

NORTH VIEW Housing Association

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North View is a registered Scottish charity – charity registration number SC032963

POLICY

DATA PROTECTION: - DATA RETENTION

Passed:-	24/05/2023	Review Date:-	April 2028
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All North View policies and publications can be made available on CD/data-to-voice, in Braille, large print and community languages.

For further details please contact us on 0141 634 0555 or email us on enquiries@nvha.org.uk

1.0 Introduction

1.1 North View Housing Association aims to ensure that all the data it holds is:-

- accurate and up to date,
- held no longer than is necessary for purpose,
- securely stored, and
- securely destroyed when no longer relevant.

1.2 North View Housing Association recognises that not all data can be processed and retained for the same duration; how long we retain information for will be determined by the nature and importance of particular pieces of data.

1.3 The Policy applies to all personal information that the Association holds electronically and on paper.

2.0 Timescale for Retention

2.1 Data shall be retained in accordance with the timescales listed below; data about information relating to individual persons i.e., personal data is highlighted in italics:-

DATA DETAILS	PURPOSE FOR WHICH DATA IS RETAINED	RETENTION TIME
Office and Administration		
Visitor Book entries	Best practice	6 months from date of visit
PR, Communications and website		
Newsletter and other communication distribution lists (post mail only)	Legal compliance	Until the recipient opts out of receiving the newsletter



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Social media posts and messages	Best practice	Dependent on internal business requirements
Website contact forms/requests/enquiries/complaints	Best practice	Deleted as soon as the form/request/enquiry/complaint has been transferred to the document management system, although the original may be retained for audit purposes
Photographs (including consent forms where available)		Until the subject of the photograph objects to their photograph being used
Housing Management		
<i>Housing applications</i>	<i>To 'point' housing applications to determine level of housing need</i>	<i>For cancelled applications, between 12 and 18 months from the date of cancellation. For successful applications, application will be moved to tenant's personal file</i>
<i>Tenancy agreements and tenants' files (including repairs history)</i>	<i>Developed throughout tenancy with North View</i>	<i>To be retained for 5 years after date of Termination of Tenancy</i>
<i>Former tenant files, agreements etc. (including repairs history).</i>	<i>Best practice</i>	<i>To be retained for 5 years after date of Termination of Tenancy.</i>
<i>Landlord Gas Safety Record</i>	<i>Regulations</i>	<i>To be retained on file for 6 years from date of inspection.</i>
<i>Gas Warning Notices</i>	<i>Best practice</i>	<i>To be retained on file for 7 years from date of issue.</i>
<i>Housing Benefit notifications</i>	<i>Good practice</i>	<i>2 years after the end of the tax year to which it relates.</i>
<i>Records relating to offenders, ex-offenders and persons subject to cautions</i>	<i>Best practice</i>	<i>To be retained for 5 years after date of Termination of Tenancy</i>
<i>Third party documents i.e., from care agencies, social work etc</i>	<i>Developed throughout tenancy with North View</i>	<i>To be retained for 5 years after date of Termination of Tenancy.</i>
Welfare Rights		
<i>Tenant health information</i>	<i>To support a benefit claim.</i>	<i>Timescales vary and are dependent on specialist welfare rights software systems used</i>



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<i>Tenant income information</i>	<i>To support a benefit claim.</i>	Timescales vary and are dependent on specialist welfare rights software systems used
<i>Health information from non-tenant member of the household</i>	<i>To support a benefit claim.</i>	Timescales vary and are dependent on specialist welfare rights software systems used
Governance		
Certificate of registration with the Scottish Housing Regulator	Best practice	Permanently
Confirmation letter of charitable registration	Best practice	Permanently
Confirmation letter of Property Factor registration	Best Practice	Permanently
HMRC confirmation of charitable status	Best practice	Permanently
Original signed Committee meeting minutes	Regulatory Obligation to keep a record of all original signed committee meeting minutes	Permanently
<i>Committee member register</i>	<i>Statutory and Regulatory Obligation to provide information about Committee members. To meet both obligations, the Association will process the following information on each member – name, address, date on which person became a member of the Committee</i>	<i>Permanently</i>



