



Hillhead Housing Association

Data Retention Policy & Retention Schedules

Last approved by Management Committee: 7 June 2023

Date for Review: June 2026

Data Retention Policy & Schedule

Introduction

The UK General Data Protection Regulation (UK GDPR) provides that organisations which process personal data must not retain that data for any longer than is *necessary* for the purposes for which the personal data are processed.

Purpose

This policy details the approach of Hillhead Housing Association to the retention, deletion and destruction of personal data. All members of staff are obliged to familiarise themselves with this policy and refer to it on an ongoing basis to ensure that its terms are implemented and complied with.

Storage of Personal Data

Hillhead Housing Association stores personal data in a variety of ways. This includes hard copy documents, emails, digital documents stored on desktop computers, laptops, phones and other devices, data stored on our servers and in our cloud-based storage, along with data stored by third parties on our behalf.

When updating, rectifying, erasing and deleting any personal data, due care must be taken to ensure that all personal data held in all locations (including back-up storage) and in all forms is dealt with securely and to ensure that a consistent and accurate record of personal data is maintained.

Retention of Personal Data

Different types of personal data may need to be retained for different periods of time depending on the purposes for which the data is processed and the legal and regulatory retention requirements in relation to certain categories of data.

In determining the appropriate retention period consideration should be given to the following factors:

- a) the purposes for which the personal data is processed;
- b) the legal basis for processing that personal data;
- c) legal requirements for retention (particularly employment and health and safety law);
- d) best practice and
- e) regulatory requirements.

An appropriate retention period should be identified for each category of personal data. Data subjects must be informed of the retention period which applies to their personal data or, if there is no fixed retention period, the criteria used to determine that period; and where the purposes for which the data is processed have changed, any new retention period.

All personal data processed by Hillhead Housing Association shall be retained in accordance with the periods set out in the retention schedule below.

Personal data will be retained in accordance with the appropriate retention period and permanently deleted and/or securely destroyed in accordance with this policy. No personal data shall be destroyed or deleted other than in accordance with this policy.

Review and Deletion of Personal Data

A review of the personal data processed by Hillhead Housing Association will be carried out every 2 years. During the course of this review we will:

- a) Review the retention periods for each category of personal data processed and whether any alteration to these periods is required
- b) Identify personal data which is due for destruction and deletion
- c) Arrange for the secure deletion and destruction of personal data which will no longer be retained

Data Subject Rights

Under the UK GDPR data subjects are entitled, in ***certain circumstances*** to require the erasure of their personal data. Any request from a data subject must be passed to the relevant team as soon as possible.

A data subject may insist on erasure of their personal data where:

- a) it is no longer necessary for the purposes for which it was processed;
- b) where consent has been withdrawn by the data subject;
- c) where there is no legal basis for the processing of the data; or
- d) where there is a legal obligation to delete the data.

The data subject's rights to erasure are not absolute and do not apply to personal data where processing is necessary for:

- a) exercising the rights of freedom of expression;
- b) to comply with a legal obligation in the public interest or in the exercise of an official authority;
- c) for public health reasons;
- d) for archiving purposes; and
- e) for the establishment, exercise or defence of legal claims.

Where personal data is erased following receipt of a request by a data subject Hillhead Housing Association will confirm in writing to the data subject that their personal data has been destroyed. Such a response shall be issued to the data subject unless it is impossible or requires disproportionate effort to do so.

Where any request for erasure is refused, Hillhead Housing Association will advise the data subject in writing that their request has been refused and detail the reasons for refusal.

Schedule

The Schedule has been drafted in accordance with the departments identified in the Record of Processing Activities, namely:

- Corporate Services
- Finance
- Housing management

- Property Services
- Governance

Monitoring and Review

This policy shall be regularly monitored and reviewed, at least every three years or in the event of any significant changes.

