

# WEST DUNBARTONSHIRE CITIZENS ADVICE BUREAU

## DATA RETENTION POLICY

### 1. Introduction

WDCAB holds a great deal of important information that is crucial to the running of the organisation. Data we hold must be available and accessible and usable upon demand by an authorised entity. It is important that any personal data is securely erased or anonymised when the purposes for which it is kept no longer exist, in order to comply with the GDPR. We use 'consent' or 'legitimate interests' as our lawful basis for processing client information.

This retention policy forms part of the Information Risk Policy of West Dunbartonshire Citizens Advice Bureau (WDCAB).

Article 5e of the GDPR states 'personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed [...]'.

As with the DPA, the GDPR does not prescribe a minimum or maximum length of time that personal data should be kept. This is because how long is appropriate is entirely dependant on the purpose to which the data is used.

### 2. Scope

The Data Retention Policy applies to data held by all members of the workforce regardless of the form in which it is held. It applies throughout the lifecycle of the information from creation through storage and utilisation to disposal.

The policy applies to all staff and volunteers who are given access to data held by WDCAB. It includes all devices including removable media/portable devices and paper-based records.

With regard to electronic systems, it applies to use of WDCAB owned facilities and privately/externally owned<sup>1</sup> systems when connected to the Bureau network directly or indirectly. The policy applies to all WDCAB owned/licensed data and software, be they loaded on WDCAB systems through Shared Services or privately/externally owned systems, and to all data and software provided to WDCAB by CAS or external agencies.

### 3. Policy awareness and guidance on data retention

The Data Retention Policy will be made available to all bureau staff and volunteers via the WDCAB HUB  
Please refer to Appendix 1 to find out how long certain types of data are to be retained.

### 4. Disposal of Information

WDCAB staff and volunteers have an obligation to dispose of personal, confidential and business critical information in a secure manner. This includes ensuring that all backups and copies are included in the destruction of records.

Guidance around data disposal is available from your Manager.

Any data category which is not referred to in this policy should be referred to the Senior Information Risk Owner.

## **5. Legal and Contractual Requirements**

WDCAB will abide by all relevant legislation related to the holding and processing of information. In particular, data protection legislation defined as; (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998.

## **6. Responsibilities**

The Senior Information Risk Officer (SIRO) is responsible for the Data Retention policy. The Senior Information Risk Officer is Operations Manager, Gareth King.

IAO (Information Asset Owners), are responsible for ensuring that information used is managed and used in accordance with the Data Retention Policy.

Any member of staff or volunteer who is concerned about data retention concerning an information asset should report to their manager or the SIRO..

## **7. Third party contractors**

WDCAB will have appropriate contracts with third parties who are storing, processing or transmitting data covered by this policy so that the applicable retention period is adhered to.

## **8. Maintenance**

The Data Retention Policy will be monitored, maintained and reviewed at least annually and whenever a significant event occurs which requires its revision. WDCAB will also regularly monitor its approach towards the secure disposal of data. Further guidance is available from the SIRO.

# Appendix 1

## Staff and Volunteer Records

Type of record	Retention period
Personnel files of employed and volunteer staff including training records and notes of disciplinary and grievance hearings	6 years from the end of employment
Application forms/interview notes for paid and volunteer staff	6 months from the date of the job advertisement
Facts relating to redundancies where less than 20 redundancies	6 years from the date of redundancy
Facts relating to redundancies where 20 or more redundancies	6 years from the date of the redundancies
Payroll records, Income Tax and NI Returns, including correspondence with tax office	At least 3 years after the end of the tax year to which the records related
Statutory Maternity and adoption Pay records and calculations	3 years after the end of the tax year in which the maternity period ends
Statutory Sick Pay records/Sickness records	There is no longer a specific statutory retention period.
Wages and salary records	3 years
Individual pension entitlement and contribution history	As long as there is a member or dependant liability
DBS checks for staff and volunteers	6 years after end of employment
Accident books, and records and reports of accidents	3 years after the date of the last entry
Health Records for staff and volunteers	During employment/ volunteer engagement
Health Records where reason for termination of employment is connected with health	3 years
Examination, testing, monitoring and control records:	Review 5 years after last action
Health and Safety Training, guidance and instructions:	Review 3 years from date superseded
Risk assessment reports and reviews, including building related risk assessments	The HSE recommends 40 years for personal records <a href="http://www.hse.gov.uk/health-surveillance/record-keeping/index.htm">http://www.hse.gov.uk/health-surveillance/record-keeping/index.htm</a>
Contractual records	6 years
Grant agreements with Citizens Advice Scotland	6 years if there is no period specified in the agreement
References received for staff and volunteers	1 year
Annual leave records	2 years
Annual appraisal/assessment records	5 years
Volunteer support and supervision notes	3 months after volunteer leaves
Records relating to promotion, transfer, training, disciplinary matters	1 year from end of employment/volunteer engagement
References given/ information to enable references to be provided	5 years from reference/ end of employment

Type of record	Retention period
Summary of record of service eg: name, position held, dates of employment	10 years from end of employment
Records relating to accident or injury at work	12 years
Personnel files of employed and volunteer staff including training records and notes of disciplinary and grievance hearings	6 years from the end of employment
Application forms/interview notes for paid and volunteer staff	6 months from the date of the job advertisement

## Client Records and Additional Data

WDCAB will hold any client records and additional data in accordance with the schedule below.

Low risk	7 years after the case has closed	All client records apart from the high risk categories below.  For example, if a client is in a DAS (Debt Arrangement Scheme) for 15 years – the record must be kept for the 15 years of the DAS and 7 years after that.
	High risk	16 years after the case has closed
Any case relating to building works or surveyors' reports on the purchase of property or relating to property.		
Any case which Citizens Advice Scotland and/ or ADS consider to be a substantial risk, where the sums of money involved are, for example, in excess of £10,000 or where the advice given was especially complex, or where Citizens Advice Scotland and/ or ADS is otherwise concerned that the case is unusual.		