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	<i>record of attendance at Committee and Sub-Committee meetings</i>	
<i>Shareholder register</i>	<i>Statutory obligation to record the name, address, membership numbers, and date on which share was issued to Shareholder</i>	<i>Register is reviewed regularly to ensure it is up to date – i.e., removal of deceased members, those who have moved out the area, those who have chosen to end their membership, and those whose membership the Association has ended according to the criteria and conditions outlined in the Association's Rules</i>
Completed Committee Code of Conduct, Declaration of Interest, and Equal Opportunities Forms	Regulatory Obligation	6 years from the end of membership
Committee training records	Best practice	Permanently
Register of Seals	Best practice	Permanently
Register of share certificates	Best practice	Permanently
Annual returns to the SHR	Best practice	5 years after the end of the tax year to which it relates
Finance, Accounting & Tax Records		
Invoices	Audit requirement	6 years after the end of the tax year to which it relates
Orders and Delivery Notes	Audit requirement	6 years after the end of the tax year to which it relates
Credit and debit notes	Audit requirement	6 years after the end of the tax year to which it relates
Receipts	Audit requirement	6 years after the end of the tax year to which it relates
Tax Returns	Audit requirement	6 years after the end of the tax year to which it relates



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Paying in counterfoils	Audit requirement	6 years after the end of the tax year to which it relates
Bank statements	Limitation for legal proceedings	6 years after the end of the tax year to which it relates
Instructions to bank	Limitation for legal proceedings	6 years after the end of the tax year to which it relates
Accounting records for Charity	Required by OSCR	6 years after the end of the tax year to which it relates
Balance sheets and supporting documents	Best practice	6 years after the end of the tax year to which it relates
Loan account control reports	Best practice	6 years after the end of the tax year to which it relates
Social Housing Grant documentation	Best practice	Permanently
Signed copy of report and accounts	Best practice	Permanently
Budgets and internal financial reports	Best practice	6 years after the end of the tax year to which it relates
Tax returns and records	Best practice	10 years after the end of the tax year to which it relates
Creditors, debtors & cash income control accounts	Best practice	6 years after the end of the tax year to which it relates
Employees – Health & Safety		
<i>Medical records relating to the control of asbestos and hazardous substances</i>	<i>Best practice</i>	<i>40 years after the end of the tax year to which it relates</i>
<i>Medical records relating to the Control of Substances Hazardous to Health regulations</i>	<i>Best practice</i>	<i>40 years after the end of the tax year to which it relates</i>
<i>Sickness records</i>	<i>Limitation for legal proceedings</i>	<i>6 years however for industrial injuries not detectable within 6 years, e.g., asbestos then the time may be extended to up to 40 years</i>
<i>Health & Safety Risk Assessments</i>	<i>Good practice</i>	<i>Permanently</i>
<i>Records of consultations</i>	<i>Good practice</i>	<i>Permanently</i>



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<i>with Safety representatives and committee</i>		
<i>Health & Safety statutory notices</i>	<i>Limitation for legal proceedings</i>	<i>6 years after compliance</i>
<i>Accident records</i>	<i>Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)</i>	<i>3 years or if a child was involved, until they are 21</i>
<i>Driving licence information for company car users and any declarations which are obtained annually.</i>	<i>Best practice</i>	<i>Duration of employment and removed on termination</i>
<i>Vehicle insurance, MOT & Road Tax information for Essential Car Users, and any declarations.</i>	<i>Best practice</i>	<i>Duration of employment and removed on termination</i>
Employees – Tax and Social Security		
<i>Record of taxable payments</i>	<i>HMRC</i>	<i>6 years after the end of the tax year to which it relates</i>
<i>Record of tax deducted or refunded</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Record of earnings on which National Insurance Contributions payable</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Record of employer's and employee's National Insurance Contributions</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>NIC contracted-out arrangements</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Employee bank details for payment of salary etc</i>	<i>Best practice</i>	<i>Duration of employment and removed on termination</i>
<i>Copies of notices to employee (e.g., P45, P60)</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>