Corporate Services

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
1. Human Resources (including board, employees and volunteers) - Personnel Records							
1.1	Personnel Records	Records relating to retirement benefits	After a year of retirement	N/A	6 years	RBS(IP)R recommended	Best practice
1.2	Personnel Records	Terms and conditions of service, both general terms and conditions applicable to all staff, and specific terms and conditions applying to individuals	Leaving date	N/A	6 years	Prescription & Limitation (Scotland) Act 1973 Limitation for legal proceedings	Legal compliance
1.3	Personnel Records	Benefits and Deductions (Service contracts for directors (companies))	Date of cessation of directorship	3 years	6 years	ICSA	Best practice
1.4	Personnel Records	Remuneration package	Leaving date	N/A	6 years	Prescription & Limitation (Scotland) Act 1973 Limitation for legal proceedings	Legal compliance
1.5	Personnel Records	Former employees' Human Resources files	Leaving date	N/A	6 years	CIPD recommended	Best practice
1.6	Personnel Records	References to be provided for former employees	Leaving date	N/A	6 years	CIPD recommended	Best practice
1.7	Personnel Records	Training Programmes	Leaving date	N/A	6 years	CIPD recommended	Best practice
1.8	Personnel Records	Individual training records	Leaving date	N/A	6 years	CIPD recommended	Best practice
1.9	Personnel Records	Short lists, interview notes and related application forms	Last Action	N/A	1 year	CIPD recommended	Best practice
1.10	Personnel Records	Application forms of non-short listed candidates	After notification	1 year	6 months	Prescription & Limitation (Scotland) Act 1973 SDA & RRA recommend 3 months Commission for Racial Equality and Equal Opportunities recommends 6 months.	Legal compliance
1.11	Personnel Records	DBS certificate number	Date of clearance	Date of clearance + up to a maximum of 6 months	3 years	DBS check code of practice (Home office)	Legal compliance Hillhead Housing Association hold only the certificate number but the system reminds HR to check again in 3 years.
1.12	Personnel Records	Timecards/ sheets	After audit	N/A	2 years	CIPD recommended	Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
1.13	Personnel Records	Trust deeds, rules and minutes (for joint employee/employer sports/social clubs, etc. set up under trust)		N/A	Permanently	CIPD recommended	Best practice
1.14	Personnel Records	Employer/Employee committee minutes (Staff Forum)		N/A	Permanently	CIPD recommended	Best practice
1.15	Personnel Records	Parental leave records	Birth of child	N/A	18 years from birth of child	CIPD recommended	Best practice
2. Human Resources (including board, employees and volunteers) - Health & Safety							
2.1	Health & Safety	Medical records relating to control of asbestos		40 years	40 years	The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632	Legal compliance
2.2	Health & Safety	Health and safety assessments; records of consultations with safety reps		Permanently	Permanently	Health and Safety at Work Act 1979	Legal compliance
2.3	Health & Safety	Health and safety policy statements		Permanently	Permanently	Health and Safety at Work Act 1979	Legal compliance
2.4	Health & Safety	Accident records, reports, accident books	Date of occurrence	3 years	6 years after date of occurrence/entry	RIDDOR Limitation for legal proceedings RIDDOR 1995 and Prescription & Limitation (Scotland) Act 1973 Special rules apply concerning incidents involving hazardous substances.	Legal compliance
2.5	Health & Safety	Sickness records	Date of occurrence	3 years	6 years from date of sickness	The Statutory Sick Pay (General) Regulations 1982 (SI 1982/894) as amended Professional Standards Agency	Legal compliance
2.6	Health & Safety	Health and safety statutory notices	Once compliant	6 years after compliance	6 years after compliance	Prescription & Limitation (Scotland) Act 1973 Limitation for legal proceedings	Legal compliance
3. Data Governance							
3.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice

Finance

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
4. Human Resources (including board, employees and volunteers) - Tax and Security							
4.1	Tax and Social Security	Record of taxable payments; record of tax deducted or refunded; record of earnings on which standard NI Contributions payable; record of employer's and employee NI contributions	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	HM Revenue and Customs requires retention of each payment for 3 years. Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	Legal compliance
4.2	Tax and Social Security	NIC contracted out arrangements; Inland Revenue notice of code changes, pay and tax details.	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996. Taxes Management Act 1970	Legal compliance
4.3	Tax and Social Security	Copies of notices to employees (e.g. P45, P60);	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years plus current year	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996. Taxes Management Act 1970	Legal compliance
4.4	Tax and Social Security	HMRC notice of code changes, pay & tax details		6 years	6 years	Taxes Management Act 1970	Legal compliance
4.5	Tax and Social Security	Expense Claims	After audit	3 years from the end of the tax year they relate to	6 years	HMRC	Best practice
4.6	Tax and Social Security	Record of sickness payments	On payment	6 years	6 years	Taxes Management Act 1970 Inland Revenue require retention of each payment for 3 years. SSPR recommends 3 years following year to which they relate	Legal compliance
4.7	Tax and Social Security	Record of maternity payments, statutory paternity pay, statutory shared parental pay and statutory adoption pay	On payment	6 years	6 years	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended. The Statutory Paternity Pay and Statutory Adoption Pay (admin) Regulations 2002 (SI 2002/2820) and Statutory Shared Parental Pay (Admin) regulations 2014 (SI 2014/2929)	Legal compliance
4.8	Tax and Social Security	Income Tax and NI returns	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	6 years	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	Legal compliance

