

# **BACK ON TRACK**

Helping Injured Veterans

Registered Charity Number 1169764

# **DATA RETENTION POLICY**

**Reviewed by:** Trustees

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## **1. Aims**

1.1 The charity recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the charity. Records provide evidence for protecting the legal rights and interests of the charity, and provide evidence for demonstrating performance and accountability. This document provides the policy framework through which this effective management can be achieved and audited.

## **2. Scope of the policy**

2.1 This policy applies to all charity staff/volunteers (referred to as charity members) and beneficiary records created, received or maintained by the charity in the course of carrying out its functions.

2.2 Records are defined as all those documents which facilitate the business carried out by the charity and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or received and then stored, in hard copy or electronically.

## **3. Responsibilities**

3.1 The charity has a responsibility to maintain its records and record keeping systems in accordance with the regulatory environment.

3.2 The person responsible for records management within the charity will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely way. They will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed approximately.

3.3 Individual charity members ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the charity's records management guidelines.

## **4. Relationship with existing policies**

4.1 This policy has been drawn up within the context of:

- Back on Track Freedom of Information policy
- Back on Track Data Protection policy

## **5. Managing beneficiary records**

5.1 The beneficiary record should be seen as the core record charting an individual beneficiary's care plan. The beneficiary record should contain information that is accurate, objective and easy to access. These guidelines are based on the assumption that the beneficiary record is a principal record and that all information relating to the beneficiary will be found in the file (although it may spread across more than one file cover).

5.2 Beneficiary records may be held on a combination of paper based records and electronic systems and the Trustees of the Back On Track charity are committed to retaining personal data for no longer than

necessary for the purpose or purposes for which they were collected. All steps will be reasonably taken to securely destroy or erase from systems, all data which is no longer required.

## **6. Retention of data**

6.1 As well as beneficiary data, other personal data will be retained for employment purposes. i.e. data gathered via one of our fundraising events where we have paid for a service. This is to assist in the running of the charity and/or to enable individuals to be paid. In such cases we will apply the 'recommended' retention period.

6.2 The Trustees commit to retaining the minimum amount of personal data that is necessary for the purpose for which it is held and access to the personal data will be restricted so that it is used only for the specific purpose.

6.3 Personal data will be held as indicated in the retention schedule below and for no longer than the period specified below. All personal data will be destroyed securely at the end of the retention period.

## **7. Recording information**

7.1 Beneficiaries have a right of access to their charity record. Under the Data Protection Act 2018, a beneficiary has a right to see information held about them. This right exists until the point that the file is destroyed. Therefore, it is important to remember that all information should be accurately recorded, objective in nature and expressed in a professional manner.

## **8. Responsibility for the beneficiary record once the beneficiary has finished all treatment**

8.1 The charity is responsible for retaining the beneficiary record until at least 6 years after the date of discharge. At this point they will be reviewed as described in the schedule below.

## **9. Safe destruction of the beneficiary record**

9.1 The beneficiary record should be disposed of in accordance with the safe disposal of records guidelines.

## **10. Storage of beneficiary records**

10.1 All beneficiary records should be kept securely at all times. Paper records, for example, should be kept in lockable storage areas with restricted access, and the contents should be secure within the file. Equally, electronic records should have appropriate security.

## 11. Charity records schedule

Basic file description	Record type	Statutory Provisions	Retention period [Operational]	Type
<b>11.1 Governance</b>	Governing/constitutional documents	Charities Act 2011	Permanent	Certificate of incorporation, Articles of association, Charity commission orders etc.
	Board meetings	Companies Act 2006	Permanent	Board meetings, AGMs, Special Committee meetings
	Policy documents	Recommended practice	7 years from superseded	Organisation charts, policies, procedures
<b>11.2 Finance</b>	Annual Reports	Charities Act 2011	Permanent	Annual reports of the charity
	Annual Accounts	Charities Act 2011	7 years from end of financial year	Receipts and payments, accruals
<b>11.3 Safeguarding</b>	Safeguarding management	Recommended practice	7 years from superseded	Safeguarding policy and procedure, training and monitoring

Basic file description	Record type	Statutory Provisions	Retention period [Operational]	Type
	Incidents and allegations	Files should be reviewed to ascertain risk associated with incident and decide whether longer retention period is required	6 years from incident report or allegation then review	Incidents and allegations relating to adults at risk
<b>11.4 Serious incidents</b>	Serious incident reporting	Files should be reviewed to ascertain risk associated with incident and consider whether a longer retention period is required	6 years from date of incident report then review	Serious incident reports
<b>11.5 Fundraising</b>	Fundraising income	Charities Act 2002, Fundraising Code of Conduct	7 years from end of financial year	Fundraising from sales of charity items, sales of charity merchandise, raffles and auctions, fees for fundraising event tickets etc.
	Grants (received)	Taxes Management Act 1970	7 years from end of grant period	Funding grants received from third parties
	Donation Records	Taxes Management Act 1970	7 years from end of financial year	Donor files, in kind donations (including correspondence)

Basic file description	Record type	Statutory Provisions	Retention period [Operational]	Type
	Gift aid	Taxes Management Act 1970,  The Donations to Charity Regulations	7 years from end of financial year	Declaration records
<b>11.6 Beneficiary management</b>	Case management	Recommended practice.	6 years from date of discharge then review to understand whether they continue to support rights and entitlements of beneficiaries or are material to the assessment of risk relating to the beneficiary.	Case file
	Grants (awarded to beneficiaries)	Limitation Act 1980	7 years from end of financial year	Grant applications, copies of award letters
<b>11.7 Data protection rights</b>	Data subject rights; request records	Recommended practice	7 years from date of request	Subject access requests