

G 03 Records Management and Retention & Disposal Policy
--

St Cuthbert's Care is committed to the efficient management of its records for the effective delivery of its services and applies to both digital and paper records.

RECORDS MANAGEMENT

Good record maintenance ensures that:

- Employees can work efficiently without wasting time searching for information
- There is an "audit trail" which enables any record entry to be traced for any individual.
- Decisions and actions are clearly evidenced
- Such actions and decisions can be justified or recognised later.

This is vitally important for:

- Care provision
- Purchasing, contract and service agreement management
- Financial accountability
- Subsequent disputes or allegations

It is very important that you:

- Record any important and relevant information in a timely manner, making sure that it is factual and complete
- Ensure that it is accurate and legible so that it can easily be read and retrieved when required
- File the document appropriately
- Retain the file for the statutory period
- Understand what needs to be retained, what can be destroyed and the periods for doing so

Document Retention and Disposal

Information held for longer than is necessary carries risk and cost. Records and information should only be retained when there is a need for a specific period to satisfy care, legal, financial and other requirements and to provide consistency for the destruction of those records not required permanently after a specified period.

All computer records will be retained in line with the retention periods for paper records.

The retention periods for the different types of records are set out in Appendix 1.

Data Protection and UK GDPR Compliance

Records containing personal data must be managed in accordance with the UK GDPR and the Data Protection Act 2018. St Cuthbert's Care will ensure that personal data is processed lawfully, fairly and transparently; collected and retained only for specified and legitimate purposes; limited to what is necessary; kept accurate and up to date where required; retained for no longer than necessary; protected by appropriate security measures and managed in a way that demonstrates organisational accountability.

Retention, Minimisation and Lawful Purpose

Personal data must only be created, collected, archived or retained where there is a clear care, legal, regulatory, financial, safeguarding, contractual or operational purpose. Records must not be retained simply because they may be useful in the future. Where personal data is no longer required for the purpose for which it was collected, and there is no lawful reason to retain it, it must be securely

deleted, anonymised, archived with appropriate safeguards, or destroyed in line with this policy and the retention schedule.

Roles, Responsibilities and Accountability

The Director of Compliance has overall oversight of this policy and the retention schedule. The Compliance Officer is responsible for maintaining the disposal register and supporting services with archiving and access requests. Managers are responsible for ensuring records within their service are accurate, securely stored, reviewed and prepared for archive or disposal at the correct time. The IT team is responsible for carrying out approved electronic deletion and maintaining appropriate technical controls. The Data Protection Officer must be consulted where disposal involves special category data, large volumes of personal data, complex requests, high-risk processing, legal uncertainty, or potential data protection incidents.

Data Protection Incidents

Any actual or suspected loss, unauthorised access, unauthorised disclosure, inappropriate retention, incorrect disposal, failure to delete records in line with the retention schedule, or inability to locate records containing personal data must be reported promptly in accordance with the Charity's data breach and incident reporting procedures. The Data Protection Officer must assess whether the incident requires further investigation, remedial action, notification to the Information Commissioner's Office, or communication to affected individuals.

Destruction of Records

- Before any disposal you should check the record use history (in case it suggests that records due for destruction have continuing business or archival value) and that the Charity is not involved in any legal case or litigation which preclude the destruction.
- Records which are due for disposal should be presented to the Risk Panel, discussed and their decision will determine the action
- A register of disposed records will be maintained at Head Office identifying which records have been destroyed and the date. This register must be retained permanently.
- The method of disposal is confidential shredding.

Records containing personal data, including special category data as defined by UK GDPR and the Data Protection Act 2018, must be disposed of securely and confidentially once the relevant retention period has expired and there is no ongoing legal, regulatory, safeguarding, contractual or operational reason to retain them. Special category data includes, but is not limited to, information about health, care needs, disability, ethnicity, religious beliefs, safeguarding matters, and other sensitive personal information. Disposal must be authorised, recorded, and carried out using approved secure methods such as confidential shredding for paper records and secure irreversible deletion for electronic records. Where disposal involves large volumes of sensitive records, high-risk information, or third-party processors, advice should be sought from the Data Protection Officer or Director of Compliance, and appropriate evidence of destruction must be retained.