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<i>Inland Revenue notice of code changes, pay & tax details</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Expense claims</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Record of sickness payments</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Record of maternity Payments and any associated evidence (i.e., MATB1's)</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment to which it relates</i>
<i>Income tax PAYE and NI returns</i>	<i>HMRC</i>	<i>7 years from the date of termination of employment</i>
<i>Redundancy records, payments and refunds and all facts relating to such</i>	<i>HMRC</i>	<i>7 years after the end of the tax year to which it relates</i>
<i>Inland Revenue approvals</i>	<i>HMRC</i>	<i>Permanently</i>
<i>Annual earnings summary</i>	<i>HMRC</i>	<i>7 years after the end of the tax year to which it relates</i>
Employees – Pension Schemes		
<i>Actuarial valuation reports</i>	<i>The Pensions Regulator</i>	<i>Permanently</i>
<i>Detailed returns of pension fund contributions</i>	<i>The Pensions Regulator</i>	<i>Permanently</i>
<i>Annual reconciliations of fund contributions</i>	<i>The Pensions Regulator</i>	<i>Permanently</i>
Employees – Personnel Procedures		
<i>Terms and Conditions of Service, both general which are applicable to all employees, and those which are specific to individuals</i>	<i>Limitation for legal proceedings</i>	<i>7 years from the date of termination of employment</i>
<i>Remuneration package</i>	<i>Limitation for legal proceedings</i>	<i>7 years from the date of termination of employment</i>
<i>Former employee's Personnel Files</i>	<i>Best practice</i>	<i>7 years from the date of termination of employment</i>



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<i>References to be provided for former employees</i>	<i>Best practice</i>	<i>7 years from the date of termination of employment</i>
<i>Training programmes</i>	<i>Best practice</i>	<i>6 years after the end of the tax year to which it relates</i>
<i>Individual training records</i>	<i>Best practice</i>	<i>7 years from the date of termination of employment</i>
<i>Disciplinary records</i>	<i>To comply with Disciplinary procedures</i>	<i>6 months after conclusion of investigation or expiry of warning.</i>
<i>Short lists, interview notes and application forms</i>	<i>Best practice</i>	<i>1 year for shortlisted applicants and duration of employment for successful applicants.</i>
<i>Proof of Jury Duty</i>	<i>Best practice</i>	<i>2 years after audit</i>
<i>Application forms for non-shortlisted applicants</i>	<i>Recommendation of Commission for Racial Equality and Equal Opportunities Commission.</i>	<i>6 months after the end of the tax year to which it relates.</i>
<i>DBS documentation</i>	<i>Best practice</i>	<i>6 months after the end of the tax year to which it relates.</i>
<i>Timesheets</i>	<i>Best practice</i>	<i>7 years from the date of termination of employment</i>
<i>Records of annual leave and TOIL.</i>	<i>Best practice</i>	<i>7 years from the date of termination of employment</i>
<i>Records of Parental Leave</i>	<i>Best practice</i>	<i>7 years from the date of termination of employment</i>
<i>Trade union agreements</i>	<i>Best practice</i>	<i>10 years after ceasing to be effective</i>
<i>Employer/employee committee minutes</i>	<i>Best practice</i>	<i>Permanently</i>
Insurances		
<i>Claims and related correspondence</i>	<i>Zurich Municipal recommendation</i>	<i>7 years from the date of claim</i>
<i>Current and former policies</i>	<i>Best practice</i>	<i>7 years from the end of the period of insurance cover</i>
<i>Annual insurance schedule</i>	<i>Best practice</i>	<i>6 years after the end of the tax year to which it relates.</i>



