
 RETENTION POLICY

OCTOBER 2018

1. Introduction and Policy Statement

- 1.1. There are legal and regulatory requirements for housing associations to adhere to when retaining or disposing of data about their tenants, applicants, suppliers, employees, agents, volunteers and board members. Disposal is as important an issue as retention: premature disposal can mean the loss of information that is critically required, while retaining data can expose organisations to risk as well as be a cost to the business.
- 1.2. Elim will retain and dispose data in keeping with the appropriate legislation and regulation, as detailed in 4, below. Elim's Data Retention Schedule provides explicit guidance to staff in relation to key documents and data held by Elim.

2. Scope

- 2.1. The Policy applies to all Elim staff and Board Members and all data held by Elim. It applies to all data, regardless of the method of storage, e.g. physical or digital.

3. Related Documents

- 3.1. This Policy should be observed in conjunction with Elim's other governance documents relating to data protection. These are listed below and can be found in [P:\Policies and procedures\Data Protection](#).

| Document | Purpose |
|--|---|
| Data Protection Policy | Provides organisational policy position on data protection. |
| Data Protection – Guidelines for Staff | Provides practical guidance for staff on the implementation of the Data Protection Policy within their roles. |
| Data Retention Schedule | Provides information on how long certain types of documents and information should be held for before disposal. |
| Elim Data Map | Repository of information of collection, storage and processing of data across Elim |
| Privacy Notice | Provides information for customers on how and why we process and store their personal data. Certain services may have specific Privacy Notices. |
| Data Protection Impact Assessment (DPIA) | An assessment that should be conducted prior to any activity that might be considered high risk in the context of data protection. |

4. Legislation

- 4.1. The Data Protection Act 2018 came into force in May 2018. The DPA is the UK's implementation of the General Data Protection Regulations (GDPR). Everyone responsible for using personal data has to observe the 7 Data Protection Principles outlined in the Act. This means that they must make sure that personal data is:

- Used fairly, lawfully and transparently
- Used for explicit and specified purposes
- Used in a way that is adequate, relevant and limited to only what is necessary
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary
- Handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

4.2. Whilst much data protection legislation correctly focusses on personal data, this is not the only type of data covered by the Retention Schedule. Elim's Data Retention Schedule is informed by various other statutory sources. These are listed below. In the Retention Schedule, abbreviations are used.

| Abbreviation | Statutory Source |
|---------------------|--|
| CA | Companies Act 2006 |
| CAWR | Control of Asbestos at Work Regulations 1987 |
| Ch A | Children Act 1989 |
| DPA | Data Protection Act 2018 |
| IPSA | Industrial and Provident Societies Act 1965 |
| IT (E) R | Income Tax (Employment) Regulations 1993 |
| LA | Limitations Act 1980 |
| RIDDOR | Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 1985 |
| RBS(IP)R | Retirement Benefits Schemes (Information Powers) Regulations 1995 |
| RRA | Race Relations Act 1976 |
| SDA | Sex Discrimination Acts 1965 & 1975 |
| SMPR | Statutory Maternity Pay Regulations 1982 |
| SSPR | Statutory Sick Pay Regulations 1982 |
| TMA | Taxes Management Act 1970 |
| VATA | Value Added Tax Act 1994 |

5. Types of data storage

5.1. Elim has an ongoing project to maximise storage of data in a digital format. Data stored in any medium must allow for the information to be presented in a readable format and be readily convertible to a paper format if required. It is advisable to obtain legal advice on the admissibility of electronically formatted documents for presentation in a court of law.

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