Electronic Record Deletion

Before deleting electronic records, confirm that the data is not required under Appendix 1 and that there is no ongoing legal, regulatory, safeguarding, contractual or operational reason to retain it. If the data contains personal data, the following process must be followed:

- Move the data into the Deletion folder; this is in each of the Doc-Store Index folders called Archive and Delete
- Place the files in the Deleted folder and inform IT via the e-form located on SharePoint
- IT team will carry out the deletion of these files/folders

- Measures will be taken to remove these files from the back-ups to ensure that the Charity complies with its legal obligations around the destruction of personal data.

Where the data involved is not personal data but contains confidential data or commercially sensitive data the process above must be carried out so information can be deleted correctly.

Electronic records must be deleted permanently where technically possible and in line with the approved retention schedule and disposal decision. Where immediate deletion from back-ups is not technically possible, the records must be protected from routine access and removed through the normal back-up retention cycle. If data is restored from back-up, checks must be completed to ensure that records which have passed their retention period are not reintroduced into active use. Evidence of approval, deletion action and any relevant back-up limitation must be retained with the disposal record.

Data stored on disks, External Hard Drives, DVD or CD ROM is prohibited and if information needs to be supplied to third parties this should be done by sharing a link to access the relevant file or folder from the SharePoint site, with restrictions of who can access the information (email address of recipient), retention period of link and whether the information can be downloaded or edited. A guide is available from the IT department on the correct process.

Any disks, External Hard Drives, DVD or CD Rom which has previously been used by the Charity should be transferred to SharePoint so the correct retention period can be allocated to the data.

Archiving Physical Records

Records retained by the Charity must be stored securely. The process for archiving physical records is as follows:

- Box and label the records
- Clearly label the outside of the box to indicate the contents. Always put the name of the service first, followed by (for example), person we support, full name (surname first), date of birth, date of admission, date of discharge/service ceased and date of destruction.
- Ensure the box is secure, especially the base.
- Do not overload boxes.
- Please note that records of a person must not be mixed with another person.

Archiving Electronic Records

Retention periods are determined based upon the nature of the information held, not the medium in which it is maintained. For example, information which is held in a digital format should only be retained for the same period as it would be kept if it was in paper form. However, it is not necessary to retain duplicate copies of records. Retention arrangements for digital records should ensure that they will remain complete and unaltered throughout the retention period.

The process for archiving electronic records is as follows:

- The files or folder should be moved into the holding folder called Archive and Delete in the relevant service Doc-Store
- Information should be limited to one per person so it can be clearly identified
- E-form which is stored in the Intranet should be completed so IT are aware
- The E-form must have the date of the first day of archive and the length of time it should be retained

Accessing Archived Electronic Data

If information needs to be accessed, a request can be made to the IT department outlining the person/persons and length of time that the read only access is permitted. This log will be kept and access will be granted for the duration of the request.

Access to Archived Records

- External requests must be dealt with in accordance with the Subject Access Procedure and CW101 GDPR Data protection Policy.
- Internal requests to view archived information can be made using the e-form on the intranet. Arrangements will be made by the Compliance Officer.
- Records removed from the Archive must be accurately recorded on the archive log.

Litigation Hold and Appraisal Before Disposal

In the event of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

A register of destroyed records should be kept, with enough detail recorded to enable identification of which documents have been destroyed. Some documents are temporary and regarded as short lived and need not be retained, such as:

- Working papers and early drafts
- Compliment slips
- Trade information such as catalogues

To decide what should be sent to archive, an appraisal exercise must consider a range of factors:

- Whether records are masters or copies
- The importance of the function the records support
- Legal or regulatory requirements
- Standard or sector best practice
- Stakeholder interests or access rights
- Whether there is any risk to the Charity if certain records are not kept

Reviewing the Schedule

The retention schedule must be reviewed at least annually and sooner where there are changes to legislation, regulation, services, systems, contractual requirements, safeguarding requirements or organisational processes. Any changes to retention periods must be approved, version controlled, communicated to relevant staff and reflected in archive, deletion and disposal processes.

