

**Data Retention Policy**

|                              |                          |
|------------------------------|--------------------------|
| <b>Implementation Date</b>   | <b>06/07/2020</b>        |
| <b>Created By</b>            | <b>Matthew Eddisford</b> |
| <b>Committee Review Date</b> | <b>06/07/2020</b>        |
| <b>Review Date</b>           | <b>05/07/2023</b>        |

**1. Policy Statement**

Save for exceptional circumstances which must be raised with, and approved by the CEO, all personal data must be retained in accordance with this policy. Often, in respect of certain types of information, we are under a legal obligation to retain the information for a minimum period of time. Where this is the case, the minimum time we have stipulated is the same as the time required under law. Furthermore, there are occasions where it is appropriate for us to retain personal data for longer than the period prescribed in law (for example, where there may be litigation in process or expected where the data will form part of the evidence in the case). In such circumstances, the requirements of the litigation will override the policies outlined below.

Care Housing Association Limited is committed to enforcing this policy as it applies to all forms of data. The effectiveness of Care Housing Association Limited's efforts, however, depends largely on employees. If you feel that you or someone else may have violated this policy, you should report the incident immediately to your Manager. If employees do not report inappropriate conduct, Care Housing Association Limited may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action. No one will be subject to and Care Housing Association Limited prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

Where there is a requirement for the Company to retain information for longer periods of time, consideration must be given to whether any personal data within it should be 'anonymised' such that the data subject can no longer be identified but the contents and context of the document still reviewed and understood. Where, in the table below, the data is identified as being capable of being anonymised, anonymization should take place as soon as reasonably possible once the need to retain the personal data has expired.

## 2. Retention Periods for Data Held

### Employees/Job Applicants

| Type of Data Held             | Location of Data             | Source of Data                             | Who is access limited to    | Reason for Data Being Held (lawful basis for processing) | Retention Period                     | Reason for Retention Period  | Delete/Anonymise |
|-------------------------------|------------------------------|--|-----------------------------|--|--------------------------------------|--|------------------|
| Full Name                     | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 6 years after having left employment | Claims can be brought up to 6 years after the end of employment so this information may be needed in the event of a claim being brought. | Anonymise        |
| Date of birth                 | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.   | Delete           |
| Full address                  | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.   | Delete           |
| Previous addresses            | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 6 months after record is updated.    | The information may be needed for a short period after it has been changed to confirm previous address history.                          | Delete           |
| Telephone numbers             | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO and relevant colleagues | Contractual Obligations & Operational Purposes           | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.   | Delete           |
| Personal email address        | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.   | Delete           |
| Gender                        | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.   | Delete           |
| Marital status and dependants | Hard drive<br>Physical files | Employee as part of fair processing notice | CEO                         | Contractual Obligations                                  | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.   | Delete           |

| Type of Data Held  | Location of Data             | Source of Data  | Who is access limited to | Reason for Data Being Held (lawful basis for processing)  | Retention Period   | Reason for Retention Period   | Delete/ Anonymise |
|--|------------------------------|---|--------------------------|---|--|---|-------------------|
| Next of kin and emergency contact information  | Hard drive<br>Physical files | Employee as part of fair processing notice                    | CEO                      | Contractual Obligations<br>Vital Interests  | 1 year after having left employment  | It may be necessary to contact former employees in relation to ongoing work.  | Delete            |
| National Insurance Number  | Hard drive<br>Physical files | Employee as part of fair processing notice                    | CEO & Payroll            | Contractual Obligations<br>Legal Obligations  | 7 years after having left employment   | Tax reporting purposes  | Delete            |
| Bank details and tax codes and payroll information   | Hard drive<br>Physical files | Employee as part of fair processing notice                    | CEO & Payroll            | Contractual Obligations<br>Legal Obligations  | 7 years after having left employment   | Tax reporting purposes  | Delete            |
| Copy of driving licence  | Hard drive<br>Physical files | Employee as part of fair processing notice                    | CEO                      | Contractual Obligations<br>Legal Obligations  | Upon leaving employment unless the data needs to be retained for the purposes of reporting or compliance with our legal obligations, in which case it will be retained for 6 years after leaving employment. | These records are classed as sensitive personal data, there is no need for the company to have a copy of an employee's driving license after they leave employment unless it needs to be retained in accordance with our legal obligations, including under the Equality Act 2010                   | Delete            |
| Medical information (i.e. information relating to disabilities or medical information that may be needed). | Hard drive<br>Physical files | Employee<br>Medical<br>Professional<br>Occupational<br>Health | CEO                      | Contractual Obligations<br>Legal Obligations<br>Vital Interests<br>To enable us to ensure your health and safety in the workplace, to assess your fitness for work, to provide reasonable | 6 months after leaving employment unless the data needs to be retained for the purposes of reporting or compliance with our legal obligations, in which case it will be retained for 6 years                 | These records are classed as sensitive personal data, there is no need for the company to have any information relating to an employee's medical history after they leave employment unless it needs to be retained in accordance with our legal obligations, including under the Equality Act 2010 | Delete            |

