

## Data & Record Retention Policy

### Introduction

The REC has a responsibility to protect the integrity and confidentiality of personal data held by us with regard to our clients and employees.

Individual employees also have that obligation. Unauthorised disclosure of data whether it is oral, printed, hand-written, or computer based is unacceptable.

This policy has been written to clarify the standards expected by the REC of staff, tutors and trustees. It details their duties under the Data Protection Act 2018, and Record Retention procedures, updated to comply with the General Data Protection Regulation in relation to the processing of personal data and safeguarding individual's rights.

The Data Protection Act has two core purposes:

1. To regulate the use by those (known as data controllers) who obtain, hold and process personal data on living individuals.
2. To provide rights (for example, of accessing personal information) to those living individuals (known as data subjects) whose data are held.

The General Data Protection Regulation (GDPR) 2018 extends the rights of individuals. For organisations it requires greater transparency, applies to automated or manual systems and to controllers and processors.

- Controllers (those responsible for collecting consent, managing it and enabling access) are the main decision-makers – they exercise overall control over the purposes and means of the processing of personal data.
- Processors (those who process personal data on behalf of the controller) are those who act on behalf of, and only on the instructions of, the relevant controller.

### Personal Data

In accordance with the GDPR requirements the REC will clarify what personal data it holds, where it came from and who it is shared with.

With regard to personal data, individuals have the right to:

- be informed;
- access;
- rectification;
- erasure;
- restrict processing;
- data portability;
- object; and
- not to be subject to automated decision-making.

To comply with the data protection core principles and GDPR requirements the REC has adopted the appended privacy notice (Appendix A) and data retention schedule (Appendix B) which clarify:

- Storage;

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- Retention; and
- Disposal arrangements.

Appropriate security measures are taken against unauthorised access to or alteration, disclosure, or destruction of personal data or accidental loss or destruction of personal data.

### **Client Data**

This section specifically refers to data held about clients and includes the recording, processing and security of personal and sensitive information relating to them and people who work for them.

Whilst it is the organisation's ultimate responsibility to ensure that personal data held concerning a client is up to date, accurate and taken for lawful purposes, it is the individual employee's duty to ensure that the information is correctly taken from the client and accurately recorded.

It is the organisation's responsibility to ensure that the records and systems are backed up on a regular basis and to ensure that there is no loss or destruction of personal data. If any employee is aware of any errors or have any concerns regarding personal data this should be reported immediately to the Chief Officer. Data relating to a client must not be disclosed to third parties unless the client has given express written consent. Employees must never leave client records unattended or in such circumstances where third parties may gain access to them.

Appropriate security measures are taken against:

- unauthorised access to or alteration, disclosure, or destruction of personal data
- accidental loss or destruction of personal data
- unintentional disclosure of personal data to a third party
  - never disclose personal data or policy details to the general public
  - establish that you are assured that the caller is genuine
  - establish what information is required - ask yourself...
    - whether the caller is entitled to the information
    - whether this is a normal business enquiry
    - whether the caller could have access to the data anyway
    - be cautious if the caller is not the data subject
- never discuss/disclose sensitive information, for example...
  - medical/disability details
  - employment history
  - convictions
  - high value personal belongings
  - sensitive information

Client records are stored in a secure filing system and returned to the filing system when not in use. Employees must forward all third-party requests for details of personal data held by us immediately to our data protection compliance officer (Chief Officer) who will deal with the request or will authorise you to do so.

Failure to comply with the above could be treated as misconduct. It is also a criminal offence to hold, use or disclose personal data which needs to be but which is not registered or to use it for a purpose other than that registered - this offence applies both to the organisation and to the employee concerned.

## **Data Protection Principles**

The six data principles require data to be:

- processed fairly and lawfully and transparently;
- collected for specified, explicit and legitimate purpose;
- adequate, relevant and limited to what is necessary;
- accurate and kept up-to-date;
- kept for no longer than necessary; and
- processed in a secure manner.

All data and records will be stored as securely as possible in order to avoid potential misuse or loss. The degree of security required for file storage reflects the sensitivity and confidential nature of any material recorded. This may include encryption of digital data, for which advice must be sought from an IT expert on the latest and most secure methods. All data and records will be stored in the most convenient and appropriate location having regard to the period of retention required and the frequency with which access will be made to the record.

Personal data will not be held for longer than necessary and when such data has been earmarked for destruction, appropriate measures will be taken to ensure that the data cannot be reconstructed and processed by third parties. Any data file or record which contains personal data of any form can be considered as confidential in nature.

## **Retention**

Data and records should not be kept for longer than is necessary. Appendix B sets out the details.

## **Destruction and Disposal**

All information, in any format, destroyed from any REC location must not expose confidentiality of our employees, clients and customers.

All office paper should be shredded if the content is in any way sensitive.

All other paper can be disposed of in the recycle boxes or bins provided in offices.

For details on the destruction of Confidential or Sensitive Waste on electronic media such as tape, disk, cassette/cartridge, hard drives, CD-Rom, DVD and ZIP drive please contact the REC IT advisor and Chief Officer.

## Privacy Notice

This privacy notice sets out how the REC uses and protects any personal data that is collected by us.

The REC is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified, then you can be assured that it will only be used in accordance with this privacy notice.

We reserve the right to update this privacy notice at any time and a copy of our up-to-date privacy notice will be available here on our website. We may notify you in other ways from time to time about the processing of your personal data.

### How is personal information collected?

We collect information:

- Through our online application forms
- Through our course brochure application form
- In the course of our work with you, for example if you provide information to a member of staff in order for them to provide you with advice
- Occasionally through our interactions on social media

### What personal information do we collect and how is it used?

REC collects personal information for the following purposes. We will use this information to provide the services requested.