When archiving, in most cases the information will not be asked for again, but it is important to retain for that small number of cases where the information will be requested. This is often for investigation purposes. If the information cannot be found or there are gaps, it could have serious consequences.

When Records Should Be Archived

- The document is considered operationally closed and is no longer required on a day-to-day basis
- The person is no longer accessing the service or is deceased.
- The service no longer exists

Preparing Physical Records for Archive

- Use small boxes only
- Within small boxes, information on service users can be divided using A4 envelopes. Each envelope must be clearly labelled.
- Additional envelopes can be put in boxes at a later stage

- Plastic pockets are not to be used
- Labelling service user boxes should include:
 - Name of project
 - Name of the individual
 - Date of birth
 - Date of admission
 - Date of discharge/Date of death
 - List of contents
 - Date of destruction
- Labelling project information:
 - Name of project
 - Date covered by contents
 - List of contents
 - Date of destruction
- Boxes should be secure, i.e. Sellotape base and sides, but not made time consuming to open
- Type in large font/bold information and put on both sides of the box
- Please forward a further typed copy of information to the Archivist
- Do not overload box – it must close easily
- If a service user has more than one box, state 1 of 1,2 3 etc
- Archive only information that is/would be relevant – Refer to CW101 General Data Protection Policy and/or the Director of Compliance if you are not sure.

When preparing these boxes please remember that the person who has to search is probably not the person who archived the information. If it is several years later the person asked to search is unlikely to have any background knowledge of the project or the individuals.

When you have the boxes ready, please arrange with the Director of Care a suitable time to bring the boxes to head office– please do not bring them up without prior arrangement.

Appendix 1

Retention Schedule

- Annual Reviews – 7 years
- Statutory Accounts – 20 years
- Board Meeting Minutes – 20 years
- Employer's liability insurance certificates – 40 years

Records of people employed by the Charity

- Retain for 15 years in accordance with the maximum stipulated by the Children's Homes Regulations.
- Retain for 6 years in accordance with the maximum stipulated by CIPD in line with The Data Protection Act 2018
- Applications not successful information held for 6 months.

Payroll records, financial accounts, ledger and record books

- Store in date order and retain for 7 years after the financial year to which they refer.

Purchase or sale of properties

- The retention period for all documentation relating to the purchase of the property should be the duration of ownership of the property, or until the sale of a property. After the sale, the information must be retained for 7 years.

Minutes of employees' meetings

- Retain for the duration of the existence of the home/unit/project. If they contain information relating to individual service users, retain for 8 years after closure for Adult Service and 75 years for children; if relating to staff, minutes must be retained for 6 years.

Health and Safety

- Health and Safety Policies and Procedures; General Risk Assessments; DSE; Fire Risk Assessments; Manual Handling Risk Assessments; Machinery/equipment, Lifting equipment and lifting operations; lone working, noise and vibration, risk of violence and aggression, working at height; completed accident records; Health and Safety Inspections including details of any actions/timescales to be taken following inspections; Portable Electrical Appliance tests; Material Safety Data Sheets; Inspection and statutory examination reports referring to equipment of service; Equipment maintenance and service records; Fire drill records; Health and safety training records; Health and Safety audit checklists and action plans; Health and Safety meeting minutes; copies of memos and reports received following visits from CQC; Health and Safety Executive Environmental Health Inspections; Waste disposal records – 5 years
- Health records and Health surveillance records: COSHH; Asbestos records; records referring to Lead at work are to be retained for 40 years.

Images for Services Users

- Images must be stored in the service folder, with a copy of the consent
- If the service user loses capacity, the consent is then revoked. New permission can be obtained from the service user's power of attorney otherwise the images must be removed.
- If the service users passes away the images must be removed from any media and any stored location.