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
4.9	Tax and Social Security	Redundancy details and record of payments & refunds	Date of redundancy	N/A	6 years	IPD recommended	Best practice
4.10	Tax and Social Security	Revenue and Customs approvals		N/A	Permanently	CIPD recommended	Best practice
4.11	Tax and Social Security	Annual earnings summary	End of Financial Year	N/A	12 years		Best practice
4.12	Tax and Social Security	Payroll/ salary records, overtime, bonuses expenses etc.	End of Financial Year	Not less than 3 years after the end of the financial year to which they relate	3 years	Income Tax (PAYE) Regulations 2003 (SI 2003/2682 Reg 97). The Income Tax (employments) Regulations 1993 (SI 1993/744) and amended 1996	Legal compliance
4.13	Tax and Social Security	Actuarial valuation reports		N/A	Permanently	CIPD recommended	Best practice
4.14	Tax and Social Security	Detailed returns of pension fund contributions; annual reconciliations of fund contributions		N/A	Permanently		Best practice
4.15	Tax and Social Security	Money purchase details	After transfer or value taken	N/A	6 years	CIPD recommended	Best practice
4.16	Tax and Social Security	Qualifying service details	After transfer or value taken	N/A	6 years	CIPD recommended	Best practice
4.17	Tax and Social Security	Investment policies	From end of benefits payable under policy	N/A	12 years	CIPD recommended	Best practice
4.18	Tax and Social Security	Trade Union agreements	Date of cessation	N/A	10 years after ceasing to be effective	CIPD recommended	Best practice
4.19	Tax and Social Security	Inland Revenue approvals		N/A	Life of company	CIPD recommended	Best practice
4.20	Tax and Social Security	Annual earnings summary	End of tax year	N/A	3 years from the end of the tax year they relate to	HMRC	Best practice
5. Human Resources (including board, employees and volunteers) - Pension Schemes							
5.1	Pension Schemes	Actuarial valuation reports		N/A	Permanently	CIPD recommended	Best practice
5.2	Pension Schemes	Detailed returns of pension fund contributions		N/A	6 years	Pensions Regulator	Best practice
5.3	Pension Schemes	Annual reconciliations of fund contributions		N/A	6 years	Pensions Regulator	Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
5.4	Pension Schemes	Money purchase details	After transfer	N/A	6 years after transfer or value taken	CIPD recommended	Best practice
5.5	Pension Schemes	Qualifying service details	After transfer	N/A	6 years after transfer or value taken	CIPD recommended	Best practice
5.6	Pension Schemes	Investment policies	End of benefits payable under policy	N/A	12 years	CIPD recommended	Best practice
5.7	Pension Schemes	Pensioner records	After benefits cease	N/A	12 years after benefits cease	CIPD recommended	Best practice
5.8	Pension Schemes	Records relating to retirement benefits	After transfer or value taken	N/A	6 years	RBS(IP)R recommended	Best practice
6. Data Governance							
6.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
7. Finance							
7.1	Finance	Accounting records for Limited Company		6 years	6 years	Companies Act Section 388 recommends 3 years. Taxes Management Act 1970 (TMA) Sec20 (Taxes Management Act 1970) may require any documents relating to tax over 6 (plus) years	Legal compliance
7.2	Finance	Accounting records for Communities & Benefit Society' Society or Charity		N/A	6 years		Best practice
7.3	Finance - Cheques and associated records	Cash books/sheets	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.4	Finance - Cheques and associated records	Petty cash records/books/sheets Postage/courier account/cash records Register of postage expenditure Postage paid record Postage books sheets	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.5	Finance - Cheques and associated records	Creditors' history records	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.6	Finance - Cheques and associated records	Statements of accounts outstanding orders	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
7.7	Finance - Cheques and associated records	Vouchers – claims for payment, purchase orders, requisition for goods and services, accounts payable, invoices and so on	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.8	Finance - Cheques and associated records	Wages/salaries vouchers	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.9	Finance - Cheques and associated records	General and subsidiary ledgers produced for the purposes of preparing certified financial statements or published information	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.10	Finance - Expenditure records	Cash books/sheets	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.11	Finance - Expenditure records	Other ledgers (such as contracts, costs, purchases)	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.12	Finance - Expenditure records	Journals – prime records for the raising of charges	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.13	Finance - Expenditure records	Journals – routine adjustments	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.14	Finance - Expenditure records	Trial balances - Year-end balances, reconciliations and variations to support ledger balances and published accounts	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.15	Finance - Receipts and revenue records	Receipt books/butts Office copies of receipts – cashiers', cash register, fines and costs, sale of publications, general receipt books/butts/ records	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.16	Finance - Receipts and revenue records	Postal remittance books/records	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.17	Finance - Receipts and revenue records	Receipt books/records for imposts (such as stamp duty, VAT receipt books)	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.18	Finance - Receipts and revenue records	Cash registers - Copies of forms, Reconciliation sheets	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.19	Finance - Receipts and revenue records	Audit rolls, Summaries/analysis records	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
7.20	Finance - Receipts and revenue records	Debtors' records and invoices - debit notes rendered on debtors (such as invoices paid/unpaid, registers of invoices, debtors ledgers)	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.21	Finance - Receipts and revenue records	Debits and refunds - Records relating to unrecoverable revenue, debts and overpayments (such as register of debts written off, register of refunds)	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.22	Finance-Salaries and related records	Employee pay histories Note that the last three years' records must be kept for leavers, in either the personnel or finance records system, for the calculation of pension entitlement	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.23	Finance-Salaries and related records	Salary ledger card/records	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.24	Finance-Salaries and related records	Copies of salaries/wages payroll sheets	End of Financial Year	2 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.25	Finance-Purchase order records	Purchase order books/records	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.26	Finance-Purchase order records	Railway/courier consignment books/ records/Travel warrants	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.27	Finance-Purchase order records	Goods inwards books/records	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.28	Finance-Purchase order records	Delivery dockets, Stock/stores control cards/sheets/records	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.29	Finance - Financial Statements	Statements/summaries prepared for inclusion in quarterly/annual reports	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.30	Finance - Financial Statements	Periodic financial statements prepared for management on a regular basis	End of Financial Year	1 year	1 year	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.31	Finance - Asset register financial records	Assets/equipment registers/records	End of Financial Year	6 years after asset or last one in the register is disposed of	6 years after asset or last one in the register is disposed of	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
7.32	Finance - Asset register financial records	Depreciation registers - Records relating to the calculation of annual depreciation	End of Financial Year	6 years after asset or last one in the register is disposed of	6 years after asset or last one in the register is disposed of	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice

8. Other Banking Records

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
8.1	Other Banking Records	Cancelled / Dishonoured Cheque	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.2	Other Banking Records	Paid/presented cheques	End of Financial Year	6 years	7 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.3	Other Banking Records	Record of cheques drawn for payment	End of Financial Year	6 years	7 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.4	Other Banking Records	Bank deposit books/slips/butts	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.5	Other Banking Records	Bank deposit summary sheets - Summaries of daily banking	End of Financial Year	2 years	2 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.6	Other Banking Records	Bank reconciliations files/sheets	End of Financial Year	2 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.7	Other Banking Records	Bank statements, periodic reconciliations	End of Financial Year	2 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
8.8	Other Banking Records	Electronic banking and electronic funds transfer	End of Financial Year	6 years	6 years	HM treasury guidelines, National Audit Office advice	Legal compliance and best practice
9. Regulations and Statutory Returns							
9.1	Regulations and Statutory Returns	Audited financial statements and stats to regulator	Submission	Minimum of 3 years	6 years	Companies Act 2006 section 388 and Professional Standards Authority and National Archives recommendations for best practice	Legal compliance and best practice
10. Charitable Donations							
10.1	Charitable Donations	Deeds of covenant		N/A	12 years after last payment	TMA recommends 12 years after last payment. Limitation for legal proceedings if related to land.	Best practice
10.2	Charitable Donations	Index of donations granted		N/A	6 years	N/A	Best practice
10.3	Charitable Donations	Account documentation		3 Years	6 years	Companies Act recommends 3 years. Best practice	Best practice
11. Capital Assets							
11.1	Capital Assets	Capital Assets including all land, property, housing stock, corporate buildings, play areas, vehicles, equipment, fixtures & fittings >£400	Asset sold, transferred or disposed of	N/A	6 years		Best practice
11.2	Capital Assets	Fixed Asset Register	NA	Permanently	Permanently	Charities Act	Legal compliance
12. Property Sales							

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
12.1	Home Ownership	New Sales applications	Offer accepted	6 years after offer accepted	6 years	Prescription & Limitation (Scotland) Act 1973, section 2	Best practice
12.2	Property Sales	Registrations of interest	Sale of property	N/A	2 years		Best practice
12.3	Property Sales	Offer Details	Offer accepted	current year plus 6 years	6 years	Estate Agency Act 1979	Legal compliance
12.4	Property Sales	Completion documentation	Completion of Sale	12 years	12 years	Housing Act 1985	Best practice
12.5	Property Sales	Post purchase questionnaire/ customer feedback	Date of creation	N/A	3 years	National Archives guidance	Best practice
12.6	Property Sales	Help to Buy applications	Offer accepted	6 years after offer accepted	6 years	Prescription & Limitation (Scotland) Act 1973, section 2	Best practice
12.7	Property Sales	Resales (Shared Ownership)	Offer accepted	6 years after offer accepted	6 years	Prescription & Limitation (Scotland) Act 1973, section 2	Best practice
12.8	Property Sales	Staircasing process documents	Completion of Sale	12 years	12 years	Housing Act 1985	Best practice
12.9	Property Sales	Right to Buy/ Acquire files	Completion of Sale	12 years	12 years	Housing Act 1985	Best practice

