



## Data Retention Policy

Version No.: 1.0

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Review Date: 1 December 2023

Signature:	Signed by:	Position:	Date:

### 1. Introduction

The purpose of this Policy is to ensure that the records and documents of Wansbeck Valley Food Bank (WVFB) which are no longer needed, or are of no further value, are discarded at the proper time.

Lengthy or indefinite retention of personal information could result in WVFB breaching the General Data Protection Regulations (GDPR).

Likewise, premature destruction of documents could result in inability to defend litigious claims, create operational difficulties or failure to comply with the GDPR.

This policy sets out WVFB's overall approach to meeting these legal requirements.

### 2. Scope

This policy applies to the retention and destruction of information, both personal and nonpersonal, by WVFB which completely or partly involves:

- manual filing systems.
- automated means, such as computers.

N.B. More detailed information regarding the collection, handling and storage of personal information is set out in the Personal Data Protection Policy.

### 3. Data Retention

The Record Retention Schedule (Appendix A) shows the disposal schedule for physical records of WVFB and the retention and deletion of electronic documents. WVFB will make modifications to the Record Retention Schedule from time to time to ensure that it follows national legislation and includes the appropriate record categories for WVFB. The Foodbank will also monitor legislation affecting record retention; annually review the record retention and disposal programme; and monitor compliance with this Policy.

In order to minimise the proliferation of multiple copies of the same document, which may be retained inadvertently, wherever possible only one copy of paper and electronic documents will be held.

Electronic documents will be shared via links, rather than as Page 2 of 8 attachments to emails, which create additional copies of the document.

In addition, any retained personal information can only be used for the purpose for which it is stored, as set out in the Personal Data Protection Policy.

Everyone who works for or with WVFB shares responsibility for ensuring that information is held only as long as is set out in this policy and thereafter destroyed securely. Staff and volunteers must comply with this policy, as well as any supporting procedures and guidance relating to their role.

Documents or files may only be destroyed if the retention period has expired and there is no other requirement to keep them. Destruction is authorised by the Administration Trustee

The Board of Trustees is ultimately responsible for ensuring that WVFB meets its legal obligations in relation to data protection and record retention.

#### **4. Suspension of Record Disposal in Event of Legal Proceedings or Claims.**

There are certain occasions when information needs to be preserved beyond any limits set out in this Policy. The Policy must be SUSPENDED relating to a specific person or document and the information retained beyond the period specified in the Data Retention Schedule in the following circumstances:

- Legal proceedings or a regulatory or similar investigation or obligation to produce information are known to be likely, threatened, or actual.
- A crime is suspected or detected.
- Information is relevant to a company in liquidation or receivership, where a debt is due to WVFB.
- Information is considered to be of potential historical importance, and this has been confirmed by the Administration Trustee.
- In the case of possible or actual legal proceedings, investigations or crimes occurring, the type of information that needs to be retained relates to any that will help or harm WVFB or the other side's case or liability or amount involved.
- If there is any doubt over whether legal proceedings, an investigation or a crime could occur, or what information is relevant or material in these circumstances, the Trustees should be consulted, and legal advice sought.
- The Administration Trustee shall take such steps as is necessary to promptly inform all staff and volunteers of any suspension in the further disposal of documents.
- Such suspension can be initiated by any Trustee with the approval of the Board of Trustees.

#### **5. Archiving and Data Destruction**

##### **5.1 Archiving**

It is Foodbank policy that all dormant hard copy and electronic files should be archived when no longer being actively worked on. It is important to check the retention period before storing hard copy files or archiving electronic files.

##### **5.2 Destruction of Paper Records**

All paper records due for destruction should be disposed of in a secure manner and in such a fashion that the information contained in them is no longer legible and cannot be reconstructed.

### **5.3. Deletion of digital information and any back ups**

When removing or deleting data from computers and electronic devices, staff and volunteers must also include the destruction of associated back-ups or background storage. This ensures that the information is not still held in any form, even after the current version of the data has been deleted. Staff and volunteers need to be aware that often digital systems hold on to data in the recycle bin until it is automatically replaced or overwritten.