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Indemnities and guarantees	Limitation for legal proceedings	6 years and 12 years if related to land.
Group health policies	Best practice	12 years after the end of the tax year to which it relates.
Employer's liability insurance certificate	Best practice	7 years from the end of the period of insurance cover.
Vehicles		
V5C's (registrations)	Best practice	2 years after disposal
Maintenance records, repairs, MOT tests	Best practice	2 years after disposal
Mileage records	Best practice	2 years after disposal
V11's and SORN confirmation letters	Best practice	2 years after disposal
Leases and deeds of ownership	Best practice	Leases – 20 years after the end of the lease Deeds - permanently
Former Leases	Limitation for legal proceedings	20 years after the end of the lease
Development		
Property searches	Limitation for legal action	20 years after ownership ceases
Development documentation	Limitation for legal action	Permanently, with the exception of expired warranties, which are retained for duration of warranty.
Planning and building control permissions	Limitation for legal action	20 years after ownership ceases
Capital Assets		
Fixed Asset Register	Best practice	Permanently



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Strategic Management

Business Plans and supporting documentation (e.g organisation structures, aims, objectives, funding issues)	Best practice	5 years after plan completion
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Contracts and Agreements

Loan agreements	Best practice	Permanently
Rental and hire purchase agreements	Limitation for legal proceedings	6 years after expiry
Indemnities and guarantees	Limitation for legal proceedings	6 years after expiry

Contracts and Agreements

Contracts for the supply of goods or services, including professional services	Limitation for legal proceedings	6 years after end of the contract.
Documentation relating to small one-off purchases of goods and services, where there is no continuing maintenance or similar requirement.	Best practice	6 years after the end of the tax year to which it relates
Contracts for the supply of goods or services, including professional services	Limitation for legal proceedings	6 years after end of the contract

Procurement

Documents relating to successful Tender.	Best practice	6 years after end of contract
Documents relating to unsuccessful Tender.	Best practice	6 years after notification



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Forms of Tender	Best practice	6 years after notification of award decision
Factoring		
Factoring agreement	Best practice	6 years from date of termination of agreement
Communal work requests	Best practice	6 years from date of termination of agreement
Information Requests and Complaints		
General Data Protection Regulation Subject Access Request register Third party disclosure register Freedom of Information and Environmental Information request register	Best practice and compliance with the Scottish Information Commissioner's statistical reporting requirements	6 years from the date of register entry
General Data Protection Regulation Subject Access Request case files, personal data provided, including legal advice and internal communications regarding request Freedom of Information and Environmental information Request case files, including record of correspondence with applicant and information provided,	Best practice	3 years from data of response/last contact



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legal advice and internal communications regarding request		
Complaints to the Information Commissioner and the Scottish Information Commissioner Complaints (including stage two complaints, correspondence with the Scottish Public Services Ombudsman, and complaints performance reports	Best practice	6 years from date of last action/report production/end of investigation
Data security incident and breach register	Legal compliance	Permanent
Maintenance and Works		
Gas records	Best practice	6 years from date of inspection
Decanting records	Best practice	6 years from date of end of tenancy
Inspection/complaint file notes		
Affordable Housing Supply Programme Funding documentation for adaptations Correspondence with tenant re; works and adaptations	Best practice	6 years from date of end of tenancy
Works orders	Best practice	Permanent
Stock condition surveys	Best practice	2 years form date of survey
Electrical records	Best practice	6 years from date of inspection



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Insurance claims	Best practice and specific requirements of insurer	Dependent on the requirements of the insurer (but minimum of 6 years from data of claim)
Tenant repair satisfaction surveys and consultations	Best practice	6 years from date of completion

reviews and amendments

- 16/05/2018 - Policy established
- 19/03/2021 - Policy amended to include the additional data gathered by the Association during COVID-19 pandemic.
- 24/05/2023 - Policy reviewed.
- 27/09/2023 - 'Welfare Rights' data retention timescales amended to reflect current operations and amendment approved by MC.



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