Housing Management

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
13. Data Governance							
13.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
14. Data Governance							
14.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
15. Applications and Tenancy Records							
15.1	Application and Tenancy Records	Applications for accommodation	Offer accepted	N/A	6 years after offer accepted	Prescription & Limitation (Scotland) Act 1973, section 2	Best practice
15.2	Application and Tenancy Records	Continuous Recording of lettings and sales (CORE) data record form		N/A	As long as it is deemed necessary to support social housing policy.	CORE Data Sharing Agreement 12.1	Best practice
15.3	Application and Tenancy Records	Housing Benefit notifications		N/A	6 months		Best practice
15.4	Application and Tenancy Records	Tenants' tenancy Files, including rent payment records, and details of any complaints and harassment cases		6 years	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
15.5	Application and Tenancy Records	Former tenants' Tenancy Agreements, and details of their leaving	End of tenancy	6 years	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
15.6	Application and Tenancy Records	Care plans/ case files for adults and related documents	End of support	8 years from end of care. (Adult Social Care)	8 years from end of care. (Adult Social Care)	Records Management Code of Practice for Health and Social Care 2016 Some documents may be transferred to subsequent caring agency.	Legal compliance
15.7	Application and Tenancy Records	Documentation, correspondence and information provided by other agencies relating to special needs of current tenants		While tenancy continues	While tenancy continues		Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
15.8	Application and Tenancy Records	Records relating to offenders, ex-offenders and persons subject to cautions		While tenancy continues	While tenancy continues	NACRO	Best practice
15.9	Application and Tenancy Records	Safeguarding Referral		10 years	10 years	Statutory requirement under the Safeguarding Vulnerable Groups Act 2006 and Care Act 2014	Legal compliance
15.10	Application and Tenancy Records	Safeguarding Records - Serious Case Review		Minimum of 364 days or when notified Home Office has closed DHR	Minimum of 364 days or when notified Home Office has closed DHR	Records relating to child protection should be kept for 7 years after your organisation's last contact with the child and their family – NSPCC guidance	Legal compliance
16. Tenancy Records							
16.1	Property Records	Rent registrations (superseded)	Superseded document	N/A	6 years	Rent Officer Handbook recommendation	Best practice
16.2	Property Records	Rent Registration (not superseded)		N/A	Life of company	Rent Officer Handbook recommendation	Best practice
16.3	Property Records	Fair rent documentation		N/A	6 years	Rent Officer Handbook recommendation	Best practice
16.4	Property Records	Leases and deeds of ownership		N/A	15 years after expiry.	NCVO	Best practice
16.5	Property Records	Copy of former leases	Settlement of all issues	12 years	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.6	Property Records	Wayleaves, licences and easements	Rights given or received cease	12 years	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.7	Property Records	Abstracts of title	Interest ceases	12 years after interest ceases	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.8	Property Records	Planning and building control permissions	Interest ceases	12 years after interest ceases	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.9	Property Records	Searches	Interest ceases	12 years after interest ceases	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
16.10	Property Records	Property maintenance records		6 years	6 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.11	Property Records	Reports and professional opinions		6 years	6 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.12	Property Records	Development documentation	Settlement of all issues	12 years	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
16.13	Property Records	Invoices		12 years	12 years	Limitation for legal action relating to land or contracts under seal. Prescription & Limitation (Scotland) Act 1973	Legal compliance
17. ASB case files and associated documents							
17.1	ASB case files and associated documents	ASB (Anti-social behaviour) case files and associated documents		N/A	2 years or to end of legal action for isolated incidents or for the duration of the tenancy in the event of a pattern of behaviour		Best practice
18. Contracts and Agreements							
18.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973	Legal compliance
18.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	6 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973 (12 years if related to land).	Legal compliance
18.3	Contracts and Agreements	Loan agreements	Last payment	N/A	12 years after last payment		Best practice
18.4	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
18.5	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
18.6	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
18.7	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years		Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
18.8	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification		Best practice
18.9	Contracts and Agreements	Forms of tender		N/A	6 years		Best practice
18.10	Contracts and Agreements	Documentation relating to purchases of medical devices and medical equipment		N/A	11 years		Best practice
19. Supporting people – subsidy claims / support plans / single assessments including supporting information (to be read in conjunction with housing services)							
19.1	Supporting People	Supporting people – subsidy claims / support plans / single assessments including supporting information		N/A	Duration of tenancy		Best practice
20. Resident Meetings							
20.1	Resident Meetings	Resident Meeting Minutes	From date of meeting	N/A	1 year	ICSA recommended	Best practice

Property Services

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
21. Technical and Research Records							
21.1	Technical and Research	Technical and research records	After requirements have ended	N/A	12-15 years after requirements have ended for both records and reports and drawings and other data.	NCVO	Best practice
22. Data Governance							
22.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
23. Insurance							
23.1	Insurance	Current/former policies: <ul style="list-style-type: none"> - crime cover - engineering inspection - motor insurance - property damage - loss of commercial rent - housing contents - office contents - works in progress cover - business interruption cover - all risks cover - engineering insurance - personal accident for staff - professional indemnity - crime/fidelity cover 	End of policy term	Life of company	Life of company	Limitation can commence from knowledge of potential claim and not necessarily the cause of the claim. N.B. Housing Association Boards must annually reaffirm formally their continuation of the Voluntary Board Members Liability Policy (automatically provided via NHF membership). NCVO (National Council for Voluntary Organisations) recommends 3 years after lapse.	Legal compliance and best practice
23.2	Insurance	Certificate of Employers' Liability Insurance	End of policy term	N/A	40 years	2008 regulations removed requirement to retain for 40 years but need to be mindful of 'long tail' industrial disease claims, etc.	Best practice
23.3	Insurance	Annual Insurance schedule	End of year	N/A	Life of company	As current and former policies are kept permanently (above), schedules should be too. Best practice	Best practice
23.4	Insurance	Claims and related correspondence	End of settlement	N/A	2 years	Zurich Municipal recommendation. NCVO recommends 3 years after settlement	Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
23.5	Insurance	Indemnities and guarantees	End of policy term	N/A	6 years after expiry	Prescription & Limitation (Scotland) Act 1973, Limitation for legal proceedings. 12 years if related to land.	Legal compliance
23.6	Insurance	Group health policies	End of benefits	N/A	12 years after cessation of benefit		Best practice

