



Data Retention Policy

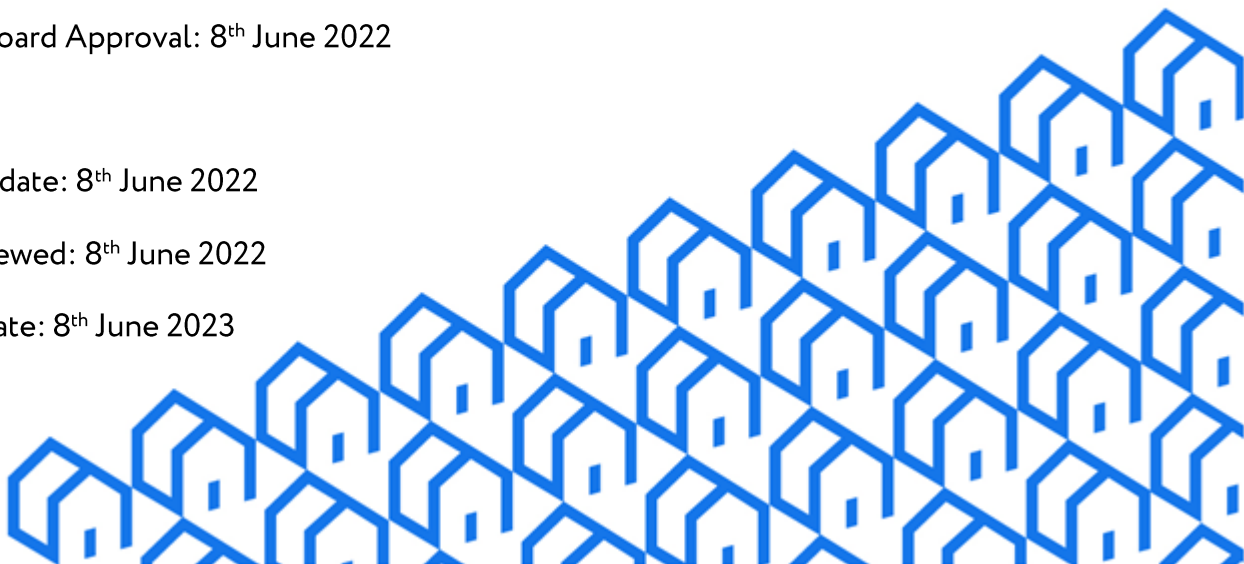
Date of Board Approval: 8th June 2022

Version: 1

Effective date: 8th June 2022

Last Reviewed: 8th June 2022

Review date: 8th June 2023



Policy Statement

Save for exceptional circumstances which must be raised with, and approved by the CEO, all personal data must be retained in accordance with this policy. Often, in respect of certain types of information, we are under a legal obligation to retain the information for a minimum period of time. Where this is the case, the minimum time we have stipulated is the same as the time required under law. Furthermore, there are occasions where it is appropriate for us to retain personal data for longer than the period prescribed in law (for example, where there may be litigation in process or expected where the data will form part of the evidence in the case). In such circumstances, the requirements of the litigation will override the policies outlined below.

Empower Housing Association (EHA) is committed to enforcing this policy as it applies to all forms of data. The effectiveness of EHA efforts, however, depends largely on employees. If you feel that you or someone else may have violated this policy, you should report the incident immediately to your manager. If employees do not report inappropriate conduct, EHA may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action. No one will be subject to, and EHA prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

Where there is a requirement for the Company to retain information for longer periods of time, consideration must be given to whether any personal data within it should be 'anonymised' such that the data subject can no longer be identified but the contents and context of the document still reviewed and understood. Where, in the table below, the data is identified as being capable of being anonymised, anonymisation should take place as soon as reasonably possible once the need to retain the personal data has expired.

2. Retention Periods for Data Held

Employees/Job Applicants

<u>Type of Data Held</u>	<u>Location of Data</u>	<u>Source of Data</u>	<u>Who is access limited to</u>	<u>Reason for Data Being Held (lawful basis for processing)</u>	<u>Retention Period</u>	<u>Reason for Retention Period</u>	<u>Delete/ Anonymise</u>
Full Name	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	6 years after having left employment	Claims can be brought up to 6 years after the end of employment so this information may be needed in the event of a claim being brought.	Anonymise
Date of birth	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete
Full address	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete

Previous addresses	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	6 months after record is updated.	The information may be needed for a short period after it has been changed to confirm previous address history.	Delete
Telephone numbers	Hard drive Physical files	Employee as part of fair processing notice	CEO and relevant colleagues	Contractual Obligations & Operational Purposes	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete
Personal email address	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete
Gender	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete
Marital status and dependants	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete

