

# Data Retention Policy

## Context and overview

### Key details

- Policy prepared by: AiP Group of Companies
- Approved by board / management on: 04/05/2018
- Policy became operational on: 04/05/2018
- Next review date: 04/05/2019

### Introduction

Alliance In Partnership, Class Catering & The Contract Dining Company needs to gather and use certain information about individuals.

These can include customers, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact.

This policy describes how and why we store and discard of personal data.

### Why this policy exists

This data retention policy ensures Alliance In Partnership, Class Catering & The Contract Dining Company:

- Complies with data protection law and follow good practice
- Protects the rights of staff, customers and partners
- Is open about how it retains and discards of individuals' data
- Protects itself from the risks of a data breach

### Data protection law

Article 5 of The General Data Protection Regulation (GDPR) describes that personal data processed for any purpose shall not be kept for longer than is necessary for that purpose.

Although there may be grounds for keeping personal data for historical or research purposes, in general personal information should never be kept indefinitely 'just in case'. Where information may be processed for more than one purpose, there is no need to delete it whilst it is still required for any of those purposes.

In Article 17 of GDPR, it introduces the right to erasure (or the right to be forgotten). This allows an individual to make a verbal or written request to delete their information that we hold. Although we must respond to this request within a timely manner, the decision to erase the data is not absolute.

The right to erasure may not apply for cases similar to that of complying with a legal obligation; for the establishment, exercise or defence of a legal claim; or for archiving purposes in the public interest or for scientific research.

## General Retention Guidelines

Alliance In Partnership, Class Catering & The Contract Dining Company will only retain data for as long as it is needed. Our retention periods are influenced by three factors. They are:

- **Legal Obligations** – We are bound by various legislation to hold on to records for a specific amount of time. For example individual health surveillance records must be kept for 40 years.
- **Contractual Obligations** – Where we have agreed with our clients, employees or sub-contractors on the length of time we will hold personal data after the completion or termination of contract. For example, using a client as a reference.
- **Company Policy/Business Need** – where we have determined that certain data is required to be retained for a period no longer than is necessary for it to fulfil its purpose.

All personal data will be deleted or destroyed as soon as possible where it has been confirmed that there is no longer a need to retain it. This will be as described in our retention schedule, or at the individuals expressed right to erasure.

Where records containing personal data have reached the end of their retention period they will be deleted or destroyed in a manner that prevents it from unauthorised or fraudulent use.

## Right to Erasure

There are several circumstances where the right to erasure (or the right to be forgotten) will apply to the data we hold. This can include:

- The personal data is no longer necessary for the purpose for which it was obtained.
- The personal data is subject to a legal obligation.
- The individual withdraws their consent or objects to their information being processed for a different purpose.

If an individual expresses a desire to have their personal data erased then we will respond to their request as soon as possible. However, depending on the nature and complexity of the information we hold, it may take up to a month from the day after the request was received to fully satisfy ourselves and the data subject that the all personal information has been erased.

Details of such requested will be maintained, especially if the request has been made verbally.

Although we will take all reasonable steps will be made to comply with an individual's request to have their data erased, there may be certain circumstances where we charge a 'reasonable fee' for administrative costs to process the request. This will only occur if the request is manifestly unfounded or excessive, and the individual will be notified of the administrative fee prior to the request being processed.

There may be cases where we refuse an individual's right to be erased. The reason for refusing a request may be because of a legal obligation, which overrides their request. If we refuse to process an individual's request to erase their personal data then we will inform them of this decision no later than a month after the request was made.

We will also inform the individual of the reasons why we refused their right to erasure and their ability take this matter further by reporting to the Information Commissioners Office (ICO) or through the judicial process.

## Retention Schedule

The schedule below covers the recommended retention periods for the categories of records we hold that contain personal data.

The retention period applies to all records in that category by default, and will be adhered to wherever possible, although it is recognised that there may be exceptional circumstances which require documents to be kept for either shorter or longer periods.

Retention periods also apply to all formats of records, i.e. paper and electronic, unless specifically stated otherwise.

Document	Retention
<b>Employee Relations</b>	
Accident books, reports	3 years after recorded
Applications (successful)	6 months following commencement of employment / end of probation period
Applications (unsuccessful)	6 months
Authorised absence records (annual Leave)	2 years from when entry was made
Contracts, offer letters, collective agreements	6 years following the end of employment
Criminal record checks (DBS)	6 years following the end of employment
Driving licences	3 years following the end of employment / or end of requirement to drive on company business
Grievance documents	6 months following end of employment
Health surveillance records	40 years from the date of entry
Individual health records	Until the employee turns 100 years old
Investigation documents (no case to answer)	6 months following conclusion
Maternity medical records	3 years after the end of the tax year in which the maternity period ends
Received or issued references for employment	6 months after commencement of employment
Record of driving offence	After the conviction has been spent
Records of disciplinary action	2 years after the issue of warning
Redundancy details	6 months after redundancy
References and correspondence that may produce legal affects (loan, etc)	3 years after the date of issue
Right to work checks	2 years after employment
Sickness records and unauthorised absence records	6 months following end of employment
Training Records	5 years from the date superseded
<b>Financial Records</b>	
Accounting records	6 years after the end of the relevant financial year.
Income tax, national insurance records, HMRC correspondence	6 years after the end of the relevant financial year.
Pension Records	12 years after benefit ceases
Statutory maternity/paternity pay	6 years after the end of the relevant financial year.

records	
Statutory sick pay and calculations	6 years after the end of the relevant financial year
Time sheets/overtime records	6 years after the end of the relevant financial year.
Wage/salary records	6 years after the end of the relevant financial year.
<b>Contract Records</b>	
Records of complaints	6 years after then end of contract
Signed contract	6 years after the end of contract
Tender document (successful)	6 years after the award of contract
Tender document (unsuccessful)	1 year after date of last paper

## Disposal

Once the retention period has passed, or a decision has been made to erase personal data, the company will begin the process of removing all references and/or documents.

A review will be undertaken to identify the locations for which the specified documents or records are located to ensure that all copies of data can be removed.

### Paper/Hard Copies

As is our commitment to the environment we have policies in place to ensure that we minimise the need for paper copies to be created. This also reduces the risk of paper documents containing personal information from being subject to fraudulent activities.

However, when there is a need to dispose of a paper document containing personal data we will ensure it is shredded prior to being recycled.

### Electronic Versions

This may include e-mails, copies of data on our company networks or mobile phones. Where possible we will reduce the need to maintain several electronic copies of the same personal data.

Electronic documents will be deleted from its location(s) when requested, or when it is no longer needed. Once the hard drive on which the document was originally stored is no longer required then it will be formatted by our IT manager before being disposed of in accordance with waste procedures.

Name:	Paul Rogers
Position:	Managing Director
Date:	1 <sup>st</sup> May 2018
Signature:	