Governance

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
24. Governance							
24.1	Governance	Organisation wide Corporate Plans, Policies, Business Continuity, Risk Management and Strategies	Superseded document	N/A	1 year after superseded (longer if required for historical reasons)		Best practice
24.2	Governance	Governance documentation		N/A	Life of company		Required for charitable status.
24.3	Governance	Constitution, Aims and Objectives		Life of company	Life of company		Required for charitable status.
24.4	Governance	Record of HMRC confirmation of charitable status	End of financial year	Minimum 1 year to end of financial year - required for Annual Return as a minimum	Life of company	ICSA	Annual return and best practice.
24.5	Governance	Record of charitable registration		Life of company	Life of company	ICSA	Best practice.
24.6	Governance	Certificate of Incorporation		Life of company	Life of company	Companies Act 2006 section 15	Legal compliance
24.7	Governance	Memorandum of Association		Life of company	Life of company	Companies Act 2006 section 32	Legal compliance
24.8	Governance	Articles of Association/ Model Rules		Life of company	Life of company	Companies Act 2006 section 32	Legal compliance
24.9	Governance	Certificate of registration with housing regulator		Life of company	Life of company	ICSA	Best practice
24.10	Governance	Record of registration and certificate of incorporation for change of name		Life of company	Life of company	Companies Act 2006 section 80	Legal compliance
24.11	Governance	Registration documentation (Co-operative and Community Benefit Societies)		Life of company	Life of company	Co-operative and Community Benefit Societies Act 2014 section 3	Legal compliance
24.12	Governance	Internal Audit correspondence, terms of reference, meeting minutes, related papers and reports	After audit	N/A	5 years		Best practice
24.13	Governance	Board member documents – apt letters, SLAs, bank details etc.	Membership ceases	6 years after board membership ceases though some details should be destroyed when membership ceases e.g. bank details etc.	6 years	GDPR Article 5(1) (e) requires that personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary CA 2006 recommendation for docs post termination of directorship	Legal compliance
25. Data Governance							

