GDPR – DATA RETENTION & ERASURE POLICY

Policy Statement

1. Sheldrake Training recognises and understands that the efficient management of its data and records is necessary to support its core business functions, to comply with its legal, statutory and regulatory obligations, to ensure the protection of personal information and enable the effective management of the organisation.

2. This policy and related documents meet the standards and expectations set out by contractual and legal requirements and have been developed to meet the best practices of business records management, with the direct aim of ensuring a robust and structured approach to document control and systems.

3. Effective and adequate records and data management is necessary to:

   a. Ensure that the business conducts itself in a structured, efficient and accountable manner.

   b. Ensure that the business realises best value through improvements in the quality and flow of information and greater coordination of records and storage systems.

   c. Support core business functions and providing evidence of conduct and the appropriate maintenance of associated tools, resources and outputs to learners and regulator.

   d. Meet legislative, statutory and regulatory requirements.

   e. Deliver services to employees and stakeholders in a consistent and equitable manner.

   f. Assist in document policy formation and managerial decision making.

   g. Provide continuity in the event of a disaster.

   h. Protect the interests of the organisation and the rights of employees, learners and present and future stakeholders.

   i. Protection of personal information and data subject rights.

   j. Avoid inaccurate or misleading data and minimise risks to personal information.

   k. Erase data in accordance with the legislative and regulatory requirements.

   l. Ensure the safe and secure disposal of confidential data and information assets.

   m. Mitigate against risks or breaches in relation to confidential information.

4. Information held for longer than is necessary carries additional risk and cost and can breach GDPR rules and principles. Sheldrake Training will only ever retain records and information for legitimate business or legal reasons and will always comply fully with the GDPR laws, guidance and best practice.

Purpose

5. The purpose of this document is to set out Sheldrake Training statement of intent on how it provides a structured and compliant data and records management system. We define ***'records'*** as all documents, regardless of the format, which facilitate business activities, and are thereafter retained to provide evidence of transactions and functions.

6. Such records may be created, received or maintained in hard copy or in an electronic format, with the overall definition of records management being a field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use, distribution, storage and disposal of records.

Scope

7. This policy applies to those employed by Sheldrake Training. Adherence to this policy is mandatory and non-compliance could lead to disciplinary action.

General Data Protection Regulation (GDPR)

8. Sheldrake Training needs to collect personal information about the people we employ, work with or have a business relationship with to carry out our everyday business functions and activities effectively and compliantly, and to provide the products and services defined by our business type. This information can include *(but is not limited to),* name, address, email address, data of birth, IP address, service number, private and confidential information, sensitive information and bank details. Retention schedules will govern the period that records will be retained and can be found in the Record Retention Periods table at the end of this document.

9. In addition, we may occasionally be required to collect and use certain types of personal information to comply with the requirements of the law and/or regulations, however we are committed to collecting, processing, storing and destroying all information in accordance with the ***General Data Protection Regulation***, UK data protection law and any other associated legal or regulatory body rules or codes of conduct that apply to our business and/or the information we process and store.

10. Our Data Retention Policy and processes comply fully with the GDPR fifth Article 5 principle which states that:

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ***('storage limitation').***

Objectives

11. A record is information, regardless of media, created, received, and maintained which evidences the development of, and compliance with, regulatory requirements, business practices, legal policies, financial transactions, administrative activities, business decisions or agreed actions. It is a Sheldrake Training objective to implement the necessary records management procedures and systems which assess and manage the following processes:

a. The creation and capture of records.

b. Compliance with legal, regulatory and contractual requirements.

c. The storage of records.

d. The protection of record integrity and authenticity.

e. The use of records and the information contained therein.

f. The security of records.

g. Access to and disposal of records.

12. Records contain information that are a unique and invaluable resource to Sheldrake Training and are an important operational asset. A systematic approach to the management of our records is essential to protect and preserve the information contained in them, as well as the individuals such information refers to. Records are also pivotal in the documentation and evidence of all business functions and activities.

Guidelines & Procedures

13. Sheldrake Training manage records efficiently and systematically, in a manner consistent with the GDPR requirements.

14. Records will be created, maintained and retained in order to provide information about, and evidence of the Sheldrake Training transactions, customers, employment and activities. Retention schedules will govern the period that records will be retained and can be found in the ***Record Retention Periods*** table at the end of this document.

