



## CARE HOUSING ASSOCIATION DATA RETENTION POLICY

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<b>Created By</b>	<b>Matthew Eddisford, Updated by Rachael Kaminski August 2022</b>
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### 1. Policy Statement

All personal data must be retained in accordance with this policy, unless there are exceptional circumstances which must be raised with and approved by the Chief Executive Officer (CEO). Often, in respect of certain types of information, Care Housing Association (Care) has 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 is committed to enforcing this policy as it applies to all forms of data. The effectiveness of Care's efforts, however, depends largely on employees. If an employee feels that they or someone else may have violated this policy, the employee should report the incident immediately to their manager. If employees do not report inappropriate conduct, Care 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 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, anonymisation should take place as soon as reasonably possible once the need to retain the personal data has expired.

Guidance for staff and retention periods for compliance documents are noted in Appendix 1.

## 2. Retention Periods for Data Held

### 2.1 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 Physical files	Employee as part of fair processing notice	CEO and Deputy	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 Physical files	Employee as part of fair processing notice	CEO and Deputy	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 Physical files	Employee as part of fair processing notice	CEO and Deputy	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 Physical files	Employee as part of fair processing notice	CEO and Deputy	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 Physical files	Employee as part of fair processing notice	CEO, Deputy 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



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
Personal email address	Hard drive Physical files	Employee as part of fair processing notice	CEO and Deputy	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 Physical files	Employee as part of fair processing notice	CEO and Deputy	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 Physical files	Employee as part of fair processing notice	CEO and Deputy	Contractual Obligations	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete
Next of kin and emergency contact information	Hard drive Physical files	Employee as part of fair processing notice	CEO and Deputy	Contractual Obligations 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 Physical files	Employee as part of fair processing notice	CEO, Deputy & Payroll	Contractual Obligations Legal Obligations	7 years after having left employment	Tax reporting purposes	Delete
Bank details and tax codes and payroll information	Hard drive Physical files	Employee as part of fair processing notice	CEO, Deputy & Payroll	Contractual Obligations Legal Obligations	7 years after having left employment	Tax reporting purposes	Delete
Copy of driving licence	Hard drive Physical files	Employee as part of fair processing notice	CEO and Deputy	Contractual Obligations Legal Obligations	Upon leaving employment unless the data needs to be retained for the purposes of compliance or reporting 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

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
Medical information (i.e. information relating to disabilities or medical information that may be needed).	Hard drive Physical files	Employee Medical Professional Occupational Health	CEO and Deputy	Contractual Obligations Legal Obligations Vital Interests To enable us to ensure your health and safety in the workplace, to assess your fitness for work, to provide reasonable adjustments where necessary and to monitor and manage sickness absence and administer pay and benefits.	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.	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
Race, religion, sexual orientation	Hard drive Physical files	Employee	CEO and Deputy	Contractual Obligations Legal Obligations 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 Physical files	Contract of employment	CEO and Deputy	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

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
Information about use of our electronic systems	Hard drive Physical files	Employee Internal computer systems	All employees within employee handbook	Contractual Obligations Legal Obligations	1 year after having left employment		Delete
Disciplinary history	Hard drive Physical files	Internal records kept with HR	CEO and Deputy	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 Physical files	Employee Internal records	CEO and Deputy	Contractual Obligations 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 Physical files	Employee Internal records	CEO and Deputy	Contractual Obligations 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 Physical files	Employee and/or recruitment agency	CEO and relevant managers	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

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
Criminal records	Hard drive Physical files	Employee and/or background checking service	CEO and Deputy	To ensure that the employee is not prohibited from undertaking the employment and to ensure the Company is not putting employees or third parties at risk.	As soon as the requirement for obtaining the information has passed (i.e. if pre-employment, upon 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.	Criminal records are highly sensitive information and the retention period balances the requirements of the Company against the rights of the subject and the harm that could be caused by the loss of this data.	Delete
Background checks and searches	Hard drive Physical files	Background checking service. Former employers Other referees Educational Provider	CEO and Deputy	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 Physical files	Employee HMRC Home Office	CEO and Deputy	Contractual Obligations Legal Obligations	2 years after having left employment	Legal obligations	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
Employment history (training records, working hours, job titles, salary information)	Hard drive Physical files	Employee Contract of employment Training provider Internal records	CEO and Deputy	Contractual Obligations Legal Obligations	1 year after having left employment	Legal obligations	Delete

## 2.2 Board Members / Trustees

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

**2.3 Tenants/Former Tenants**

<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 Physical files	Tenant / representative as part of tenancy process	All employees	Contractual obligations (tenancy)	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.	Anonymise
Date of birth	Hard drive Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations Team and Admin Officer	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
Previous addresses	Hard drive Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations Team	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
Telephone numbers	Hard drive Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations 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 Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations 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

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 Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations Team	Public Task 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 Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations Team	Public Task 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 Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations Team	Vital Interest 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 Physical files	Tenant / representative as part of tenancy process	CEO, Deputy, Operations 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 Physical files	Tenant / representatives as part of tenancy process	CEO, Deputy, Operations 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
Housing Benefit Notifications	Hard drive Physical Files	Local Authority	CEO, Deputy, Operations Team and Admin Officer	Contractual obligations (tenancy agreement)	2 years	Contractual obligations. Recommendation of National Housing Federation	Delete
CCTV images	Hard drive	Support Provider, Care HA	CEO, Deputy, Operations Team, External staff	Public task (see also CCTV policy)	No longer than 30 days, unless used in ongoing investigations. Disposed of once investigation concluded	Used in investigations into criminal / antisocial behaviour	Delete