### **6. Equality and Diversity**

WVFB is committed to ensuring that it treats its employees and volunteers fairly equitably and reasonably and that it does not discriminate against individuals or groups on the basis of their ethnic origin, physical or mental abilities, gender, age, religious beliefs or sexual orientation. This policy has been appropriately assessed.

### **7. Monitoring and Compliance**

WVFB will maintain effective monitoring systems to ensure implementation of this policy, including the following:

<b>Standard/process/issue</b>	<b>Monitoring and audit</b>			
	<b>Method:</b>	<b>By:</b>	<b>Reporting to:</b>	<b>Frequency:</b>
Record retention and disposal programme	Audit	Admin Trustee	Board of Trustees	Annually

Appendix A Record Retention Schedule

1. Accounting, Finance and Contracts

<b>Record Type</b>	<b>Retention Period</b>
Annual Audit Reports and Financial Statements	Permanent
Annual Audit Records, including work papers and other documents that relate to the audit	7 years after completion of audit
Annual Plans and Budgets	7 years
Bank Statements and Cancelled Cheques	7 years
Employee Expense Reports	7 years
Interim Financial Statements	7 years
Contracts and Related Correspondence (including any proposal that resulted in the contract and all other supportive documentation)	7 years after expiration or termination

2. Corporate Records

<b>Record Type</b>	<b>Retention Period</b>
Corporate Records (Minutes of the Trustees and all committees, record of incorporation, charity status, annual reports)	Permanent
Licences and Permits	Permanent

3. Personal Information

- a. This Section sets out the data retention policies and procedure of WVFB, which are designed to help ensure compliance with legal obligations in relation to the retention and deletion of personal information.
- b. Personal information that is processed by WVFB for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

Without prejudice to point 2 (above) WVFB will usually delete personal data falling within the categories set out below at the date/time set out below:

<b>Data Subject</b>	<b>Retention Period</b>
Client Referral Forms	Personal information is stored in a secure database for 2 years. Paper forms should be shredded after 2 years and not retained for more than 3 years.

Complainants	Complaints and subsequent correspondence and reports, are stored on hard copy in a locked filing cabinet and in a secure cloud-based storage system for 2 years.
Employees	Personal and employment records (including individual attendance records, application forms, contracts, job or status change records, performance evaluations, termination papers, training and qualification records) are stored on hard copy in a locked filing cabinet and/or in a secure cloud-based system for 1 year after employment ceases. Financial records – including PAYE and workplace pension – will be kept for seven years after employment has ceased. Records of any grievance, dispute or accusation may be kept for up to six years.
Employee Applicants	Failed employee application information, correspondence with Employment Agencies: 3 years from date of hiring decision.
Financial Donors	Personal information and financial records are stored on hard copy in a locked filing cabinet and/or in a secure cloud-based storage system for 7 years. Any cancelled Standing Order or Direct Debit information will be deleted when we are notified of the cancellation.
Food Donors	Where individual Food Donor provide personal information alongside their food donation, personal food donor information is stored on hard copy in a locked filing cabinet and/or in a secure cloud-based storage system for 3 years.
Representatives of referral agency partners	Representatives of referral agency partners Contact information is stored on hard copy in a locked filing cabinet and/or in a secure database. If a partner stop being a referral agency, WVFB will destroy the application form and any other signatories' forms. WVFB will also delete the agency from the online data system as an active referral agency. Referral agency information on vouchers will be kept in a secure database for two years.
Social Media subjects	Information posted to our website, and other social media, for publication on the internet is retained for up to 5 years after post.
Subjects of safeguarding concerns	Information regarding safeguarding concerns is stored on hard copy in locked filing cabinets and in a secure database for 6 years if the safeguarding concern is upheld, 3 years if the concern is not upheld.
Survey and research participants	Survey and research data is stored in a secure cloud-based storage system for 12 months after survey is completed; then results are anonymised and retained for as long as deemed necessary; possibly permanently if deemed to be of historic significance.
Trustees	Personal information about Trustees is stored on hard copy in a locked filing cabinet and in a secure cloud-based storage system for 7 years after Board membership ceases.
Volunteer Applicants	If an application is unsuccessful, personal information will be held on hard copy in a locked filing cabinet and in a secure database for 6 months from date of application.