15. It is our intention to ensure that all records and the information contained therein is:

a. **Accurate** - records are regularly reviewed to ensure that they are a full and accurate representation of the transactions, activities or practices that they document.

b. **Accessible** - records are always made available and accessible when required (with additional security permissions for select employees where applicable to the document content).

c. **Complete** - records have the content, context and structure required to allow the reconstruction of the activities, practices and transactions that they document.

d. **Compliant** - records always comply with any record keeping legal and regulatory requirements.

e. **Monitored** – Sheldrake Training and system compliance with this Data Retention Policy is regularly monitored to ensure that the objectives and principles are being complied with at all times and that all legal and regulatory requirements are being adhered to.

Retention Period Protocols

16. All records retained during their specified periods are traceable and retrievable. Any file movement, use or access is tracked and logged, including inter-departmental changes. All Sheldrake Training and employee information is retained, stored and destroyed in line with legislative and regulatory guidelines.

17. For all data and records obtained, used and stored within the Sheldrake Training, we:

a. Carry out periodical reviews of the data retained, checking purpose, continued validity, accuracy and requirement to retain.

b. Establish periodical reviews of data retained.

c. Establish and verify retention periods for the data, with special consideration given in the below areas:

(1) the requirements of the Sheldrake Training.

(2) the type of personal data.

(3) the purpose of processing.

(4) lawful basis for processing.

(5) the categories of data subjects.

d. Where it is not possible to define a statutory or legal retention period, as per the GDPR requirement, Sheldrake Training will identify the criteria by which the period can be determined and provide this to the data subject on request and as part of our standard information disclosures and privacy notices.

e. Have processes in place to ensure that records pending audit, litigation or investigation are not destroyed or altered.

f. Transfer paper-based records and data to an alternative media format in instances of long retention periods (*with the lifespan of the media and the ability to migrate data where necessary always being considered*).

Designated Owners

18. All systems and records have designated owners throughout their lifecycle, to ensure accountability and a tiered approach to data retention and destruction. Owners are assigned based on role, business area and level of access to the data required. The designated owner is recorded on the Retention Register, which is fully accessible to all employees. Data and records should never be, removed, accessed or destroyed without the prior authorisation and knowledge of the designated owner.

Document Classification

19. Sheldrake Training has detailed Asset Management protocols for identifying, classifying, managing, recording and coordinating Sheldrake Training's assets (*including information*) to ensure their security and the continued protection of any confidential data they store or give access to. We utilise an ***Information Asset Register (IAR)*** to document and categorise the assets under our remit and carry out regular Information Audits to identify, review and document all flows of data within Sheldrake Training.

20. We also carry out regular Information Audits which enable us to identify, categorise and record all personal information obtained, processed and shared by Sheldrake Training in our capacity as a controller and processor which has been compiled on a central register which includes:

a. What personal data we hold.

b. Where it came from.

c. Who we share it with.

d. Legal basis for processing it.

e. What format(s) is it in.

f. Who is responsible for it?

g. Retention periods.

h. Access level (i.e. full, partial, restricted etc).

21. Our information audits and registers, enable us to assign classifications to all records and data, thus ensuring that we are aware of the purpose, risks, regulations and requirements for all data types.

Suspension of Record Disposal for Litigation or Claims

22. If Sheldrake Training is served with any legal request for records or information, any employee becomes the subject of an audit or investigation or we are notified of the commencement of any litigation against our company, we will suspend the disposal of any scheduled records until we are able to determine the requirement for any such records as part of a legal requirement.

Storage & Access of Records and Data

23. Documents are grouped together by category and then in clear date order when stored and/or archived. Documents are always retained in a secure location, with authorised personnel being the only ones to have access. Once the retention period has elapsed, the documents are reviewed, archived or confidentially destroyed dependant on their purpose, classification and action type.

Expiration of Retention Period

24. Once a record or data has reached its designated retention period date, the designated owner should refer to the retention register for the action to be taken. Not all data or records are expected to be deleted upon expiration; sometimes it is sufficient to anonymise the data in accordance with the GDPR requirements or to archive records for a further period.

Destruction and Disposal of Records & Data

25. All information on paper or electronic media must be securely destroyed when it is no longer required. This ensures compliance with the Data Protection laws and the duty of confidentiality we owe to our employees, learners and customers.

26. Sheldrake Training is committed to the secure and safe disposal of any waste and information assets in accordance with our contractual and legal obligations and that we do so in an

ethical and compliant manner. We confirm that our approach and procedures comply with the laws and provisions made in the General Data Protection Regulation (GDPR) and that employees are trained and advised accordingly on the procedures and controls in place.