Next of kin and emergency contact information	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations Vital Interests	1 year after having left employment	It may be necessary to contact former employees in relation to ongoing work.	Delete
National Insurance Number	Hard drive Physical files	Employee as part of fair processing notice	CEO & Payroll	Contractual Obligations Legal Obligations	7 years after having left employment	Tax reporting purposes	Delete
Bank details and tax codes and payroll information	Hard drive Physical files	Employee as part of fair processing notice	CEO & Payroll	Contractual Obligations Legal Obligations	7 years after having left employment	Tax reporting purposes	Delete
Copy of driving licence	Hard drive Physical files	Employee as part of fair processing notice	CEO	Contractual Obligations Legal Obligations	Upon leaving employment unless the data needs to be retained for the purposes of reporting or compliance with our legal obligations, in which case it will be retained	These records are classed as sensitive personal data, there is no need for the company to have a copy of an employee's driving license after they leave employment unless it needs to be retained in accordance with	Delete

					for 6 years after leaving employment.	our legal obligations, including under the Equality Act 2010	
Medical information (i.e. information relating to disabilities or medical information that may be needed).	Hard drive Physical files	Employee Medical Professional Occupational Health CEO Contractual Obligations	CEO	Contractual Obligations Legal Obligations Vital Interests To enable us to ensure your health and safety in the workplace, to assess your fitness for work, to provide reasonable adjustments where necessary and to monitor and manage sickness absence and administer pay and benefits.	6 months after leaving employment unless the data needs to be retained for the purposes of reporting or compliance with our legal obligations, in which case it will be retained for 6 years after leaving employment.	These records are classed as sensitive personal data, there is no need for the company to have any information relating to an employee's medical history after they leave employment unless it needs to be retained in accordance with our legal obligations, including under the Equality Act 2010	Delete

Race, religion, sexual orientation	Hard drive Physical files	Employee	CEO	Contractual Obligations Legal Obligations To ensure equal opportunities	6 months after leaving employment unless the data needs to be retained for the purposes of reporting or compliance with our legal obligations, in which case it will be retained for 6 years after leaving employment.	Claims can be brought up to 6 years after the end of employment so this information may be needed in defence of a claim.	Delete
Contract of employment	Hard drive Physical files	Contract of employment	CEO	To ensure all employee records are accurate and to ensure both the company and its employees are complying with the terms of the	6 years after leaving employment	Claims can be brought up to 6 years after the end of employment so this information may be needed in defence of a claim.	Delete

				contract of employment.			
Information about use of our electronic systems	Hard drive Physical files	Employee Internal computer systems	All employees within employee handbook	Contractual Obligations Legal Obligations	1 year after having left employment		Delete
Disciplinary history	Hard drive Physical files	Internal records kept with HR	CEO	To ensure employee records are up to date and accurate.	2 years after expiry of disciplinary action or 6 years after termination of employment, whichever is sooner.	Many disciplinary notes expire after a set period and should be removed from the record upon expiry. Some, however, will need to be kept on record as evidence in the event of an employment tribunal claim or other litigation, or for regulatory reasons.	Delete
Performance Management Information	Hard drive Physical files	Employee Internal records	CEO	Contractual Obligations Legal Obligations	6 years after leaving employment	Performance Management Information will need to be kept on record as evidence in the event of an employment	Delete

						tribunal claim or other litigation, or for regulatory reasons.	
Grievances	Hard drive Physical files	Employee Internal records	CEO	Contractual Obligations Legal Obligations	6 years after leaving employment	Claims can be brought up to 6 years after the end of employment so this information may be needed in the event of a claim being brought.	Delete
CVs	Hard drive Physical files	Employee and/or recruitment agency	CEO	To enable the assessment of candidates for jobs.	12 months after unsuccessful application	To enable the defence of any claims arising out of a rejected application.	Delete
Criminal records	Hard drive Physical files	Employee and/or background checking service	CEO	To ensure that the employee is not prohibited from undertaking the employment and to ensure the Company is not putting employees or	As soon as the requirement for obtaining the information has passed (i.e. if preemployment, upon the notification to the prospective employee of	Criminal records are highly sensitive information, and the retention period balances the requirements of the Company against the rights of the subject and the harm that could be	Delete

				third parties at risk.	whether they have been successful) or upon termination of employment, only where the record is legally required to be kept due to the nature of the employee's role.	caused by the loss of this data.	
Background checks and searches	Hard drive Physical files	Background checking service. Former employers Other referees Educational Provider	CEO	To ensure applicants are not prohibited from being employed in the role in question or prohibited from undertaking certain aspects of the role in question and/or to	Unless required to be kept by a code of practice or regulator, such records should be deleted upon the employee successfully passing their probation period.	Once an applicant becomes an employee and has successfully passed probation this information is no longer required. This is only overridden where a regulator or code of practice obliges us to retain this information for a longer period of time	Delete

				assess suitability for employment.			
Right to work documentation	Hard drive Physical files	Employee HMRC Home Office	CEO	Contractual Obligations Legal Obligations	2 years after having Left employment	Legal obligations	Delete
Employment history (training records, working hours, job titles, salary information)	Hard drive Physical files	Employee Contract of employment Training provider Internal records	CEO	Contractual Obligations Legal Obligations	1 year after having left employment	Legal obligations	Delete