Volunteers	Volunteer information will be held on hard copy in a locked filing cabinet and in a secure database for 2 years from date they stop volunteering.
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Notwithstanding the other provisions of this Section, WVFB will retain documents (including electronic documents) containing personal data:

- a. to the extent that WVFB is required to do so by law.
- b. if WVFB believes that the documents may be relevant to any ongoing or prospective legal proceedings.
- c. and to establish, exercise or defend WVFB's legal rights (including providing information to others for the purposes of fraud prevention and reducing credit risk).
- d. if explicit consent is given by the data subject.

**4. Correspondence and Internal Memoranda General Principle:**

Most correspondence and internal memoranda should be retained for the same period as the document to which they pertain or support. For instance, a letter pertaining to a particular contract would be retained as long as the contract (7 years after expiration). It is recommended that records that support a particular project be kept with the project and take on the retention time of that particular project file.

Correspondence or memoranda that do not pertain to documents having a prescribed retention period should generally be discarded sooner. These may be divided into two general categories:

- a. Those pertaining to routine matters and having no significant, lasting consequences should be discarded within three years. Some examples include:
  - Routine letters and notes that require no acknowledgment or follow up, such as notes of appreciation, congratulations, letters of transmittal, and plans for meetings.
  - Form letters that require no follow up.
  - Letters of general inquiry and replies that complete a cycle of correspondence
  - Letters or complaints requesting specific action that have no further value after changes are made or action taken (such as name or address change).
  - Other letters of inconsequential subject matter or that definitely close correspondence to which no further reference will be necessary.
  - Chronological correspondence files.
- b. Those pertaining to non-routine matters or having significant lasting consequences should generally be retained permanently.

## 5 Electronic Mail and Other Electronic Documents

1. **Electronic Mail:** Not all email needs to be retained, depending on the subject matter (see section 4 above).
  - All e-mail—from internal or external sources – not covered by Section 4 above is to be deleted after 12 months.
  - Staff and volunteers will strive to keep all but an insignificant minority of their email related to business issues.
  - WVFB will archive e-mail for 90 days after it has been deleted, after which time the e-mail will be permanently deleted.
  - Staff will take care not to send confidential/proprietary information held by WVFB to outside sources
  
2. **Electronic Documents:** including Office 365 and PDF files, retention also depends on the subject matter, as covered by Section 4 above, otherwise they may be deleted after 2 years.

WVFB does not automatically delete electronic files beyond the dates specified in this Policy. It is the responsibility of all staff and volunteers to adhere to the guidelines specified in this policy. In certain cases, a document will be maintained in both paper and electronic form. In such cases the official document will be the electronic document.

## 7. Insurance Records

Record Type	Retention Period
Certificates Issued to WVFB	Permanent
Claims Files (including correspondence, medical records, etc.)	Permanent
Insurance Policies (including expired policies)	Permanent

## 8. Legal Files and Papers

Record Type	Retention Period
Legal Memoranda and Opinions (including all subject matter files):	7 years after close of matter
Litigation Files	1 year after expiration of appeals or time for filing appeals
Court Orders	Permanent

## 9. Miscellaneous

Record Type	Retention Period
Food Donor Groups	If a Food Donor Organisation tells us they have stopped being a donor group, WEFB will delete the organisation's data from the on-line system's record Page 8

	of 8 of active donor groups. The data system will still record donation amounts and dates, but any contact details will not be kept.
Policy and Procedures Manuals	Permanent
Annual Reports	Permanent
Risk Assessments	3 years
Warehouse Records	7 years

## 10. Tax Records

**General Principle:** WVFB must keep books of account or records as are sufficient to establish amount of gross income, deductions, credits, or other matters required to be shown in any such return. These documents and records shall be kept for as long as the contents thereof may become material in the administration of state, and local income, franchise, and property tax laws.

Record Type	Retention Period
Tax-Exemption Documents and Related Correspondence	Permanent
Tax Bills, Receipts, Statements	7 years
Tax Returns	Permanent
Sales/Use Tax Records	7 years
Annual Information Returns	Permanent