Data we collect	We use it for	Lawful basis for processing data
Name, address, contact details (including phone and email).	Sending email updates about courses, outings and holidays	Legitimate interest
Name, address, contact details (including phone and email) and sensitive data (such as date of birth, gender, ethnicity and disability).	Equal opportunity monitoring	Legitimate interest
Name, address, contact details (including phone and email), bank details, pension information, sickness information and other personal and sensitive data relating to employment with the organisation.	All purposes relating to the employment of staff.	Legal obligation Contract Legitimate interests

### **What does legitimate interest mean?**

In order to undertake its charitable activity, including good management and governance, and account for its activities to funders, regulators and other stakeholders, REC has to collect and process a certain amount of data, some of which will be personal data.

### **Why do we ask for sensitive data?**

We sometimes ask for sensitive data, such as disability and ethnicity to help us with equal opportunities monitoring so we can demonstrate that we are reaching all sectors of the community, and fulfilling our commitment to equal opportunities. When we compile these data, it is done anonymously.

### **Data sharing**

We use sensitive data to compile and share anonymised reports, which helps us to for example demonstrate our commitment to equal opportunities.

In occasional circumstances, we may need to disclose your details, to police, regulatory bodies or legal advisors.

### **Data retention and security**

We will take reasonable precautions to ensure your data are not lost, misused or falsely altered.

Data are only retained for as long as we need it to provide you with the service you asked for.

### **Data Processing**

REC has written contracts in place with the following third parties that we use to process data:

Romancart provides our online shopping system for all course bookings.

SJ Males & Co (Chartered Certified Accountants) are used for staff salaries and pensions

### **Your rights**

You have the right to:

- request access to your data
- correct your data if it is incorrect
- request erasure of your data
- object to your data being processed

If you wish to exercise any of these rights please contact REC on 01234 302203, or email [admin@recedford.co.uk](mailto:admin@recedford.co.uk)

### **The use of automated decision making**

Your data are not used in any automated decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain conditions about an individual).

### **The use of cookies on our websites**

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to

customer needs. We only use this information for statistical analysis purposes and then the data are removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website. By using the REC website you automatically agree to the use of cookies on the site.

#### **Links to other websites**

Our website may contain links to other sites of interest. However, once you have used these links to leave our site, you should be aware that we do not have any control over external websites or social media platforms. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy notice. You should exercise caution and look at the privacy notice applicable to the site in question.

#### **How to lodge a complaint**

If you have a complaint regarding the processing of your personal data then please contact REC on 01234 302203, or email [admin@recbedford.co.uk](mailto:admin@recbedford.co.uk). You also have the right to lodge a complaint with the supervising authority, the Information Commissioner's Office (ICO), at any time. Should you wish to exercise that right, the full details are available at the ICO website.

**Data Retention Schedule**

**Financial Records**

<b>Personal data record category</b>	<b>Mandated retention period</b>
Supplier contracts	Seven years after contract is terminated
Fiscal Policies and Procedures	Permanent
Financial Account Audits	Permanent
Financial statements	Permanent
General Ledger	Permanent
Investment, funding records (deposits, earnings, withdrawals)	7 years
Invoices	7 years
Cancelled checks	7 years
Bank deposit slips	7 years
Direct Debts	1 month after successful establishing the Direct Debt
Business expenses documents	7 years
Check registers/books	7 years
Property/asset inventories	7 years
Credit card receipts	3 years
Petty cash receipts/documents	3 years

**Business Records**

<b>Personal data record category</b>	<b>Mandated retention period</b>
Article of Incorporation to apply for corporate status	Permanent
Board policies	Permanent
Board meeting minutes	Permanent
Business & team meeting minutes	Permanent
Annual corporate filings	Permanent

**Employee Records**

<b>Personal data record category</b>	<b>Mandated retention period</b>
Disciplinary, grievance proceedings records, oral/verbal, written, final warnings, appeals	As per legal requirement
Applications, interview notes	Duration of employment
Bank details – current for expense payment	Duration of employment
Employment history including volunteer personal records: contract(s); previous service dates; resignation/termination letters	As per legal requirement
Employee address details	Duration of employment
Expense claims	As per legal requirement
Accident books Accident reports and correspondence	As per legal requirement

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Training and development records	Duration of employment
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### Contracts

Personal data record category	Mandated retention period
Signed	Permanent
Contract amendments	Permanent
Successful tender documents	Permanent
Unsuccessful tenders' documents	Permanent
Tender – user requirements, specification, evaluation criteria, invitation	Permanent
Contractors' reports	Permanent
Operation and monitoring, eg complaints	Permanent

### Student, Customer Data & Non Customer Data

Personal data record category	Mandated retention period
<b>Student</b> data – inclusive of Name, Email address, mobile number, address, <b>and email address</b>	Retained whilst student remains a member and for one year after membership has lapsed. Once a student requests all records to be deleted, data will be removed from any back-ups within 3 months
Name, email address, organisation & individual address	Kept permanently until person / organisation unsubscribes / requests via consent form
Subscribed / Unsubscribed Consent form	Permanently

### IT

Personal data record category	Mandated retention period
Recycle Bins	Cleared monthly
Inbox	All emails containing attachments deleted after 5 years once attachment backup in the office 365 SharePoint.
Deleted Emails	Cleared monthly
Local Drives & files	Moved to network drive monthly, then deleted from local drive
Office 365 SharePoint, OneDrive	Reviewed quarterly, any old or previous version of documents archived in SharePoint











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