



Committee Approver	Board of Management
Stakeholder Consultation	Executive Team, Data Protection Officer, and Board of Management
Date Approved	March 2021
Classification	Policy
Title	Data Retention (v2)
Revision Date	March 2021
Revised by	Head of Business Support
Next Revision Date	March 2024
Related Documents	Privacy Policy
Location of Electronic Copy	F:\LIVE POLICIES\Corporate\Board approved

1. Viewpoint's Values

Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say 'yes I can and I will';
- Celebrate age, experience and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one";
- Work hard, have fun and laugh;
- Stay courageous, creative and ahead of the game; and
- Work with those that share our values.

These promises shape us. They're a commitment to our tenants, residents, staff and suppliers. They are fundamental to every single plan, decision and project we embark on.

2. Policy Statement

This policy describes Viewpoint's arrangements for ensuring that we retain legal and other designated documents or information for the length of time required either by legislation or current good practice.

3. Aim (sometimes called Purpose)

We will retain documents and information for at least the minimum statutory period required, or to comply with 'good practice' guidance issued by organisations such as the National Housing Federation, Scottish Federation of Housing Associations, Chartered Institute of Housing, Disclosure Scotland, and The Scottish Council on Archives etc.

In specific cases we may also retain documents for longer than the minimum required, e.g. for historical reasons, or where a claim that may be complicated is anticipated.

4. Legislation/related policies

We are required to retain specific documents or information to comply with a range of legislation, e.g. Companies Acts, Health & Safety at Work Act etc., or with regulations and guidance issued by statutory organisations such as HMRC or OSCR (Office of the Scottish Charities Regulator).

In this policy the terms 'documents' and 'information' include items which are 'personal data' or 'sensitive personal data', as defined by the General Data Protection Regulation (GDPR).

References & sources

HM Customs & Revenue (HMRC)
National Housing Federation
Scottish Federation of Housing Associations
Office of the Scottish Charities Regulator (OSCR)
Care Inspectorate: Guidance on Records that All Registered Care Services must keep
Scottish Council on Archives Local Authority Retention Schedules for Adult Care
Professional organisations, e.g. T C Young, Solicitors
Companies Acts 1985 & 2006
Data Protection Act 2018
Health & Safety at Work etc. Act 1974 (and supporting Regulations)
Limitation Act 1980
Taxes Management Act 1970
Pensions Acts 1995 & 2004
Equality Act 2010
Protection of Vulnerable Groups (Scotland) Act 2007
Police Act 1997 (Part V)
SMP/SSP and related Regulations
Employer's Liability Regulations

5. Scope

This policy applies to all Viewpoint staff, board members, and contractors.

6. Compliance & Support

To assist compliance with GDPR, documents and information will, unless otherwise specified, be held electronically.

The documents and information that we will retain, and the retention period for each item, are listed in Appendix 1. This list will be revised and updated as necessary, for example whenever any relevant new legislation is passed or formal guidance is issued.

All staff should familiarise themselves with this policy and in particular the retention periods for documents within their remit. Training and support should be sought if required and will be provided by line managers.

7. Equality Impact Assessment (EIA)

No potential equalities issues have been identified in relation to the review of this policy, and consequently an EIA has not been completed.

8. Privacy Impact Assessment (PIA)

Risks associated with data retention will be assessed and mitigated by Viewpoint's Data Protection Officer, through ongoing data protection audits, and reviews of Viewpoint's Data Estate, conducted in conjunction with all relevant functions.

9. Monitoring & Evaluation

The appropriate Director or Manager will:

- set up the required archive files – electronic or hard copy;
- if required, arrange for hard copy documents to be stored securely, either at Head Office or in commercial off-site premises; and
- ensure that, where documents are to be held for a designated period only, at the end of that period electronic items are deleted from the system, and hard copy items are destroyed, and where destruction occurs off-site, a 'certificate of destruction' is provided by the contractor.

The Chief Executive, each Director and Manager are responsible for ensuring that:

- documents and information for which they are responsible are retained for the length of time prescribed in this policy;
- documents and information are retained in the appropriate format, i.e. either in hard copy or electronically;
- where hard copies are retained, that they are held in appropriate secure storage; and
- documents to be disposed of are either recycled if they do not contain any personal or sensitive data, or are destroyed under confidential arrangements.

Viewpoint's Data Protection Officer will monitor compliance with this policy through regular data protection audits.

APPENDIX 1

RETENTION OF DOCUMENTS – SCHEDULE

ITEM	RETAIN FOR	FORMAT	RESPONSIBLE
Governance			
Association Rules (Constitution)	Permanent	Electronic	CEO
Registration Certificates (Registered Society, SHR)	Permanent	Electronic	CEO
Annual returns to FSA, SHR, OSCR etc.	Permanent	Electronic	CEO
Annual returns – working papers	3 years	Electronic	CEO
Register of Members & Share Certificates	Permanent	Electronic	CEO
AGM minutes	Permanent	Electronic	CEO
Register of Board Members	Permanent	Electronic	CEO
Board & Audit Committee minutes	Permanent	Electronic	CEO
Leadership Team minutes	Permanent	Electronic	CEO
Declarations of Interest/Register of Interests	Permanent	Electronic	CEO
Register of Benefits or Payments to Board/Staff	Permanent	Paper	CEO
Register of Undertakings & Seal Register	Permanent	Paper and Electronic	CEO
Register of Disposals (Section 107 Register)	Permanent	Paper	CEO
Complaints records	5 years (from final reply)	Electronic	CEO
Business Plan	5 years (from completion)	Electronic	CEO
Policies – current & previous versions	Permanent	Electronic	CEO

