

DATA RETENTION AND DISPOSAL POLICY

Scope and purpose of the policy

1. This policy is designed to ensure effective file-keeping and data retention in compliance with our legal obligations relating to personal data that we hold. It also outlines how data should be disposed of when there is no business case for continued retention.
2. In this policy, the term “personal data” means data relating to a living individual who can be identified from the data or from other information currently or likely to come into our possession. This personal data can be factual or opinion-based.

The fourth and fifth data protection principles under the EU General Data Protection Regulation (“GDPR”)

Accuracy

3. All personal data must be accurate and, where necessary, be kept up to date (the fourth principle). The factual relevance and accuracy of all personal data to be collected or retained should be monitored.
4. This includes personal data relating to our workers (including our employees, workers, freelancers, directors etc.) and clients/customers. From time to time we may ask clients/customers to review and update certain information we hold on file to ensure its accuracy – for example, email addresses, postal addresses and telephone numbers.

Handling and Storage

5. Personal data must not be kept for longer than necessary (the fifth principle).
6. Where possible, the retention of personal data should be minimised by avoiding the recording of any unnecessary personal data.
7. Once personal data has been used for the purpose(s) for which it was collected, it should either be stored ‘offline’ in a password protected area and/or stored in hard copy in a secured area but should remain accessible during any relevant retention period.

Retention

8. Data retention is necessary for compliance and in order to protect our business interests. The period for which data should be retained varies according to the nature of the data. The period of retention commences when the personal data has been used for its original purpose and has been stored whether electronically or in paper form.
9. Retention periods will vary and will be dependent on the:
 - (a) type of data/record;
 - (b) original purpose;
 - (c) whether we are still using it in accordance with that purpose; and

- (d) whether we plan to use it for a different purpose in the future.

Maximum retention period before review

- 10. The GDPR does not specify a maximum period of time we can retain personal data; however, in order to meet our obligations under the GDPR, we consider six years to be the maximum period of time data can be retained before there must be a review of the personal data that is held. A shorter period or a longer period may be appropriate depending on the kind of personal data being stored.
- 11. Any review must involve identifying the original purpose for which personal data was collected, determining whether the personal data should be deleted or retained and if so, for what reason.
- 12. Where personal data is identified that exceeds the relevant retention period, it will be destroyed in accordance with the policy on data disposal below unless there is a justified reason for further storage.

Maximum retention period

- 13. Excluding worker data, we do not intend to retain personal data for longer than six years, unless we can demonstrate that there is justified reason for doing so. Reasons for longer retention can include:
 - (a) where there is a threat of litigation. Personal data should not be destroyed, deleted or disposed of in accordance with this policy until the threat has been removed;
 - (b) personal data we store containing information relevant to legal action which has already started or in contemplation. We will retain such information until any legal action has come to an end or it has been decided that no further legal action is going to occur;
 - (c) where a business relationship comes to an end, personal data in respect of that relationship may need to be retained to defend any legal claims;
 - (d) where statutory exemptions apply (see below); and/or
 - (e) the law requires retention for a longer period.
- 14. We will review the reasons to keep personal data longer than the maximum retention period annually and ahead of the expiration of the minimum retention period. However, if you become aware of any personal data that is being held beyond the maximum retention period, please contact the People team. Where appropriate and in line with any changes in its business functions, we will also review the maximum periods of retention as set out in this policy.

Destruction, Deletion and Disposal

Hard disk / other solid state devices disposal

- 15. We will remove any electronic personal data held on our systems/servers that remain in production. This will be done so that the deleted files/data cannot be retrieved simply by undoing the last action or restoring the item in the recycle bin. Back-up files of all such data to be destroyed will be dealt with in the same manner.
- 16. Where any server, PC or laptop is to be re-commissioned by us, then we will run a low-level format of the whole hard disk prior to re-commissioning the unit.

17. When any server, PC, laptop or separate hard disk is due to be disposed of, this disposal process will cover the destruction of the hard disk using a certified data destruction company involving:
 - (a) secure pickup;
 - (b) destruction of data through de-gaussing, incineration or shredding;
 - (c) certification of data destruction; or
 - (d) recycling/ disposal of remaining tapes/disks in accordance with environmental regulations.
18. The above process will also cover any disposal of magnetic tapes and other solid state devices including USB sticks where such company provides a tape destruction service.

CD and DVD disposal

19. Personal data stored on CD or DVD should be removed by shredding any CD/DVD containing such data using office shredder marked 'suitable for confidential waste'.

Paper disposal

20. Personal data held in paper form, including faxes and post-it notes, must be disposed of either by:
 - (a) using one of our shredders; or
 - (b) incinerating all documentation containing personal data using appropriate equipment and techniques.

Changes to the Retention Policy

21. We will update this policy to reflect any changes to its internal procedures and requirements, including any changes to the maximum retention periods.