| Type of Data Held                               | Location of Data             | Source of Data                        | Who is access limited to               | Reason for Data Being Held (lawful basis for processing)   | Retention Period   | Reason for Retention Period  | Delete/ Anonymise |
|---|------------------------------|---------------------------------------|--|--|--|--|-------------------|
|   |                              |                                       |  | adjustments where necessary and to monitor and manage sickness absence and administer pay and benefits.  | after leaving employment.  |  |                   |
| Race, religion, sexual orientation              | Hard drive<br>Physical files | Employee                              | CEO                                    | Contractual Obligations<br>Legal Obligations<br>To ensure equal opportunities  | 6 months after leaving employment unless the data needs to be retained for the purposes of reporting or compliance with our legal obligations, in which case it will be retained for 6 years after leaving employment. | Claims can be brought up to 6 years after the end of employment so this information may be needed in defence of a claim. | Delete            |
| Contract of employment                          | Hard drive<br>Physical files | Contract of employment                | CEO                                    | To ensure all employee records are accurate and to ensure both the company and its employees are complying with the terms of the contract of employment. | 6 years after leaving employment   | Claims can be brought up to 6 years after the end of employment so this information may be needed in defence of a claim. | Delete            |
| Information about use of our electronic systems | Hard drive<br>Physical files | Employee<br>Internal computer systems | All employees within employee handbook | Contractual Obligations<br>Legal Obligations   | 1 year after having left employment  |  | Delete            |

| Type of Data Held                  | Location of Data             | Source of Data                              | Who is access limited to | Reason for Data Being Held (lawful basis for processing)  | Retention Period   | Reason for Retention Period   | Delete/ Anonymise |
|------------------------------------|------------------------------|---|--------------------------|---|--|---|-------------------|
| Disciplinary history               | Hard drive<br>Physical files | Internal records kept with HR               | CEO                      | To ensure employee records are up to date and accurate.   | 2 years after expiry of disciplinary action or 6 years after termination of employment, whichever is sooner. | Many disciplinary notes expire after a set period and should be removed from the record upon expiry. Some, however, will need to be kept on record as evidence in the event of an employment tribunal claim or other litigation, or for regulatory reasons. | Delete            |
| Performance Management Information | Hard drive<br>Physical files | Employee<br>Internal records                | CEO                      | Contractual Obligations<br>Legal Obligations  | 6 years after leaving employment   | Performance Management Information will need to be kept on record as evidence in the event of an employment tribunal claim or other litigation, or for regulatory reasons.  | Delete            |
| Grievances                         | Hard drive<br>Physical files | Employee<br>Internal records                | CEO                      | Contractual Obligations<br>Legal Obligations  | 6 years after leaving employment   | Claims can be brought up to 6 years after the end of employment so this information may be needed in the event of a claim being brought.  | Delete            |
| CVs                                | Hard drive<br>Physical files | Employee and/or recruitment agency          | CEO                      | To enable the assessment of candidates for jobs.  | 12 months after unsuccessful application   | To enable the defence of any claims arising out of a rejected application.  | Delete            |
| Criminal records                   | Hard drive<br>Physical files | Employee and/or background checking service | CEO                      | To ensure that the employee is not prohibited from undertaking the employment and to ensure the Company | As soon as the requirement for obtaining the information has passed (i.e. if pre-employment, upon            | Criminal records are highly sensitive information and the retention period balances the requirements of the Company against the rights of the subject   | Delete            |