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
25.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
25.2	Data Governance	Call Recordings	Date of recording	Minimum time necessary	3 months	FCA Handbook, conduct of business 11.8	Best practice
25.2	Data Governance	CCTV	Date of recording	Minimum time necessary	30 days	DPA	Best practice
25.3	Data Governance	Data Subject Rights Requests	Data sent	6 months	1 year	ICO	Best practice
25.4	Data Governance	Films / Videos	Date of recording	Minimum time necessary	3 years		Best practice
25.5	Data Governance	Data Breach Records	Date of recording	N/A	6 years		Best practice
25.6	Data Governance	Fraud Records	Date of recording	6 years	Not less than 6 years	FCA Handbook. Fraud Register – hardback book kept in safe	Best practice
26. Meetings							
26.1	Meetings	Notice of meetings		N/A	6 years		In case of challenge to validity of meeting or resolutions
26.2	Meetings	Executive meeting agendas, papers, minutes and resolutions		N/A	10 years		Best practice
26.3	Meetings	Board and Committee meeting minutes and resolutions	Date of meeting	10 years from the date of the meeting of extant company or life of company	10 years from the date of the meeting of extant company or life of company	Companies Act 2006 section 248 and 249	Legal compliance
26.4	Meetings	Board and Committee meeting agendas and papers	Date of meeting	10 years from the date of the meeting of extant company or life of company	10 years from the date of the meeting of extant company or life of company	Companies Act 2006 section 248 and 250	Best practice (if required to support minutes and resolutions)
26.5	Meetings	Shareholder meeting minutes and resolutions	Date of meeting	Life of company	Life of company	Companies Act 2006 section 356	Legal compliance
26.6	Meetings	Shareholder meeting agendas and papers	Date of meeting	N/A	Life of company		Best practice (if required to support minutes and resolutions)
26.7	Meetings	Minutes and resolutions of trustees (charities)	Date of meeting	Life of company	Life of company	Charity Commission requirement CC48	Legal compliance
27. Regulations and Statutory Returns							
27.1	Regulations and Statutory Returns	Audited financial statements and stats to regulator	Submission	Minimum of 3 years	6 years	Companies Act 2006 section 388 and Professional Standards Authority and National Archives recommendations for best practice	Legal compliance and best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
27.2	Regulations and Statutory Returns	Sealing register		Life of company	Life of company	Companies Act 1985	Legal compliance
27.3	Regulations and Statutory Returns	Annual Statutory Returns to the Regulator	Submission	Minimum of 1 year from submission	Life of company	Co-operative and Community Benefit Societies Act 2014 section 90	Legal compliance and best practice
27.4	Regulations and Statutory Returns	Register of directors and secretaries		Life of company	Life of company	Companies Act 2006 section 162	Legal compliance
27.5	Regulations and Statutory Returns	Register of shareholding members		Life of company	Life of company	Companies Act 2006 section 113	Legal compliance
27.6	Regulations and Statutory Returns	Register of share certificates		Life of company	Life of company	Companies Act 1984 s.325	Legal compliance
27.7	Regulations and Statutory Returns	Declarations of interest		Life of company	Life of company	Company Act 2006 section 177 (implied)	Legal compliance
27.8	Regulations and Statutory Returns	List of members (Communities & Benefit Society')		Life of company	Life of company	Registrar of Friendly Societies	Required by Registrar of Friendly Societies
28. Contracts and Agreements							
28.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973	Legal compliance
28.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	6 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973 (12 years if related to land).	Legal compliance
28.3	Contracts and Agreements	Loan agreements	Last payment	N/A	12 years after last payment		Best practice
28.4	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
28.5	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
28.6	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
28.7	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years		Best practice
28.8	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification		Best practice
28.9	Contracts and Agreements	Forms of tender		N/A	6 years		Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
28.10	Contracts and Agreements	Documentation relating to purchases of medical devices and medical equipment		N/A	11 years		Best practice
29. Strategic Management							
29.1	Strategic	Business Plans and supporting documentation	End of Business Plan Period	N/A	5 years		Best practice
30. Data Governance							
30.1	Data Governance	Emails	No longer active	receipt of email	Retain in accordance with subject matter of the email	Ofcom National archive guidance ranges from 90 days to four years.	Best practice
31. Contracts and Agreements							
31.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973.	Legal compliance
31.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	6 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973 (12 years if related to land).	Legal compliance
31.3	Contracts and Agreements	Loan agreements	Last payment	N/A	12 years after last payment		Best practice
31.4	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
31.5	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
31.6	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
31.7	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years		Best practice
31.8	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification		Best practice
31.9	Contracts and Agreements	Forms of tender		N/A	6 years		Best practice
31.10	Contracts and Agreements	Documentation relating to purchases of medical devices and medical equipment		N/A	11 years		Best practice
32. Contracts and Agreements							

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
32.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973	Legal compliance
32.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	6 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973 (12 years if related to land).	Legal compliance
32.3	Contracts and Agreements	Loan agreements	Last payment	N/A	12 years after last payment		Best practice
32.4	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973.	Legal compliance
32.5	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
32.6	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
32.7	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years		Best practice
32.8	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification		Best practice
32.9	Contracts and Agreements	Forms of tender		N/A	6 years		Best practice
32.10	Contracts and Agreements	Documentation relating to purchases of medical devices and medical equipment		N/A	11 years		Best practice

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
33. Contracts and Agreements							
33.1	Contracts and Agreements	Contracts under seal and/or executed as deeds	Completion	12 years after completion (including any defects liability period)	12 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973	Legal compliance
33.2	Contracts and Agreements	Contracts for the supply of goods or services, including professional services	Completion	6 years after completion (including any defects liability period)	6 years after completion (including any defects liability period)	Prescription & Limitation (Scotland) Act 1973 (12 years if related to land).	Legal compliance

No.	Function	Record type	Retention trigger	Minimum statutory retention period	Recommended retention period	Retention source	Reason for retention
33.3	Contracts and Agreements	Loan agreements	Last payment	N/A	12 years after last payment		Best practice
33.4	Contracts and Agreements	Licensing agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
33.5	Contracts and Agreements	Rental and hire purchase agreements	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
33.6	Contracts and Agreements	Indemnities and guarantees	Expiry of agreement	6 years after expiry	6 years	Prescription & Limitation (Scotland) Act 1973	Legal compliance
33.7	Contracts and Agreements	Documents relating to successful tender	End of contract	N/A	6 years		Best practice
33.8	Contracts and Agreements	Documents relating to unsuccessful tenders	After notification	N/A	2 years after notification		Best practice
33.9	Contracts and Agreements	Forms of tender		N/A	6 years		Best practice
33.10	Contracts and Agreements	Documentation relating to purchases of medical devices and medical equipment		N/A	11 years		Best practice

STATUTORY RETENTION PERIODS

The following represents an ever-changing list of retention periods. The list is not exhaustive. The list may need to be modified to suit your particular organisation. The main UK legislation regulating statutory retention periods is summarised below. If employers are in doubt, it's a good idea to keep records for at least 6 years (5 in Scotland), to cover the time limit for bringing any civil legal action.

