# Record retention & disposal policy

## Introduction

In the course of carrying out its various functions, Power2 creates and holds a wide range of recorded information. Records need to be properly retained to enable Power2 to meet its business needs, legal requirements, to evidence events or agreements in the event of allegations or disputes and to ensure that any records of historic value are preserved.

The untimely destruction of records could affect:

- the conduct of Power2's business
- the ability of Power2 to defend or instigate legal actions
- Power2's ability to comply with statutory obligations
- Power2's reputation

Conversely, the permanent retention of records is undesirable and disposal is necessary to free up storage space, reduce administrative burden and to ensure that Power2 does not unlawfully retain records for longer than necessary (particularly those containing personal data).

This policy supports Power2 in demonstrating public accountability through the proper retention of records and by demonstrating that disposal decisions are taken with proper authority and in accordance with due process.

## Aims and objectives

The aim of this policy is to set out the length of time that Power2's records should be retained and the processes for disposing of records at the end of the retention period.

## Scope

The policy covers the records listed in the schedules to the policy set out at Appendix A ('the schedules') irrespective of the media on which they are created or held including:

- paper
- electronic files (including database, Word documents, PowerPoint presentations, spreadsheets, scanned documents, webpages and e-mails)
- photographs, scanned images, CD-ROMs and video tapes

The schedule aims to include all types of records which Power2 creates or holds.

They include:

- minutes of meetings
- participants data
- contracts and invoices
- legal advice
- file notes
- financial accounts
- employee information

- Power2's publications

Should you become aware of any records missing from the schedule, please notify the Executive Manager so that they may be added at the next opportunity.

The policy applies equally to full time and part time employees on a substantive or fixed term contract and to associate persons who work for Power2 such as others employed under a contract of service.

Directors are responsible for ensuring that this policy is applied within their directorates. Executive Manager has lead responsibility for records management within Power2.

## Minimum retention period

Unless a record has been marked for 'permanent preservation' it should only be retained for a limited period of time. Records that are marked for 'permanent preservation' should only be held by Power2 for a total of 30 years before being transferred to an archives service.

A recommended minimum retention period is provided for each category of record in the schedules attached. The retention period applies to all records within that category, unless a specific contract states a different retention period. The recommended minimum retention period derives from either:

- business need as determined by the Senior Management Team
- legislation
- contracts

## Disposition

What is disposition?
Directors are responsible for ensuring that the schedules are periodically reviewed (at least annually) to determine whether any retention periods applying to records within their directorates have expired. Once the retention period has expired, the record must be reviewed and a 'disposition action' agreed upon.

A 'disposition action' is either:

a) the destruction of the record
b) the retention of the record for a further period within Power2
c) the transfer of the record to an archives service.

Each of these options is described further below.

Making and recording the disposition decision
A review of the record should take place as soon as possible after the expiry of the retention period or, if that is not feasible, the record should be retained and a later review date set. It need not be a detailed or time-consuming exercise but there must be a considered appraisal of the contents of the record. The review should be conducted by the relevant Director (or their delegate) in consultation with relevant stakeholders for example:

- Other senior managers.

- Executive Manager.
- Director of Finance.
- Relevant external bodies.
- Legal adviser.

The disposition decision must be reached having regard to:

- on-going business and accountability needs (including audit)
- current applicable legislation
- whether the record has any long-term historical or research value
- best practice in the applicable professional field (for example human resources)
- costs associated with continued storage versus costs of destruction
- the legal, political and reputational risks associated with keeping, destroying or losing control over the record

Decisions must not be made with the intent of denying access or destroying evidence.

## Destruction

IMPORTANT!
No destruction of a record should take place without assurance that:

- the record is no longer required by any part of the business
- no work is outstanding by any part of the business
- no litigation or investigation is current or pending which affects the record
- there are no current or pending FOIA or DPA access requests which affect the record

Destruction of Paper Records
Destruction should be carried out in a way that preserves the confidentiality of the record. Non-confidential records i.e. records that are clearly in the 'public domain' can be placed in ordinary rubbish bins or recycling bins. Confidential records should be shredded. All copies including security copies, preservation copies and backup copies should be destroyed at the same time in the same manner.

Destruction of electronic records
All electronic records will need to be either physically destroyed or wiped to the current government standard applying to the type of record concerned. Deletion of the files is not sufficient. For all record types. Destruction will be approved by the Director of Finance or Executive Manager.

## Further retention within Power2

The record may be retained for a further period if it has on-going business value or if there is specific legislation which requires it to be held for a further period.

## Transfer to an archives service

The record may be transferred to an archives service, or another appropriate place of deposit, if it is decided that the record has no further administrative value but should be permanently preserved for historical or research purposes.

## Review

This policy will be monitored and reviewed every three years by the Senior Management Team, or earlier if the legislation changes.

## Related policies

This policy should be read in conjunction with the following Power2 policies:

- Data protection policy.

The following external guidance documents support this policy:

- Limitation Act 1980.
- ICO guidance.

## Approval

This policy has been considered and approved by the Senior Management Team.