Fostering

- Approved foster carers – Retain for 10 years from date of approval or from the date placement is terminated, whichever is the longer, BUT if the file contains any adverse comments then retain for 75 years from date fostering commenced.
- Non approved foster carers – Retain for 3 years from date of refusal or withdrawal
- Fostering referrals where information pack only sent – Retain for 1 year from receipt of enquiry
- Fostering Panel Minutes – Retain for 25 years from date of Panel

Adoption

- Adoption records – Retain for 100 years from adoption date
- Adoption register – Retain permanently
- Details of persons working for the adoption service – Retain for 15 years from date of last entry
- Payment records – Retain for 2 years
- Complaints records – Retain for 3 years

Children in Care

- Individual files of children in residential/foster care – Retain for 75 years from child's 18th birthday, or if child dies before 18 years, retain for 15 years from date of death

For children's residential homes records:
 Retain records detailed below for 15 years;

- Accident Book
- Record of people residing or working in the home
- Medication records
- Record of any fire drill or fire alarm test conducted
- Record of personal monies
- Records of valuables
- Employees duty roster
- Daily logs
- Visitor's record

Menus should be retained for one year

Independent Supported Living, Day Care provision

- Retain for 3 years from the date of last entry

Nursing Home or Adults Residential

- Retain for 8 years from the date of last entry
- Application forms - where not placed on waiting list or entered the service – 1 month.

Alan Shearer Activity Centre

- Service registration / application packs must be retained for 3 years from the date of signing the application.

Alan Shearer Short Break – (Currently closed)

- Adults records in line with Adults Residential – 8 years from last day of service.
- Children's records in line with Children's Services – 75 years from last day of service.

Appendix 2

Service Name	Retention Period
Annual Reviews	10 Years
Statutory Accounts	20 Years
Board Meeting Minutes	20 Years
Employer's liability insurance certificates	40 Years
Records of people employed by the Charity	
Children's Home Employees	15 Years
Other Employees	6 Years
Unsuccessful Applicants	6 Months
Financial Records	
Payroll, Accounts, Ledger, Record Books	7 Years after the financial year
Purchase of Property	For as long as we own the property
Sale of Property	7 Years after the completion date
Minutes of employee's meetings Containing information on	
Children Service Staff	75 Years
Other Employees	6 Years

Health and Safety	
Health & Safety Policies & Procedures General Risk Assessment Fire Risk Assessments Manual Handling Assessments Machinery/Equipment Lifting Equipment Portable Electrical Testing Material Safety Testing Fire Drill Records Health & Safety Training	5 Years
Health Records Health Surveillance Records COSHH Asbestos Records records referring to Lead at work	40 Years
Fostering and Adoption	
Approved Foster Carers	10 Years from date of approval or termination date, whichever is longer
Approved Foster Carers with Adverse Comments	75 Years
Non-approved Foster Carers	3 Years from date of refusal or withdrawal
Fostering Panel Minutes	25 Years from the date of the panel
Adoption Records	100 Years from Adoption date
Adoption Register	Retain permanently
Person working for adoption Service	15 Years from date of last entry
Adoption Payment Records	2 Years
Adoption Complaints Records	3 Years

Children in Care	
Individual Files of children in residential/foster care	75 Years from child's 18 th birthday
Individual Files of children in residential/foster care	15 Years from date of death
Children's residential home's records	15 Years
Children's residential home's menus	1 Year from Menu date
Independent Support Living, Day Care Provision, Activity Centre	
Service User Information	3 Years from last day of Entry
Activity Centre – Application, Registration	3 Years from the date signed
Nursing Home or Adults Residential	
Service User Information	8 Years from date of last entry
Application information	1 month after removed from waiting list
Closed Services	
Alan Shearer Short Break – Adult Residents	8 Years from date of last entry
Alan Shearer Short Break – Children Residents	75 Years from date of last entry

Change of Version

Version	Date	Reason	Who	Next review date
01	19/12/25	CW131 – G 03	GE	December 2026

19 August 2026