Accident books, accident records/reports

Statutory retention period: 3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos).

Statutory authority: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).

Accounting records

Statutory retention period: 3 years for private companies, 6 years for public limited companies.

Statutory authority: Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006.

Income tax and NI returns, income tax records and correspondence with HMRC

Statutory retention period: not less than 3 years after the end of the financial year to which they relate.

Statutory authority: The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631).

Medical records and details of biological tests under the Control of Lead at Work Regulations

Statutory retention period: 40 years from the date of the last entry.

Statutory authority: The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676).

Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)

Statutory retention period: 40 years from the date of the last entry.

Statutory authority: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).

Medical records under the Control of Asbestos at Work Regulations:

medical records containing details of employees exposed to asbestos and medical examination certificates

Statutory retention period: (medical records) 40 years from the date of the last entry; (medical examination certificates) 4 years from the date of issue.

Statutory authority: The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632)

Medical records under the Ionising Radiations Regulations 1999

Statutory retention period: until the person reaches 75 years of age, but in any event for at least 50 years.

Statutory authority: The Ionising Radiations Regulations 1999 (SI 1999/3232).

Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)

Statutory retention period: 5 years from the date on which the tests were carried out.

Statutory authority: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677).

Records relating to children and young adults

Statutory retention period: until the child/young adult reaches the age of 21.

Statutory authority: Limitation Act 1980.

Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity

Statutory retention period: 6 years from the end of the scheme year in which the event took place.

Statutory authority: The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)

Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence

Statutory retention period: 3 years after the end of the tax year in which the maternity period ends.

Statutory authority: The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended.

Wage/salary records (also overtime, bonuses, expenses)

Statutory retention period: 6 years.

Statutory authority: Taxes Management Act 1970.

National minimum wage records

Statutory retention period: 3 years after the end of the pay reference period following the one that the records cover.

Statutory authority: National Minimum Wage Act 1998.

Records relating to working time

Statutory retention period: 2 years from date on which they were made.

Statutory authority: The Working Time Regulations 1998 (SI 1998/1833).

Recommended (non-statutory) Retention Periods

For many types of HR records, there is no definitive retention period: it is up to the employer to decide how long to keep them. Different organisations make widely differing decisions about the retention periods to adopt. Employers must consider what a necessary retention period is for them, depending on the type of record.

The advice in this factsheet is based on the time limits for potential UK tribunal or civil claims. The period is often a question of judgement rather than there being any definitive right answer. For example, some records managers in public sector organisations recommend keeping an employee's records until they reach the age of 100, especially for pension purposes

The Limitation Act 1980 contains a 6-year time limit applicable in England and Wales for starting many legal proceedings. So, where documents may be relevant to a contractual/negligence claim, it's recommended that these are kept for at least a corresponding 6-year period. In Scotland, the time limit is provided by the Prescription and Limitation (Scotland) Act 1973 which provides for a 5 year time limit for contract/delict legal proceedings.

Application forms and interview notes (for unsuccessful candidates)

Recommended retention period: 6 months to a year. (Because of the time limits in the various discrimination Acts, minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicants documents will be transferred to the personnel file in any event.

Assessments under health and safety regulations and records of consultations with safety representatives and committees

Recommended retention period: permanently.

Inland Revenue/HMRC approvals

Recommended retention period: permanently.

Money purchase details

Recommended retention period: 6 years after transfer or value taken.

Parental leave

Recommended retention period: 5 years from birth/adoption of the child or 18 years if the child receives a disability allowance.

Pension scheme investment policies

Recommended retention period: 12 years from the ending of any benefit payable under the policy.

Pensioners' records

Recommended retention period: 12 years after benefit ceases.

Personnel files and training records (including disciplinary records and working time records)

Recommended retention period: 6 years after employment ceases.

Redundancy details, calculations of payments, refunds, notification to the Secretary of State

Recommended retention period: 6 years from the date of redundancy

Senior executives' records (that is, those on a senior management team or their equivalents)

Recommended retention period: permanently for historical purposes.

Statutory Sick Pay records, calculations, certificates, self-certificates

Recommended retention period: The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. Although there is no longer a specific statutory retention period, employers still have to keep sickness records to best suit their business needs. It is advisable to keep records for at least 3 months after the end of the period of sick leave in case of a disability discrimination claim. However, if there were to be a contractual claim for breach of an employment contract it may be safer to keep records for 6 years after the employment ceases.

Timecards

Recommended retention period: 2 years after audit.

Trade union agreements

Recommended retention period: 10 years after ceasing to be effective.

Trust deeds and rules

Recommended retention period: permanently.

Trustees' minute books

Recommended retention period: permanently.

Works council minutes

Recommended retention period: permanently.