ITEM	RETAIN FOR	FORMAT	RESPONSIBLE
Records in relation to FOI requests and Data Protection requests	3 years from last action	Electronic	CEO
Insurance			
Policies	3 years after lapse	Electronic	DoFA
Annual insurance schedule	6 years	Electronic	DoFA
Employer's Liability Insurance Certificate	40 years	Electronic	DoFA
Indemnities and guarantees	6 years after expiry	Electronic	DoFA
Claims correspondence	3 years after settlement	Electronic	DoFA
Finance, Accounting & Tax			
Annual accounts & annual review – signed copy	Permanently	Paper & Electronic	DoFA
Financial records – including purchase & sales ledgers, cash, VAT, journals	6 years after year end	Paper & Electronic	DoFA
Tax returns and records	6 years from year end	Paper & Electronic	DoFA
Budgets & internal finance reports	2 years	Electronic	DoFA
HAG documentation	6 years after project end	Paper & Electronic	DoFA
Cheque books, pay-in books	6 years after last date	Hard copy	DoFA
Bank statements	6 years after year end	Paper & Electronic	DoFA
Contracts and Agreements			

ITEM	RETAIN FOR	FORMAT	RESPONSIBLE
Contracts under Seal and/or executed as deeds	12 years after project end incl. defects period	1 st year – paper, then scanned	DoFA
Contracts for the supply of goods & services	6 years after contract end	1 st year – paper, then scanned	DoFA
Loan agreements	12 years after last payment	1 st year – paper, then scanned	DoFA
Licensing, rental and hire purchase agreements	6 years after expiry	1 st year – paper, then scanned	DoFA
Indemnities and guarantees	6 years after expiry	1 st year – paper, then scanned	DoFA
Documents relating to successful tenders	6 years after contract end	1 st year – paper, then scanned	DoFA
Documents relating to unsuccessful tenders	2 years after notification	1 st year – paper, then scanned	DoFA
Care Homes			
Service file - major records such as strategy, planning, monitoring, register of admissions and discharges, visitors books, meetings, correspondence	6 years from current	Hard copy	DoC
Service file - minor records	2 years from current	Hard copy	DoC
Notification records to the Care Inspectorate - e.g. Death, details of medication administered without consent	3 years from current	Hard copy	DoC

ITEM	RETAIN FOR	FORMAT	RESPONSIBLE
Case file – client records e.g. oncology, psychiatric, GP, care plans, financial records	5 years from termination of service or 3 years after death	Hard copy	DoC
Employment			
Former employees’ personnel records, Terms & Conditions	6 years from termination	Paper, electronic	DoBS
Applications/Interviews: Unsuccessful applications, shortlists, interview notes	6 months after interview	Paper, electronic	DoBS
Salary/wage details incl.: PAYE, NI, P45, P60, SSP, Mat. pay, expenses etc. – current staff	Duration of employment	Electronic	DoFA
Salary/wage details incl.: PAYE, NI, P45, P60, SSP, Mat. pay, expenses etc. – former staff	6 years from termination	Electronic	DoFA
Redundancy details, payments & refunds	12 years from termination	1 st year – paper, then scanned	DoFA
Pension schemes			
Actuarial valuations	Permanently	Electronic	DoFA
Pension fund contribution returns	Permanently	Electronic	DoFA
Annual reconciliations of fund contributions	Permanently	Electronic	DoFA
Qualifying service details	6 years after transfer or value taken	1 st year – paper, then scanned	DoFA
ITEM	RETAIN FOR	FORMAT	RESPONSIBLE

Pensioner records	12 years after benefits cease	Electronic	DoFA
Health & Safety			
Incident reports (including accidents)	10 years from incident date	Electronic	CEO
H&S assessments, Risk Assessments	While they are relevant*	Electronic (scanned)	CEO
Consultations, meetings etc. with safety reps.	Permanently	Electronic	CEO
Health & Safety statutory notices	5 years after compliance	Electronic (scanned)	CEO
*‘Relevant’ above means ‘whilst the associated work task or activity is being undertaken, and risks are identified as part of that task or activity, and for a period of 3 years after the activity or task has ceased’			
Tenancy records			
Current tenant files – application form, tenancy agreement, housing benefit notifications	Duration of tenancy	Paper	DoHS
Tenant call recordings captured in accordance with our Call Recording Procedure	3 months by default, or longer as necessary	Electronic	DoHS/ DoFA
Former tenant files – excl. non-essential details	3 years	1 st year – paper, then scanned	DoHS
Cancelled applications	3 months from cancellation	Hard copy	DoHS
Rent payment records	6 years after year end	Electronic	DoHS
Property records			
ITEM	RETAIN FOR	FORMAT	RESPONSIBLE

Lease of property from/to another agency/organisation	12 years after end of lease	1 st year – paper, then scanned	DoFA
Abstracts of title	12 years after interest ceases	1 st year – paper, then scanned	DoFA
Planning & Building Control permissions	12 years after interest ceases	1 st year – paper, then scanned	HoAM
Property maintenance records – general repairs, planned/cyclical maintenance, major repairs, improvements	Permanent (or until no longer used/owned)	Electronic	HoA
Property maintenance records – annual/statutory safety or maintenance checks	Permanent (or until no longer used/owned)	Electronic	HoA
Development/refurbishment projects - general	12 years after all issues settled	1 st year – paper, then scanned	HoA
Development/refurbishment projects – building plans, Health & Safety files	Permanent (or until no longer used/owned)	Paper or scanned	HoA
Consultants reports, professional opinions	6 years from receipt	Electronic	HoA
HMO License	Duration of valid period	Paper	HoA
Expired HMO License	Last valid copy only	Paper	HoA