| Type of Data Held  | Location of Data             | Source of Data   | Who is access limited to | Reason for Data Being Held (lawful basis for processing)  | Retention Period   | Reason for Retention Period   | Delete/ Anonymise |
|--|------------------------------|--|--------------------------|---|--|---|-------------------|
|  |                              |  |                          | is not putting employees or third parties at risk.  | the notification to the prospective employee of whether they have been successful) or upon termination of employment, only where the record is legally required to be kept due to the nature of the employee's role. | and the harm that could be caused by the loss of this data.   |                   |
| Background checks and searches   | Hard drive<br>Physical files | Background checking service.<br>Former employers<br>Other referees<br>Educational Provider | CEO                      | To ensure applicants are not prohibited from being employed in the role in question or prohibited from undertaking certain aspects of the role in question and/or to assess suitability for employment. | Unless required to be kept by a code of practice or regulator, such records should be deleted upon the employee successfully passing their probation period.   | Once an applicant becomes an employee and has successfully passed probation this information is no longer required. This is only overridden where a regulator or code of practice obliges us to retain this information for a longer period of time | Delete            |
| Right to work documentation  | Hard drive<br>Physical files | Employee<br>HMRC<br>Home Office  | CEO                      | Contractual Obligations<br>Legal Obligations  | 2 years after having left employment   | Legal obligations   | Delete            |
| Employment history (training records, working hours, job titles, salary information) | Hard drive<br>Physical files | Employee<br>Contract of employment<br>Training provider<br>Internal records                | CEO                      | Contractual Obligations<br>Legal Obligations  | 1 year after having left employment  | Legal obligations   | Delete            |

**Board Members / Trustees**

| <b>Type of Data Held</b> | <b>Location of Data</b>      | <b>Source of Data</b>                     | <b>Who is access limited to</b> | <b>Reason for Data Being Held (lawful basis for processing)</b> | <b>Retention Period</b>             | <b>Reason for Retention Period</b>  | <b>Delete/ Anonymise</b> |
|--------------------------|------------------------------|---|---------------------------------|---|-------------------------------------|---|--------------------------|
| Full Name                | Hard drive<br>Physical files | Trustee as part of fair processing notice | CEO                             | Legal obligations   | 6 years after having left           | Claims can be brought up to 6 years after the end of appointment so this information may be needed in the event of a claim being brought. | Anonymise                |
| Date of birth            | Hard drive<br>Physical files | Trustee as part of fair processing notice | CEO                             | Contractual Obligations   | 1 year after having left employment | It may be necessary to contact former Board Members / Trustees in relation to ongoing work.   | Delete                   |
| Full address             | Hard drive<br>Physical files | Trustee as part of fair processing notice | CEO                             | Contractual Obligations   | 1 year after having left employment | It may be necessary to contact former Board Members / Trustees in relation to ongoing work.   | Delete                   |
| Previous addresses       | Hard drive<br>Physical files | Trustee as part of fair processing notice | CEO                             | Contractual Obligations   | 6 months after record is updated.   | The information may be needed for a short period after it has been changed to confirm previous address history.                           | Delete                   |
| Telephone numbers        | Hard drive<br>Physical files | Trustee as part of fair processing notice | CEO and relevant colleagues     | Contractual Obligations & Operational Purposes                  | 1 year after having left employment | It may be necessary to contact former Board Members / Trustees in relation to ongoing work.   | Delete                   |
| Personal email address   | Hard drive<br>Physical files | Trustee as part of fair processing notice | CEO                             | Contractual Obligations   | 1 year after having left employment | It may be necessary to contact former Board Members / Trustees in relation to ongoing work.   | Delete                   |

