

Milton Keynes Mission Partnership

Data Retention Policy

Under GDPR, organisations are required to specify the periods for which data is retained and to declare the action to be taken when the time limit has expired.

Article 5(e) of the GDPR principles states that:

“Personal data should be 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 (‘storage limitation’);”

Statutes exist with prescribed retention periods, for example in relation to Financial, Tax and Pension records. In the following table there is a column which shows when a particular statute applies.

Data subjects have the right of access to the data ascribed to them and can request amendment or erasure where statutory retention does not apply.

Special rules apply for data concerning safeguarding records and there is a separate table at the end of the document dealing with this

Section	Documents	Retention period	Reason	Action after Retention Period
Employment/HR	All information relating to recruitment, selection and development whilst in post including Contracts of Employment	6 years after post-holder has left your employment	Limitation Act 1980 ⁽¹⁾	Destroy
	Information on any disciplinary or grievance matter that is still 'live' on the individual's personnel file, including information on any penalty or warning imposed	6 years after post-holder has left your employment	Limitation Act 1980 ⁽¹⁾	Destroy
	Information on an individual's health and sickness record, including information on any adjustment made to their working pattern, either on a temporary or permanent basis	6 years after post-holder has left your employment	Limitation Act 1980 ⁽¹⁾	Destroy
	Redundancy records	6 years from date of redundancy	Limitation Act 1980	Destroy
	Information on any safeguarding concern or matter in which the employee was involved in any way	75 years after employment/role ceases (see Safeguarding Retention Schedule under Safeguarding below)	Requirements of the Independent Inquiry into Child Sexual Abuse (IICSA)	Not applicable
	Parental leave records	18 years from the date of the birth of a child	To enable future employers to check entitlement	Destroy
	Payroll records including correspondence with HMRC	6 years from the end of the financial year the records relate to.	Charities Act and HMRC Rules	Destroy
	Pensions Records	According to the schedules set by the Pension provider		Destroy
	Application forms and interview notes for unsuccessful candidate	6 months to a year	2010 Equality Act recommends six months. One year limitation for defamation actions under Limitation Act.	Destroy
	Complaints records	1 year where complaint referred elsewhere otherwise 6 years from last action	Limitation Act 1980	Destroy

(1) Six years is generally the time limit within which proceedings founded on contract may be brought

Finance	All financial records – invoices, bills, bank statements, paying in books	6 years from the end of the financial year the record	Charities Act and HMRC Rules	Destroy
	Gift Aid declarations	6 years after the last payment was made	HMRC Rules	Destroy
	Legacy information (i.e. documents which relate to a legacy received)	6 years after the deceased's estate has been wound up	In line with requirements for other financial information	Destroy
	Annual Accounts and Reports	10 years ⁽²⁾	Good practice	Archive (e.g. County Archive Office)
	Payroll records including correspondence with HMRC	See Employment/HR above	See Employment/HR above	See Employment/HR above

(2) These should be kept permanently somewhere. 10 years is the suggested minimum period the information is held before sent to archives.

General	Correspondence (including emails)	Unless this relates to any other category of data listed here (e.g. finance, employment, safeguarding etc) correspondence should be kept for as long as is relevant. It may be helpful for staff and volunteers to have an annual 'purge' of all correspondence and destroy any which is no longer relevant.		
Health and Safety	Reportable accidents / accident book	3 years after date of entry or end of any investigation if later	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013	Destroy
	Records documenting external inspections	3 years after date of inspection	Good practice	Destroy
Insurance	Public liability policies and certificates	Permanently	Historical claims/commercial practice	Store securely with electronic copy as backup
	Employer's liability policies	Permanently	Employers' Liability (Compulsory Insurance) Regulations 1998 suggests 40 years	Store securely with electronic copy as backup
	Sundry insurance policies and insurance schedules	Until claims under policy are barred or 6 years after policy lapses, whichever is longer	Commercial practice	Destroy
	Claims correspondence	6 years after last action	Commercial practice	Destroy
Meetings	Trustee Meeting Minutes	10 years from the date of the meeting ⁽³⁾	Good practice	Archive (e.g. County Archive Office)
	Minutes of internal groups	5 years from the date of the meeting	Good practice	Destroy unless of particular value in which case send to Archive

(3) These should be kept permanently somewhere. 10 years is the suggested minimum period the information is held before sent to archives.

Membership	Church Representative List (Names)	Permanent but reviewed and updated regularly	Good practice	To Archive if organisation closes
	Mailing lists of contacts including clergy and members of associated congregations.	6 months after individual has ceased to be a member. ⁽⁴⁾	Good practice	Destroy
	Contact list or Directory	1 year after publication	Good practice	Destroy

(4) Unless individual asks for their details to be removed immediately

Safeguarding	Allegations/concerns/ risk assessments/ safeguarding contracts	Records of safeguarding incidents, allegations or concerns	75 years after last contact with the individual concerned
		Records that relate to safeguarding concerns/allegations about staff members (paid or voluntary)	75 years after employment / role ceases
		Risk assessments / safeguarding contracts concerning known or alleged offenders	75 years after last contact with the individual concerned
	Events / activities specifically for children and young people / adults at risk (where no safeguarding incidents or concerns raised)	Registers / records of events or activities'	At least 3 years after the event
		Parent / carer consent forms'	At least 3 years after the form has been completed
		First Aid / accident forms'	At least 3 years after the form has been completed
		Health and safety risk assessment'	At least 3 years after the risk assessment has been completed.
	Employment	Personnel records where there are safeguarding allegations;' investigations, regardless of the findings	75 years from time date of the staff member's death
		Personnel records relating to staff members whose role involves contact with children and adults at risk	75 years after employment / role ceases
	Disclosure and Barring Service (DBS) checks	Record of a Disclosure and Barring Service (DBS) check being undertaken for a staff member (paid or voluntary)	75 years after employment / role ceases
Discipline	Record of a staff member's (paid or voluntary) disciplinary procedure relating to safeguarding allegations / offences	75 years after employment i role ceases	

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