

Cancer52 Data Retention and Disposal Policy

Introduction

In the course of carrying out various functions, we create and hold a wide range of recorded information. Records will be properly retained to enable us to meet our business needs, legal requirements, to evidence events or agreements in the event of allegations or disputes and to ensure that any records of historic value are preserved.

The untimely destruction of records could affect:

- the conduct of business;
- the ability of the business to defend or instigate legal actions;
- the business's ability to comply with statutory obligations; and/or
- the business's reputation.

Conversely, the permanent retention of records is undesirable and, in certain circumstances, unlawful. Therefore, disposal is necessary to free up storage space, reduce administrative burden, and to ensure that the organisation does not unlawfully retain records for longer than necessary, particularly those containing personal data.

This policy supports our organisation in demonstrating accountability through the proper retention of records and by demonstrating that disposal decisions are taken with proper authority and in accordance with due process.

Purpose

The purpose of this policy is to provide guidance as to set out the length of time that records should be retained and the processes to review the records as to any further retention or for disposing of records at the end of the retention period. The policy helps to ensure that we operate in compliance with the General Data Protection Regulation and any other legislative or regulatory retention obligations.

Scope

The policy covers the records listed in the Data Processed Register, irrespective of the media on which they are created or held, including:

- paper;
- electronic files (including database, Word documents, power point presentations, spreadsheets, web pages and e-mails); and
- photographs, scanned images, CD-ROMs, and videotapes.

The policy covers all types of records that we create or hold which may include but are not limited to:

- Employee / Contractor / Trustee Data
- Member Charity Data
- Patient Data
- Minutes of Meetings
- Data from external parties
- Contracts and invoices
- Registers
- Legal advice
- Financial accounts
- The organisation's publications

Application

The policy applies equally to all staff, contractors and Trustees, and outsourced suppliers.

Minimum Retention Period

Unless a record has been marked for 'permanent preservation' it should only be retained for a limited period of time. A recommended minimum retention period is provided for each category of record in the Data Processed Register. The retention period applies to all records within that category.

The recommended minimum retention period derives from either:

- business need;
- legislation;
- responding to complaints;
- taking or defending legal action

The current agreed data retention periods are set out in Appendix 1.

Disposal

Cancer52 is responsible for ensuring that data is periodically reviewed (at least annually) to determine whether any retention periods have expired. Once the retention period has expired, the data must be reviewed, and a disposal action agreed upon.

A disposal action is:

- the destruction of the data; or
- the retention of the data for a further period; or,
- alternative disposal of the data.

The disposal action decision must be reached having regard to:

- on-going business and accountability needs (including audit);
- current applicable legislation;
- whether the data has any long-term historical or research value;
- best practice in the business industry;
- costs associated with continued storage versus costs of destruction; and
- the legal, political, and reputational risks associated with keeping, destroying or losing control over the data.

Decisions must not be made with the intent of denying access or destroying evidence.

Destruction

No destruction of data should take place without assurance that:

- the data is no longer required by any part of the business;
- no work is outstanding by any part of the business;
- no litigation or investigation is current or pending which affects the data; and
- there are no current or pending [Freedom of Information or] Data Protection access requests which affect the data.

[All disposals must be recorded on the Data Disposal Record, see Appendix 2.]

Destruction of Paper Records

Destruction should be carried out in a way that preserves the confidentiality of the data. Non-confidential data can be placed in ordinary rubbish bins or recycling bins. Confidential data should be placed in confidential waste bins or shredded and placed in paper rubbish sacks for collection by an approved disposal firm. All copies, including security copies, preservation copies and backup copies, should be destroyed at the same time and in the same manner.

Destruction of Electronic Records

All electronic data will need to be either physically destroyed or wiped in keeping with the organisation's [Data Security Policy]. Deletion of the files is not sufficient.

Further Retention

The data may be retained for a further period if it has on-going business value or if there is specific legislation that requires it to be held for a further period. [Data should not ordinarily be retained for more than 30 years in aggregate from the date of creation, save for human resources information that may need to be retained for 100 years from date of birth.]

Further Information

This document should be read in conjunction with Cancer52's Data Protection Policy and Privacy Policy.

Appendix 1

Data Retention Periods

Data Type	Retention Period	Rationale	Location
Employee / Contractor / Trustee Data	7 years	In line with guidance / recommendations	All information is held online on our secure password-protected cloud storage system
Member Charity Data	2 years		
Patient Data	6 months		
Minutes of Meetings	7 years		
Data from external parties	7 years		
Contracts and invoices	7 years		
Registers	7 years		
Legal advice	7 years		
Financial accounts	7 years		
The organisation's publications	Indefinite		

Appendix 2

Data Disposal Record

Data Type	Disposal Date	Disposal Method	Rationale
Employee / Contractor / Trustee Data			
Member Charity Data			
Patient Data			
Minutes of Meetings			
Data from external parties			
Contracts and invoices			
Registers			
Legal advice			
Financial Accounts			
The organisation's publications			