|  |                              |   |  |                                      |  |   |        |
|--|------------------------------|---|--|--------------------------------------|--|---|--------|
| Gender   | Hard drive<br>Physical files | Trustee as part of<br>fair processing<br>notice | CEO  | Contractual<br>Obligations           | 1 year after having<br>left employment | It may be necessary to contact<br>former Board Members /<br>Trustees in relation to ongoing<br>work.  | Delete |
| Board Minutes &<br>Resolutions                             | Hard drive<br>Physical files | Board meetings                                  | Board and<br>housing<br>management<br>team | Public task and legal<br>obligations | Permanently                            | Legal obligations   | N/A    |
| Board member<br>documents –<br>undertakings,<br>SLA's, etc | Hard drive<br>Physical files | Board meetings                                  | Board & CEO                                | Public task and legal<br>obligations | 6 years after having<br>left the Board | Legal obligation. Claims can be<br>brought up to 6 years after the<br>end of tenure - this information<br>may be needed in the event of a<br>claim being brought. | Delete |

**Tenants/Former Tenants**

| <b>Type of Data Held</b> | <b>Location of<br/>Data</b>  | <b>Source of Data</b>                                       | <b>Who is access<br/>limited to</b> | <b>Reason for Data<br/>Being Held (lawful<br/>basis for processing)</b> | <b>Retention Period</b>   | <b>Reason for Retention Period</b>  | <b>Delete/<br/>Anonymise</b> |
|--------------------------|------------------------------|---|-------------------------------------|---|---|---|------------------------------|
| Full Name                | Hard drive<br>Physical files | Tenant /<br>representative as<br>part of tenancy<br>process | Housing<br>Management<br>Team       | Contractual<br>obligations (tenancy)                                    | Tenant files to be<br>kept for 6 years after<br>tenancy expiration<br>to comply with tax /<br>legal obligations | Legal obligations.<br>Limitations Act 1980 and Best<br>practice with DPA compliance<br>5th principle. | Anonymise                    |
| Date of birth            | Hard drive<br>Physical files | Tenant /<br>representative as<br>part of tenancy<br>process | Housing<br>Management<br>Team       | Contractual<br>obligations<br>(Benefit<br>Applications)                 | Tenant files to be<br>kept for 6 years after<br>tenancy expiration<br>to comply with tax /<br>legal obligations | Legal obligations.<br>Limitations Act 1980 and Best<br>practice with DPA compliance<br>5th principle. | Delete                       |
| Previous addresses       | Hard drive<br>Physical files | Tenant /<br>representative as<br>part of tenancy<br>process | Housing<br>Management<br>Team       | Contractual<br>Obligations (Benefit<br>Applications)                    | Tenant files to be<br>kept for 6 years after<br>tenancy expiration<br>to comply with tax /<br>legal obligations | Legal obligations.<br>Limitations Act 1980 and Best<br>practice with DPA compliance<br>5th principle. | Delete                       |



|  |                              |  |                         |   |   |  |        |
|--|------------------------------|--|-------------------------|---|---|--|--------|
| Telephone numbers  | Hard drive<br>Physical files | Tenant / representative as part of tenancy process | Housing Management Team | Public Task   | Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations | Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle. | Delete |
| Personal email address   | Hard drive<br>Physical files | Tenant / representative as part of tenancy process | Housing Management Team | Public Task   | Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations | Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle. | Delete |
| Next of kin and emergency contact information  | Hard drive<br>Physical files | Tenant / representative as part of tenancy process | Housing Management Team | Public Task<br>Vital Interest                                 | Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations | Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle. | Delete |
| National Insurance Number  | Hard drive<br>Physical files | Tenant / representative as part of tenancy process | Housing Management Team | Public Task<br>Contractual Obligations (Benefit Applications) | Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations | Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle. | Delete |
| Medical information (i.e. information relating to disabilities or medical information that may be needed). | Hard drive<br>Physical files | Tenant / representative as part of tenancy process | Housing Management Team | Vital Interest<br>Public Task                                 | Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations | Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle. | Delete |
| Financial information relating to housing benefit application  | Hard drive<br>Physical files | Tenant / representative as part of tenancy process | Housing Management Team | Contractual obligations (benefit application)                 | Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations | Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle. | Delete |
| Information relating to benefits   | Hard drive<br>Physical files | Tenant / representatives                           | Housing Management Team | Contractual obligations (benefit application)                 | Tenant files to be kept for 6 years after tenancy expiration  | Legal obligations.   | Delete |