**2.4 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 Physical files	Contractor	All employees	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Business Address	Hard drive Physical files	Contractor	CEO, Deputy, Assets Team and Admin Officer	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Personal Email Addresses	Hard drive Physical files	Contractor	CEO, Deputy, Assets Team and Admin Officer	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Company Number	Hard drive Physical files	Contractor	CEO, Deputy, Assets Team and Admin Officer	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Insurance Details	Hard drive Physical files	Contractor	CEO, Deputy, Assets Team and Admin Officer	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
References and DBS	Hard drive Physical files	Third party	CEO, Deputy, Assets Team and Admin Officer	Contractual obligations	1 year	Contractual.	Delete
Employee names	Hard drive Physical files	Contractor	CEO, Deputy, Assets Team and Admin Officer	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Bank Account Details	Hard drive Physical files	Contractor	CEO, Deputy, Assets Team, Finance Team and Admin Officer	Contractual obligations	Upon termination of contract		Delete
Contracts for the supply of goods and services	Hard drive Physical files	Contractor	All employees	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete

**3. Training**

This policy will be discussed with all staff and all will complete training on the UK General Data Protection Regulations (GDPR) at least once per year.

**4. Responsibility**

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

**5. Equality and Diversity**

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

We recognise that there is the potential for impact across the characteristics of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex or Sexual Orientation.

Where we are made aware of or identify customers with specific needs, we will be proactive in targeting our communication and support appropriately and consider any specific needs individually.

**6. Commitment and Review**

Care will formally review this policy at least every three years and in line with any legislative changes.

All Care HA staff have a duty to process data in line with Care's Data Retention Policy.

Individual staff members are responsible for managing their own documents and emails that contain personal and/or sensitive data e.g. if an email contains an attachment of a bank statement to support a housing benefit claim, the email should be deleted once housing benefit has been awarded as it has served its purpose.

In this document 'delete' can be taken to mean either permanently delete an electronic file or shred a physical file.

Some documents should be kept for a specified amount of time:

### **Compliance documents**

When saving these, the Administration Officer (AO) will include the reverse date as the start of the file name so older files can easily be found e.g. 2022.08.16 Property Name LGSR. The AO will delete older compliance documents at least twice per year in line with the timescales below:

Gas certificates (LGSR) – keep all gas certificates (this is for current requirements to serve a Section 21 notice, not for compliance)

Electric certificates - no specific retention period, keep until the next EICR plus 1 year (6 years). Provide a copy to the Contractor prior to the next EICR (every 5 years)

PAT certificates – no specific retention period, keep until a further two PATs have been done (2 years), delete older ones

FRAs - no specific retention period, keep until a further two FRA have been done (time varies depending upon the interval period specified by the Risk Assessor), delete older ones

LRAs – keep for the period the LRA is current (the period will vary depending upon the interval period specified by the Risk Assessor) plus 2 further years, delete older ones e.g. an LRA with a renewal period of 2 years should be retained for 4 years

The dates and the results of any monitoring inspection, test or checks – keep for a period of 5 years

EPCs - no specific retention period, keep until the next EPC has been renewed, delete older ones

Lift Safety Management (Passenger Lifts, Personal Lifts, Hoists, Rise & Fall Baths):

EC Declaration of Conformity – to be retained during the period of time that the equipment is in use

Initial Thorough Examination Reports - to be retained during the period of time that the equipment is in use

In Service Thorough Examination Reports – retain until a further two T.E.s have been done (12months), delete older ones

Regular Inspection/Testing - retain until a further two inspections or tests have been done (the period will vary depending upon the interval period between the regular inspection/test), delete older ones e.g. for quarterly inspection on lifts, retain for 6 months after completion or for annual overhead hoist service inspections, retain for 2 years after completion

**Property visit paperwork**

This should be kept for at least 3 years, after which it can be deleted. Housing Officers (HOs) should monitor property visit paperwork folders and delete older files at least annually (this is a guideline for storage management, not a requirement). Sensitive and personal information should only be recorded here if it is relevant to housing management. Keeping this data evidences our intensive housing management service and issues dealt with.

**Employee, Board member and job applicant data**

The CEO (or Deputy) should delete older employee, Board member and job applicant data at least 6-monthly as per timescales in 2.1 and 2.2 of the Data Retention Policy.

**Tenant files**

Refer to 2.3 of the Data Retention Policy; former tenant files are to be kept for 6 years after tenancy expiration to comply with tax/legal obligations. HOs will move electronic and paper files to an archive when a tenancy ends. The AO will monitor the archive folder and delete files that should no longer be kept (i.e. over 6 years since the tenancy ended) at least 6-monthly.

HOs should delete personal/sensitive information from tenant files once it is no longer needed e.g. passport copies.

Housing benefit notifications to be kept for 2 years, HOs/AO will delete older ones from tenant files at least 6-monthly.

**Contractor/landlord data**

The CEO (or designated colleague) should delete older contractor and landlord data at least 6-monthly as per timescales in 2.4 of the Data Retention Policy.