

# NOTTINGHAM CITY HOMES DOCUMENT RETENTION POLICY



## **Why do we need a document retention policy?**

It is good practice for organisations to set out time scales for retaining key data that it holds. The Data Protection Act 1998 also requires organisations not to keep personal data for longer than it is necessary. This policy has been developed in accordance with best practice.

## **What does the Nottingham City Homes Document retention Policy involve?**

This Policy sets out the length of time that records/documents mentioned have to be retained by the Company. It is important that records are retained for the period as set out but are not retained for more than twelve months beyond this timescale. For example notices of meetings shall be retained for a minimum of six years. However, it is impracticable that all records are destroyed on the 6<sup>th</sup> anniversary in all cases. These records should be disposed of within twelve months i.e. by the 7<sup>th</sup> anniversary of the meeting. This gives adequate time for managers to make arrangements for the disposal of records.

This Policy does not set out how documents should be disposed of. This is left to the judgement of the manager in light of regulations that may apply to the disposal of certain records.

## **What about new records or changes in legislation?**

This Policy sets out documents in broad terms to allow for changes in the types of documentation held. However, due to legislative changes there may be a need to hold new data or to retain information for different periods than set out in this Policy. If this occurs, it is the responsibility of each manager to advise the Company Secretary of the change so that an amendment can be made to the attached schedule.

## **Amendments from the previous Document Retention Policy**

This document has highlighted all changes from the previous Data Retention Schedule in **BLUE**.

DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
<b>RESPONSIBLE OFFICER – COMPANY SECRETARY</b>		
<b>1. COMPANY DOCUMENTS</b>		
Certificate of Incorporation Governance documentation Constitution, Aims & Objectives	Permanently	Permanently Implied by S.13 of the Companies Act
Memorandum & Articles of Association (original)	Permanently	Best Practice to keep permanently
Memorandum & Articles of Association (current)	Permanently	Best Practice – Companies Act
<b>2. BOARD &amp; COMMITTEE MEETINGS</b>		
Notice of Meetings	N/A	6 years. In case of challenge to validity of meeting or resolution
Board & Committee minutes (Company)	Permanently	Signed originals must be kept permanently – Companies Act
Board Resolutions (Company)	Permanently	Permanently – Signed originals must be kept. Companies Act.
<b>3. REGISTRATIONS &amp; STATUTORY RETURNS</b>		
Audited returns & financial statements	N/A	Permanently - Best practice.
Declaration of Interest	N/A	6 years - Limitation for legal proceedings.
Register of Directors & Secretaries	Permanently	Permanently - Companies Act.
Annual Returns to Companies House	Permanently	Permanently - Companies Act.
Register of Board Members	Permanently	Permanently. Records may be removed from the Register 20 years after membership ceases. Companies Act.
Register of Seals	N/A	Permanently - Best practice.
<b>4. INSURANCE</b>		
Register of Claims & related correspondence	N/A	3 years from the date of closure with the exception of claims involving minors which are retained until the child reaches 21. In line with best practice and principle 5 of the DPA.
<ul style="list-style-type: none"> <li>• Current and former policies</li> <li>• Annual Insurance Schedule</li> <li>• Indemnities &amp; guarantees</li> </ul>	N/A	All insurance brokerage and claims handling are to be carried out by Nottingham City Council
<b>5. PROPERTY RECORDS</b>		
Abstracts of title Planning & building control permissions Searches	N/A	12 years after interest ceases. Limitation for legal action relating to land or contracts under seal.
<b>6. EMPLOYEES: TAX &amp; SOCIAL SECURITY</b>		
<ul style="list-style-type: none"> <li>• Records of taxable benefits</li> </ul>	6 years	6 years. Inland Revenue require retention of each payment for 3 years. Tax Management Act.

DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
<ul style="list-style-type: none"> <li>Record of tax deducted or refunded Record of earnings on which standard National Insurance Contributions payable</li> <li>Record of employer's and employee's National Insurance Contributions</li> <li>National Insurance Contributions contracted out payments</li> <li>Copies of notices to employee e.g. P45 &amp; P60</li> <li>Inland Revenue notice of code changes, pay and tax details</li> </ul>		
<ul style="list-style-type: none"> <li>Expense claims</li> </ul>	N/A	6 years after Audit. Best practice.
<ul style="list-style-type: none"> <li>Record of sickness payments</li> <li>Record of maternity payments</li> </ul>	3 years following year to which they relate	6 years - Inland Revenue require retention of each payment for 3 years. Reg 6 of the Income Tax (Pay As You Earn)(Amendment) Regulations 2009 (SI 2009/588).
<ul style="list-style-type: none"> <li>Income tax and National Insurance Returns</li> </ul>	3 years following year to which they relate	6 years - Best practice. Income Tax (Employment Regulations 1993).
<ul style="list-style-type: none"> <li>Redundancy details and record of payments/refunds</li> </ul>	N/A	12 years - Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Inland Revenue approvals</li> </ul>	N/A	Permanently - Chartered Institute of Personnel and Development recommendation.
<ul style="list-style-type: none"> <li>Annual earnings summary</li> </ul>	N/A	12 years. Best practice.
<b>7. EMPLOYEES: PENSION SCHEMES</b>		
<ul style="list-style-type: none"> <li>Actuarial valuation reports</li> </ul>	N/A	Permanently - Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Details returns of pension fund contributions</li> <li>Annual reconciliations of fund contributions</li> </ul>	N/A	Permanently. Best practice.
<ul style="list-style-type: none"> <li>Money purchase details</li> <li>Qualifying service details</li> </ul>	N/A	6 years after transfer or value taken - Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Investment policies</li> <li>Pensioner records</li> </ul>	N/A	12 years after benefits cease - Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Records relating to retirement benefits</li> </ul>	6 years after retirement	6 years after year of retirement - CIPD Retirement Benefits Schemes (Information Powers) Regulations 1995.
<b>8. EMPLOYEES (PERSONNEL PROCEDURES)</b>		
<ul style="list-style-type: none"> <li>Terms &amp; conditions of service, both general terms &amp; conditions applicable to staff, and specific terms &amp; conditions applying to individuals</li> </ul>	N/A	6 years after last date of currency Limitation for legal proceedings.
<ul style="list-style-type: none"> <li>Service contracts for directors</li> </ul>	3 years	6 years after directorship ceases. Best practice. Companies Act.
<ul style="list-style-type: none"> <li>Remuneration package</li> </ul>	N/A	6 years after last date of currency Limitation for legal

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		proceedings.
<ul style="list-style-type: none"> <li>Former employees' personnel files</li> </ul>	N/A	6 years Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>References to be provided for former employees</li> </ul>	N/A	20 years or until former employee reaches age 65, whichever comes first.
<ul style="list-style-type: none"> <li>Training programmes</li> </ul>	N/A	6 years after completion of training Best practice.
<ul style="list-style-type: none"> <li>Individual training records</li> </ul>	N/A	6 years after completion Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Shortlists, interview notes &amp; related applications</li> </ul>	N/A	1 year Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Application forms of non-shortlisted candidates</li> </ul>	3 months after notification	6 Months after Notification. Equality Act 2010. Best practice.
<ul style="list-style-type: none"> <li>Time cards</li> </ul>	N/A	2 years after Audit - Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Trade Union agreements</li> <li>Employer/employee committee minutes</li> </ul>	N/A	10 years after ceasing to be affective, CIPD recommendation.
<b>9. EMPLOYEES: HEALTH &amp; SAFETY</b>		
<ul style="list-style-type: none"> <li>Medical records relating to control asbestos</li> </ul>	40 years	40 years. Control of Asbestos Regulations 2012.
<ul style="list-style-type: none"> <li>Personal emergency evacuation plans</li> </ul>	N/A	Until employees circumstances change.
<ul style="list-style-type: none"> <li>Health &amp; Safety assessments</li> <li>Records of consultation with safety representatives</li> </ul>	N/A	Permanently Chartered Institute of Personnel Development.
<ul style="list-style-type: none"> <li>Health &amp; Safety Policy statements</li> </ul>	N/A	Permanently. Good practice.
<ul style="list-style-type: none"> <li>Accident records &amp; reports</li> </ul>	3 years after date of occurrence	6 years after the date of occurrence. Limitation for legal proceedings Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013.
<ul style="list-style-type: none"> <li>Violent incident reports &amp; data</li> </ul>	N/A	3 years from incident for serious incidents; 1 year for minor incidents (subject to review at end of period): continued protection for employees.
<ul style="list-style-type: none"> <li>Sickness records</li> </ul>	N/A	6 years after date of last sickness Limitation for legal proceedings.
<ul style="list-style-type: none"> <li>Health &amp; Safety statutory notices</li> </ul>	N/A	6 years after compliance Limitation for legal proceedings.
<b>10. BUILDINGS</b>		
<ul style="list-style-type: none"> <li>Workplace inspections</li> </ul>	N/A	Permanently.
<ul style="list-style-type: none"> <li>Health &amp; Safety file</li> </ul>	N/A	Until building disposed of: CDM Regulations 2015.
<ul style="list-style-type: none"> <li>Fire risk assessments</li> </ul>	N/A	Until building disposed of.
<ul style="list-style-type: none"> <li>Fire equipment inspection &amp; service</li> </ul>	N/A	3 years.
<b>11. LEGAL</b>		

DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
Legal documents inclusive of Employment tribunal claims		6 years Limitations for legal proceedings.
<b>12. OTHER MEETING MINUTES</b>		
<ul style="list-style-type: none"> <li>Minutes of other meetings</li> </ul>	N/A	6 years. Best practice.
<b>RESPONSIBLE OFFICER – DIRECTOR OF INVESTMENT AND BUSINESS SERVICES</b>		
<b>13. STRATEGIC MANAGEMENT</b>		
Business Plans & supporting documentation (e.g. organisation structures, aims, objectives, funding issues)	N/A	5 years after plan completion. Best practice.
<b>14. FINANCE &amp; ACCOUNTING &amp; TAX RECORDS</b>		
<ul style="list-style-type: none"> <li>Accounting records for Limited Company</li> </ul>	3 years	10 years S20. Tax Management Act 1970 may require any documents relating to tax over 6 (plus) years.
<ul style="list-style-type: none"> <li>Balance sheets and supporting documents</li> </ul>	N/A	6 to 10 years. Best practice. To relate to accounting records.
<ul style="list-style-type: none"> <li>Signed copy of report &amp; accounts</li> </ul>	N/A	Permanently. Best practice.
<ul style="list-style-type: none"> <li>Budgets &amp; internal financial reports</li> </ul>	N/A	2 years Best practice.
<ul style="list-style-type: none"> <li>Tax returns &amp; records</li> </ul>	N/A	10 years S20. Tax Management Act 1970 may require any documents relating to tax over 6 (plus) years.
<ul style="list-style-type: none"> <li>VAT records</li> <li>Orders &amp; delivery notes</li> <li>Copy invoices</li> <li>Credit &amp; debit notes</li> <li>Cash records &amp; till rolls</li> <li>Journal transfer documents</li> <li>Creditors, debtors &amp; cash income control accounts</li> <li>VAT related correspondence</li> </ul>	6 years	6 years Customs & Excise requirements for VAT registered bodies Value Added Tax Act 1994.
<b>15. OTHER BANKING RECORDS</b>		
<ul style="list-style-type: none"> <li>Cheques</li> </ul>	N/A	6 years where retained Limitation on legal proceedings.
<ul style="list-style-type: none"> <li>Paying in counterfoils</li> </ul>	N/A	6 years where retained Limitation on legal proceedings.
<ul style="list-style-type: none"> <li>Bank statements &amp; reconciliations</li> </ul>	3 years	6 years - Limitation on legal proceedings.
<ul style="list-style-type: none"> <li>Instructions to bank</li> </ul>	N/A	6 years - Limitation on legal proceedings.
<b>16. CONTRACTS &amp; AGREEMENTS</b>		
<ul style="list-style-type: none"> <li>Contracts under seal and/or executed as deeds</li> </ul>	N/A	12 years after completion (including any defects liability period) Limitation on legal proceedings.
<ul style="list-style-type: none"> <li>Contract for supply of goods or services including professional services</li> </ul>	N/A	12 years after completion (including any defects liability period) Limitation on legal proceedings.
<ul style="list-style-type: none"> <li>Documentation relating to small one-off purchase of goods or</li> </ul>	N/A	6 years. Best practice.

DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
services, where there is no continuing maintenance or similar requirement		Suggested limit: goods or services costing up to £10k. Limitations on legal proceedings.
• Loan agreements	N/A	12 years after last payment. Best practice.
• Rental & lease agreements	N/A	6 years after expiry Limitation on legal proceedings.
• Documents relating to successful tender	N/A	6 years after the end of contract Inland Revenue.
• Documents relating to unsuccessful tenders	N/A	3 years after written acceptance by the successful tenderer or the life of the contract, whichever is greater.
• Forms of tender	N/A	6 years Best practice.
<b>17. CHARITABLE DONATIONS</b>		
• Deeds of covenant	6 years after last payment	12 years after last payment Limitation for legal proceedings if related to land.
• Index of donations granted	N/A	6 years - Best practice.
• Accounts documentation	3 years	6 years - Best practice.
<b>18. PROPERTY RECORDS</b>		
• Rent registrations	N/A	Permanently.
• Leases & deeds of ownership	N/A	While owned - Best practice.
• Copy of former leases	N/A	12 years after settlement of all issues Limitation for legal action relating to land or contracts under seal.
• Wayleaves, licences and easements		
• Customer Satisfaction Data	N/A	13 months.
<b>19. PERFORMANCE</b>		
• Internal audit records	N/A	4 years.
• Performance data	N/A	4 Years. Best practice.
• Customer Satisfaction Data	N/A	13 months
• Benchmarking data	N/A	4 Years. Best practice.
<b>20. PROPERTY RECORDS</b>		
• Property maintenance records including gas and electrical records	N/A	6 years. Limitation for legal action.
• Reports and professional opinions		
• Development documentation	N/A	12 years after settlement of all issues Limitation for legal action relating to land or contracts under seal.
<b>21. PLANT &amp; EQUIPMENT MAINTENANCE &amp; INSPECTION</b>		
• Lifting equipment	N/A	2 years after last use. Lifting Operations and Lifting Equipment Regulations 1998.
• Work equipment	N/A	Until next inspection It is advised that these records should not be disposed of until at least 3 years after inspection.
• Access equipment		
• Scaffolding	N/A	3 months after dismantled.

DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
• Electrical equipment	N/A	3 years after disposal.
• Local exhaust ventilation • Noise surveys/data • Vibration surveys/data	N/A	40 years. Best practice.
• Vehicle maintenance	N/A	2 years after disposal. Best Practice.
<b>22. OTHER MEETING MINUTES</b>		
• Minutes of other meetings	N/A	6 years. Best practice.
<b>RESPONSIBLE OFFICER - DIRECTOR OF REPAIRS AND MAINTENANCE</b>		
<b>23. PLANT EQUIPMENT &amp; MAINTENANCE</b>		
• Noise surveys/data • Vibration surveys/data • Local exhaust ventilation	N/A	40 years: Limitation for legal proceedings, Control of Substances Hazardous to Health Regulations 2002 (LEV)
• Vehicle maintenance	N/A	2 years after disposal.
<b>24 VEHICLES</b>		
• Mileage records • Maintenance records, MOT tests • Copy registrations	N/A	2 years after disposal. Best practice
<b>25. PROPERTY RECORDS</b>		
• Property maintenance records including gas and electrical records • Reports and professional opinions	N/A	6 years. Limitation for legal action.
• Development documentation	N/A	12 years after settlement of all issues Limitation for legal action relating to land or contracts under seal.
<b>26. PLANT &amp; EQUIPMENT MAINTENANCE &amp; INSPECTION</b>		
• Lifting equipment	N/A	2 years after last use. Lifting Operations and Lifting Equipment Regulations 1998.
• Work equipment • Access equipment	N/A	Until next inspection It is advised that these records should not be disposed of until at least 3 years after inspection.
• Scaffolding	N/A	3 months after dismantled.
• Electrical equipment	N/A	3 years after disposal.
• Local exhaust ventilation • Noise surveys/data • Vibration surveys/data	N/A	40 years. Best practice.
• Vehicle maintenance	N/A	2 years after disposal. Best Practice.

DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
<b>27. CCTV</b>		
• Footage from registered company vehicles	N/A	No more than 9 days, for best practice, unless the footage is being given as evidence (Legal guidance received).
• CCTV footage from NCH buildings	N/A	31 days. Best practice. Unless the footage is to be used as video evidence.
• Video evidence	3 years	3 years after alleged incident (statutory). Best practice: 6 years after the date of occurrence. Limitation for legal proceedings Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013.
<b>28. OTHER MEETING MINUTES</b>		
• Minutes of other meetings	N/A	6 years. Best practice.
<b>RESPONSIBLE OFFICER – DIRECTOR OF HOUSING AND CUSTOMER SERVICES</b>		
<b>29. APPLICATION &amp; TENANCY RECORDS</b>		
• Rent statements	N/A	2 years Best practice.
• Housing Register Application Forms – Closed	N/A	1 year
• Current tenants' Tenancy Files, including rent payments records, and details of any complaints and harassment cases	N/A	Indefinitely Independent Housing Ombudsman recommendations. For rent payment details, best practice suggest live system holds 2 years records plus current year.
• Former tenants' Tenancy Files (other than tenancy agreements – see below) including details of any complaints and harassment cases except tenancy agreements and leaving details – see below	N/A	In general, for the tenancy up to 6 years post tenancy. Limitations Act 1980 and best practice with DPA compliance 5th principle.
• Former tenants' Tenancy Files (other than tenancy agreements – see below) including rent payment records, and recharge information except tenancy agreements and leaving details – see below	N/A	Indefinitely from the date of termination Subject to Data Protection Act 1998 Principle 5.
• Former tenants' Tenancy Agreements and details of leaving	N/A	Indefinitely from the date of termination Subject to Data Protection Act 1998 Principle 5.
• Documentation, correspondence and information provided by other agencies relating to special needs of current tenants	N/A	While tenancy continues Information held on “need to know” basis. Medical and Social Services records liable to be confidential. To be returned or passed to subsequent agency at end of tenancy, or destroyed.
• Voice Recording	N/A	8 months. System Limitations.
• Records relating to offenders, ex-offenders and persons subject cautions	N/A	While tenancy continues Information held on a “need to know” basis. Police sourced records may be confidential. To be dealt with as required by the Information sharing Agreement with Nottinghamshire Police.



DOCUMENT	STATUTORY RETENTION PERIOD	REASONS/ RECOMMENDATIONS FOR RETENTION PERIOD
<ul style="list-style-type: none"> <li>Records relating to Multi –Agency Public Protection Arrangements (“MAPPA”) &amp; witness protection</li> </ul>	N/A	While tenancy continues Information held on a “need to know” basis. To be dealt with in accordance with Data Protection Act 1998.
<ul style="list-style-type: none"> <li>Nottingham On Call service user records including sensitive data held at the main office</li> </ul>	N/A	To be retained for 6 years and up to 6 year after death Information held on “need to know” basis. Medical and Social Services records liable to be confidential. To be returned or passed to subsequent agency at end of tenancy, or destroyed.
<ul style="list-style-type: none"> <li>Independent Living service user records</li> </ul>	N/A	To be retained for 1 year, information held on a “need to know” basis. Medical and Social Services records liable to be confidential. To be returned to Nottingham On Call main office.
<b>30. CCTV</b>		
<ul style="list-style-type: none"> <li>Footage from registered company vehicles</li> </ul>	N/A	No more than 9 days, for best practice, unless the footage is being given as evidence (Legal guidance received).
<ul style="list-style-type: none"> <li>CCTV footage from NCH buildings</li> </ul>	N/A	31 days. Best practice. Unless the footage is to be used as video evidence.
<ul style="list-style-type: none"> <li>Video evidence</li> </ul>	3 years	3 years after alleged incident (statutory). Best practice: 6 years after the date of occurrence. Limitation for legal proceedings Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013.
<b>31. OTHER MEETING MINUTES</b>		
<ul style="list-style-type: none"> <li>Minutes of other meetings</li> </ul>	N/A	6 years. Best practice.