Paper Records

27. Due to the nature of our business, Sheldrake Training retains paper based personal information and as such, has a duty to ensure that it is disposed of in a secure, confidential and compliant manner. Sheldrake Training will utilise a professional shredding service provider to dispose of all paper materials.

28. Employee shredding machines are made available throughout the building and where we use a service provider for large disposals, regular collections take place and shredding is monitored to ensure that data is disposed of appropriately.

Electronic & IT Records and Systems

29. Sheldrake Training uses numerous systems, computers and technology equipment in the running of our business. From time to time, such assets must be disposed of and due to the information held on these whilst they are active; this disposal is handled in an ethical and secure manner.

30. The deletion of electronic records must be organised in conjunction with the IT Manager who will ensure the removal of all data from the medium so that it cannot be reconstructed. When records or data files are identified for disposal, their details must be provided to the designated owner to maintain an effective and up to date a register of destroyed records.

Internal Correspondence and General Memoranda

31. Unless otherwise stated in this policy or the retention periods register, correspondence and internal memoranda should be retained for the same period as the document to which they pertain or support *(i.e. where a memo pertains to a contract or personal file, the relevant retention period and filing should be observed*).

32. Where correspondence or memoranda that do not pertain to any documents having already been assigned a retention period, they should be deleted or shredded once the purpose and usefulness of the content ceases or at a maximum of 2 years.

33. Examples of correspondence and routine memoranda include (but are not limited to):

a. Internal emails.

b. Meeting notes and agendas.

c. General inquiries and replies.

d. Letter, notes or emails of inconsequential subject matter.

Erasure

34. In specific circumstances, data subjects' have the right to request that their personal data is erased, however Sheldrake Training recognise that this is not an absolute *'right to be forgotten'*. Data subjects only have a right to have personal data erased.

Responsibilities

35. Heads of departments and information asset owners have overall responsibility for the management of records and data generated by their departments' activities, namely, to ensure that the records created, received and controlled within the purview of their department, and the systems (*electronic or otherwise*) and procedures they adopt, are managed in a way which meets the aims of this policy.

36. The GDPR Lead must be involved in any data retention processes and records, or all archiving and destructions must be retained. Individual employees must ensure that the records for which they are responsible are complete and accurate records of their activities, and that they are maintained and disposed of in accordance with the Sheldrake Training protocols.

Retention Periods

37. Annex A of this policy contains our regulatory, statutory and business retention periods and the subsequent actions upon reaching said dates. Where no defined or legal period exists for a record, the default standard retention period is six years plus the current year (*referred to as 6 years + 1*).

Version Control	
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Version Number:	2.1
Originator:	Head of HR
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Retention Register

RECORD	RETENTION PERIOD	ASSET OFFICER	ACTION	NOTES
Information, data or record	*Period for retaining record & accompanying notes*	*Who is responsible for reviewing periods*	*Destroy, archive, review etc*	
Accident books, accident records/reports	50 years	*Office Manager*		Scanned and held on secure S Drive
Accounting records	6 years + 1	*Finance Manager*	Archived then destroyed	
Income tax and NI returns Income tax records IR correspondence	At least 3 years after the end of the financial year to which they relate	*Finance Manager*	Archived then destroyed	
Statutory Maternity Pay records, calculations, certificates & related medical evidence	7 years	*HR*		
Wage/salary records, overtime, bonus & expenses	6 years + 1	*Finance Manager*	Archived then destroyed	
Interview Paperwork	1 year after recruitment campaign has finished unless consent to keep for longer	*HR*	Successful candidate paperwork transferred to personnel file Destroy all unsuccessful candidate paperwork	
Staff Details • Date of Birth • Passport number and copy • Address • Email Address • Contact Telephone numbers • National Insurance number • Marital Status • Sex	Retain and check currency whilst in employment Clear HR system and file when employee leaves Retain hard copy passport for 6 years after employee leaves	*HR*	Check accuracy of current data annually Clear HR System Destroy hard copy paperwork	
Emergency Contact Details	When employee leaves	*HR*	Clear HR System and destroy hard copy paperwork	