|                               |                              |                            |   |   |   |   |        |
|-------------------------------|------------------------------|----------------------------|---|---|---|---|--------|
|                               |                              | as part of tenancy process |   |   | to comply with tax / legal obligations  | Limitations Act 1980 and Best practice with DPA compliance 5th principle. |        |
| Housing Benefit Notifications | Hard drive<br>Physical Files | Local Authority            | Housing Management Team                 | Contractual obligations (tenancy agreement) | 2 years   | Contractual obligations. Recommendation of National Housing Federation    | Delete |
| CCTV images                   | Hard drive                   | Support Provider, Care HA  | Housing Management Team, External staff | Public task                                 | No longer than 30 days, unless used in ongoing investigations. Disposed of once investigation concluded | Used in investigations into criminal / anti-social behaviour              | Delete |

**Contractor / Landlord Information**

| <b>Type of Data Held</b> | <b>Location of Data</b>      | <b>Source of Data</b> | <b>Who is access limited to</b> | <b>Reason for Data Being Held (lawful basis for processing)</b> | <b>Retention Period</b> | <b>Reason for Retention Period</b>  | <b>Delete/ Anonymise</b> |
|--------------------------|------------------------------|-----------------------|---------------------------------|---|-------------------------|---|--------------------------|
| Business Name            | Hard drive<br>Physical files | Contractor            | Housing Management Team         | Contractual obligations   | 6 years                 | Legal obligations. Limitation for legal proceedings (12 years if related to land) | Delete                   |
| Business Address         | Hard drive<br>Physical files | Contractor            | Housing Management Team         | Contractual obligations   | 6 years                 | Legal obligations. Limitation for legal proceedings (12 years if related to land) | Delete                   |
| Personal Email Addresses | Hard drive<br>Physical files | Contractor            | Housing Management Team         | Contractual obligations   | 6 years                 | Legal obligations. Limitation for legal proceedings (12 years if related to land) | Delete                   |
| Company Number           | Hard drive<br>Physical files | Contractor            | Housing Management Team         | Contractual obligations   | 6 years                 | Legal obligations. Limitation for legal proceedings (12 years if related to land) | Delete                   |

|  |                              |             |                               |                            |                                 |   |        |
|--|------------------------------|-------------|-------------------------------|----------------------------|---------------------------------|---|--------|
| Insurance Details                                    | Hard drive<br>Physical files | Contractor  | Housing<br>Management<br>Team | Contractual<br>obligations | 6 years                         | Legal obligations.<br>Limitation for legal proceedings<br>(12 years if related to land) | Delete |
| References   | Hard drive<br>Physical files | Third party | CEO                           | Contractual<br>obligations | 1 year                          | Contractual.  | Delete |
| Employee names                                       | Hard drive<br>Physical files | Contractor  | Housing<br>Management<br>Team | Contractual<br>obligations | 6 years                         | Legal obligations.<br>Limitation for legal proceedings<br>(12 years if related to land) | Delete |
| Bank Account<br>Details                              | Hard drive<br>Physical files | Contractor  | Housing<br>Management<br>Team | Contractual<br>obligations | Upon termination of<br>contract |   | Delete |
| Contracts for the<br>supply of goods<br>and services | Hard drive<br>Physical files | Contractor  | Housing<br>Management<br>Team | Contractual<br>obligations | 6 years                         | Legal obligations.<br>Limitation for legal proceedings<br>(12 years if related to land) | Delete |

### 3. Responsibility

The designated officer responsible for implementation and monitoring of this policy will be the Chief Executive.

### 4. Equality and Diversity

We are committed to respecting diversity in all aspects of our work and we will not tolerate any form of discrimination.

### 5. Commitment and Review

Care will formally review this policy every three years.

**Last Review Date July 2020**