Board Members / Trustees

Type of Data Held	Location of Data	Source of Data	Who is access limited to	Reason for Data Being Held (lawful basis for processing)	Retention Period	Reason for Retention Period	Delete/ Anonymise
Full Name	Hard drive Physical files	Trustee as part of fair processing notice	CEO	Legal obligations	6 years after having left	Claims can be brought up to 6 years after the end of appointment so this information may be needed in the event of a claim being brought.	Anonymise
Date of birth	Hard drive Physical files	Trustee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former Board Members /Trustees in relation to ongoing work.	Delete
Full address	Hard drive Physical files	Trustee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former Board Members /Trustees in relation to ongoing work.	Delete

Previous addresses	Hard drive Physical files	Trustee as part of fair processing notice	CEO	Contractual Obligations	6 months after record is updated.	The information may be needed for a short period after it has been changed to confirm previous address history.	Delete
Telephone numbers	Hard drive Physical files	Trustee as part of fair processing notice	CEO and relevant colleagues	Contractual Obligations & Operational Purposes	1 year after having left employment	It may be necessary to contact former Board Members /Trustees in relation to ongoing work.	Delete
Personal email address	Hard drive Physical files	Trustee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former Board Members /Trustees in relation to ongoing work.	Delete
Gender	Hard drive Physical files	Trustee as part of fair processing notice	CEO	Contractual Obligations	1 year after having left employment	It may be necessary to contact former Board Members /Trustees in relation to ongoing work.	Delete
Board Minutes & Resolutions	Hard drive Physical files	Board meetings	Board & housing management team	Public task and legal obligations	Permanently	Legal obligations	N/A

Board member documents – undertakings, SLA’s, etc	Hard drive Physical files	Board meetings	Board & CEO	Public task and legal obligations	6 years after having left the Board	Legal obligation. Claims can be brought up to 6 years after the end of tenure - this information may be needed in the event of a claim being brought.	Delete
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Tenants/Former Tenants

Type of Data Held	Location of Data	Source of Data	Who is access limited to	Reason for Data Being Held (lawful basis for processing)	Retention Period	Reason for Retention Period	Delete/ Anonymise
Full Name	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Contractual obligations (tenancy)	Tenant files to be kept for 6 years after tenancy expiration to comply with tax /legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Anonymise

Date of birth	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Contractual obligations (Benefit Applications)	Tenant files to be kept for 6 years after tenancy expiration to comply with tax /legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete
Previous addresses	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Contractual obligations (Benefit Applications)	Tenant files to be kept for 6 years after tenancy expiration to comply with tax /legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete
Telephone numbers	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Public Task	Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete

Personal email address	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Public Task	Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete
Next of kin and emergency contact information	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Public Task Vital Interest	Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete
National Insurance Number	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Public Task Contractual Obligations (Benefit Applications)	Tenant files to be kept for 6 years after tenancy expiration to comply with tax / legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete

Medical information (i.e. information relating to disabilities or medical information that may be needed).	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Vital Interest Public Task	Tenant files to be kept for 6 years after tenancy expiration to comply with tax /legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete
Financial information relating to housing benefit application	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Contractual obligations (benefit application)	Tenant files to be kept for 6 years after tenancy expiration to comply with tax /legal obligations	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete
Information relating to benefits	Hard drive Physical files	Tenant / representative as part of tenancy process	Housing Management Team	Contractual obligations (benefit application)	Tenant files to be kept for 6 years after tenancy expiration	Legal obligations. Limitations Act 1980 and Best practice with DPA compliance 5th principle.	Delete

					to comply with tax /legal obligations		
Housing Benefit Notifications	Hard drive Physical Files	Local Authority	Housing Management Team	Contractual obligations (tenancy agreement)	2 years	Contractual obligations. Recommendation of National Housing Federation	Delete
CCTV images	Hard drive	Support Provider, EHA	Housing Management Team, External staff	Public task	No longer than 30 days, unless used in ongoing investigations. Disposed of once investigation concluded	Used in investigations into criminal / anti-social behaviour	Delete

Contractor / Landlord Information

Type of Data Held	Location of Data	Source of Data	Who is access limited to	Reason for Data Being Held (lawful basis for processing)	Retention Period	Reason for Retention Period	Delete/ Anonymise
Business Name	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Business Address	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Personal Email Addresses	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Company Number	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings	Delete

						(12 years if related to land)	
Insurance Details	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
References	Hard drive Physical files	Third party	CEO	Contractual obligations	1 year	Contractual.	Delete
Employee names	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete
Bank Account Details	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	Upon termination of contract		Delete
Contracts for the supply of goods and services	Hard drive Physical files	Contractor	Housing Management Team	Contractual obligations	6 years	Legal obligations. Limitation for legal proceedings (12 years if related to land)	Delete

3. Responsibility

The designated officer responsible for implementation and monitoring of this policy will be the Chief Executive.

4. Equality and Diversity

We are committed to respecting diversity in all aspects of our work, and we will not tolerate any form of discrimination.

5. Commitment and Review

EHA will formally review this policy every three years.