RECORD	RETENTION PERIOD	ASSET OFFICER	ACTION	NOTES
Information, data or record	*Period for retaining record & accompanying notes*	*Who is responsible for reviewing periods*	*Destroy, archive, review etc*	
DBS Certificates	Certificates 6 months after employee starts DBS number retained on sage for 6 years	*HR*	Destroy hard copy certificate Deleted after 6 years when sage system cleared	
Death in service nomination form	When employee leaves	*HR*	Destroy hard copy paperwork, remove details from spreadsheet	
Offer Letters	6 years after employee leaves	*HR*	Destroy all hard and soft copy paperwork	
Contracts of employment (including amendments)	6 years after employee leaves	*HR*	Destroy all hard and soft copy paperwork	
Employee correspondence	6 years after employee leaves	*HR*	Destroy all hard and soft copy paperwork	
Qualifications	2 years after employee leaves	*HR*	Clear HR System and destroy hard copy paperwork	
Records of training	2 years after employee leaves	*HR*	Clear HR System and destroy hard copy paperwork	
Driving Licence	Only company vehicle users' licences are held.	*HR*	Clear HR System and destroy hard copy paperwork	
References received as part of recruitment	2 years after employee leaves	*HR*	Destroy hard copy paperwork	
Medical Questionnaire	3 years after employee leaves	*HR*	Destroy hard copy paperwork	
Appraisals	2 years after employee leaves	*HR*	Destroy hard and soft copy paperwork	

RECORD	RETENTION PERIOD	ASSET OFFICER	ACTION	NOTES
Information, data or record	*Period for retaining record & accompanying notes*	*Who is responsible for reviewing periods*	*Destroy, archive, review etc*	
Bank Details	Paper copy destroyed once added to banking system. Removed from online banking one month after employee's last salary payment has been made.	*HR*	Destroy hard copy paperwork Remove from online banking	
Leave Records	Electronic leave form – 2 years after current leave year Remains on HR system until employee record deleted 6 years after employee leaves	*HR*	Destroy/Delete Delete employee from HR system	
Working hours	6 years after employee leaves	*HR*	Destroy/Delete hard and soft copy paperwork	
Sickness records	3 years after employee leaves	*HR*	Destroy/Delete hard and soft copy paperwork	
Records of maternity/paternity/adoption	6 years after employee leaves – kept with payroll records	*HR*	Destroy/Delete hard and soft copy paperwork	
Salary Review letters	6 years after employee leaves	*HR*	Destroy/Delete hard and soft copy paperwork	
Recruitment Records which are transferred on commencement of employment	1 year after employee leaves	*HR*	Destroy/Delete hard and soft copy paperwork	
References provided for outgoing employees	2 years after the date issued	*HR*	Destroy/Delete hard and soft copy paperwork	
Exit interview paperwork	3 years after employee leaves	*HR*	Destroy/Delete hard and soft copy paperwork	
Redundancy Paperwork	6 years after employee leaves	*HR*	Destroy/Delete hard and soft copy paperwork	
Disciplinary Records	2 years after the employee leaves	*HR*		

RECORD	RETENTION PERIOD	ASSET OFFICER	ACTION	NOTES
Information, data or record	*Period for retaining record & accompanying notes*	*Who is responsible for reviewing periods*	*Destroy, archive, review etc*	
Grievance records	2 years after the employee leaves	*HR*		
Mortgage/tenant references provided for employees	1 year after issued	*HR*	Destroy/Delete hard and soft copy paperwork	
All Associate paperwork	1 year after associate no longer works on behalf of Sheldrake Training unless consent given to keep for longer	*HR*	Destroy/Delete hard and soft copy paperwork	
Board Papers	Indefinitely	*Chief Operation Officer*		All held on secure drive/external drive
Records documenting the firm's relationships and responsibilities to statutory and/or regulatory bodies and its legal responsibilities	Permanent	*Finance Manager*		
Business documents, policies, procedures, strategies etc	Superseded + 6 years *(then reviewed for archive value purposes)*	*Office Manager*	Reviewed annually	
Supplier, business relationship documents, contracts, SLA's, audits, reviews etc	End of relationship + 6 years + 1	*Office Manager*		
Reviews, analysis, compliance monitoring, quality assurance, operational performance etc	5 years +1	*MIS & Quality Manager*		
Marketing, press releases	2 years after last action	*Communications Manager*		
Memberships, certification and/or accreditation with professional associations	End of membership/accreditation + 1 year	*Finance Manager*		
Learner Files	6 years + 1	*MIS & Quality Manager*		2009-2013 retained until 2024

RECORD	RETENTION PERIOD	ASSET OFFICER	ACTION	NOTES
Information, data or record	*Period for retaining record & accompanying notes*	*Who is responsible for reviewing periods*	*Destroy, archive, review etc*	
CVs and covering letters	1 year after recruitment campaign has finished unless gained consent to keep for longer 2 years where candidates have asked to retain CV on file for future vacancies	*HR*	Successful candidate paperwork transferred to personnel file. Destroy all unsuccessful candidate paperwork unless requested to retain.	