Julie Randles

Julie Randles
Chief Executive
13 March 2023

## APPENDIX A - RECORD RETENTION SCHEDULE

The Record Retention Schedule is organised as follows:

- A. Accounting and Finance
- B. Contracts
- C. Corporate Records
- D. Correspondence and Internal Memoranda
- E. Personal Information
- F. Grant Records
- G. Insurance Records
- H. Legal
- I. Miscellaneous
- J. Personnel Records
- K. Tax Records

## A. ACCOUNTING AND FINANCE

| Record Type | Retention Period |
| --- | --- |
| 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 |
| Annual plans and budgets | 7 years |
| Bank statements and cancelled checks | 7 years |
| Employee expense reports | 7 years |
| Interim financial statements | 7 years |
| Credit card records (documents showing customer credit card number) | 2 years |
| Bank details of suppliers | 1 year after expiration or |
| Bank details of ex-employees | Immediately after separation |

## B. CONTRACTS

| Record Type | Retention Period |
| --- | --- |
| Contracts and related correspondence (including any proposal that resulted in the contract and all other | 7 years after expiration or |

## C. CORPORATE RECORDS

| Record Type | Retention Period |
| --- | --- |
| Corporate records (minutes, signed minutes of the Board and all committees, record of incorporation, articles of incorporation, annual corporate reports) | Permanent |

## D. 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) if it contains a significant piece of information not contained within the contract. 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:

1. Those pertaining to routine matters and having no significant, lasting consequences should be discarded within two 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.

Please note that copies of interoffice correspondence and documents where a copy will be in the originating department file should be read and destroyed, unless that information provides reference to or direction to other documents and must be kept for project traceability.

2. Those pertaining to non-routine matters or having significant lasting consequences should generally be retained permanently.

Electronic mail: Not all email needs to be retained, depending on the subject matter.

- Staff will strive to keep all but an insignificant minority of their e-mail related to business issues.
- Staff will take care not to send confidential/proprietary Power2 information to outside sources.

- Any e-mail staff deems vital to the performance of their job should be copied to the staff’s shared drive folder, and printed and stored in the employee’s workspace.

## E. RETAINING PERSONAL INFORMATION

1. This section sets out the data retention policies and procedure of Power2, which are designed to help ensure compliance with legal obligations in relation to the retention and deletion of personal information
2. Personal information that is processed by Power2 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) Power2 will usually delete personal data falling within the categories set out below at the date/time set out below:

| Record Type | Retention Period |
|---|---|
| Electronic records containing information about participants (including name, date of birth, ethnicity, behavioural need, functioning need, pupil premium, | Indefinitely |
| Paper records containing information about participants (including name, date of birth, ethnicity, behavioural need, functioning need, pupil premium, attainment | 6 months following collection of |
| Information about visits to and use of this website (including an IP address, geographical location, browser type and version, operating system, referral source, | 2 years following account closure |
| Information provided for the purpose of subscribing to email notifications and/or newsletters (including a name and email address) | Indefinitely or until the client chooses to |
| Information provided when using the services on the website, or that is generated in the course of the use of those services (including the timing, frequency and | Indefinitely |
| Information posted to our website for publication on the | 2 years after post |
| Information contained in or relating to any communications sent through the website (including the | 2 years following contact |
| Any other personal information chosen to be sent | 2 years following |
| Video recordings of sessions with participants | 2 years following |
| Safeguarding paperwork | Indefinitely |

Notwithstanding the other provisions of this section, Power2 will retain documents (including electronic documents) containing personal data:
(a) to the extent that Power2 is required to do so by law;
(b) if Power2 believes that the documents may be relevant to any ongoing or prospective legal proceedings;

(c) and in order to establish, exercise or defend Power2's legal rights (including providing information to others for the purposes of fraud prevention and reducing credit risk).

Each day our IT provider will run a database backup copy of all electronic data contained on the Power2 servers. This backup will include all information relating to all current users, as well as any information that remains on the server due to any reason contained in this policy. This database backup is a safeguard to retrieve lost information within a one year retrieval period should users on the Power2 system experience any problems. All data backups are stored in a separate location for a time period of 14 days prior to the backup initially being stored.

## F. GRANT RECORDS

| Record Type | Retention Period |
|---|---|
| Original grant proposal | 7 years after completion of |
| Grant agreement and subsequent modifications, if applicable | 7 years after completion of |
| Final grantee reports, both financial and narrative | 7 years after completion of |
| All evidence of returned grant funds | 7 years after completion of |
| Documentation relating to grantee evidence of invoices and matching or challenge grants that would | 7 years after completion of |
| Pre-grant inquiry forms and other documentation for expenditure responsibility grants | 7 years after completion of |
| Grantee work product produced with the grant funds | 7 years after completion of |

## G. INSURANCE RECORDS

| Record Type | Retention Period |
|---|---|
| Certificates issued to Power2 | Permanent |
| Claims files (including correspondence, medical records, | Permanent |
| Insurance policies (including expired policies) | 7 years |

Dated: 13 March 2023
To be reviewed: April – September 2026

## H. 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 |
| Court orders | Permanent |
| Requests for departure from Records Retention Plan | 10 years |

## I. MISCELLANEOUS

| Record Type | Retention Period |
|---|---|
| Material of historical value (including pictures, publications) | Permanent |
| Policy and procedures manuals – Original | Current version with revision |
| Annual reports | Permanent |
| Complaints | 5 years after date |
| Programme assets (including photos, videos, case studies | 10 years |

## J. PERSONNEL RECORDS

| Record Type | Retention Period |
| --- | --- |
| Employee personnel records (including individual attendance records, payroll, application forms, job or status change records, furlough records, performance evaluations, termination papers, withholding information, | 6 years after separation |
| Employment contracts – Individual | 7 years after |
| Employment records correspondence with employment agencies and advertisements for job openings | 3 years from date of hiring decision |
| Job descriptions | 3 years after |
| Volunteer expression of interest forms and applications | 3 years from |
| Trustee personnel records (including individual attendance records, application forms, ID documents, | 6 years after separation |
| Recruitment application forms and interview notes for unsuccessful candidates | 6 months from appointment of |
| Accident book and reports | 3 years from last entry |

## K. TAX RECORDS

General principle: 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 federal, 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 |