health and Safety (Consultation with Employees) Regulations 1996

S.I. 1997 / 1840 The Fire Precautions (Workplace) Regulations 1997

S.I. 1998 / 1833 The Working Time Regulations 1998

S.I. 1998 / 2306 The Provision and Use of Work Equipment Regulations 1998

S.I. 1998 / 2307 The Lifting Operations and Lifting Equipment Regulations 1998

S.I. 1998 / 2573 The Employers' Liability (Compulsory Insurance) Regulations 1998

S.I. 1999 / 584 The National Minimum Wage Regulations 1998

S.I. 1999 / 3242 The Management of Health and Safety at Work Regulations 1999

S.I. 1999 / 3312 The Maternity and Parental Leave etc. Regulations 1999

S.I. 2002 / 2675 The Control of Asbestos at Work Regulations 2002

S.I. 2002 / 2676 The Control of Lead at Work Regulations 2002

S.I. 2002 / 2677 The Control of Substances Hazardous to Health Regulations 2002

**Other provisions**

HMCE 700/21 HM Customs and Excise Notice 700/21: Keeping [VAT] records and accounts

IR CA30 Statutory Sick Pay Manual for employers CA30