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# Record Retention and Disposal Policy

## Introduction

The HCPC recognises that its records are a vital asset which need careful management to enable the HCPC to conduct its business and comply with its statutory obligations. This policy sets out the HCPC's arrangements for the management of its records.

The effective management of records in all formats depends as much on their efficient disposal as well as their long-term preservation. The untimely destruction of records may adversely affect service delivery but so will the unnecessary retention of outdated and potentially inaccurate records. Disposal is necessary not only to reduce administrative burdens but also to ensure that information is not retained for longer than necessary and that accurate records are maintained for appropriate periods to satisfy applicable operational and legal requirements.

This policy is also important in assisting HCPC to comply with its obligations under the Data Protection Act 2018, the General Data Protection Regulation 2016 and the Freedom of Information Act 2000.

Data Protection legislation requires that personal data must be:

- adequate, relevant and limited to what is necessary;
- accurate and where necessary kept up to date;
- not kept for longer than is necessary for its purpose.

The Freedom of Information Act 2000 (FOIA) provides rights of access to information held by public bodies and the link between the FOIA and effective records management will be immediately apparent. The quality of the records which the HCPC holds will affect its ability to respond to requests under the FOIA. If records are not created and managed effectively then they will not be found when needed.

## Retention Periods

The Retention Schedule which forms part of this policy (**the Schedule**) sets out the length of time that records should be retained and extends to all records identified in the Schedule, irrespective of the media on which they are created or held including:

- paper;
- digital files (including databases, Word documents, spread sheets, webpages and e-mails);
- photographs and videotapes.

Retention periods are determined based upon the nature of the information held, not the medium in which it is maintained. For example, information which is held in a digital

format should only be retained for the same period as it would be kept if it was in paper form. However, it is not necessary to retain both paper and digital versions of the same record, nor to retain duplicate copies of records. Retention arrangements for digital records should ensure that they will remain complete, unaltered and accessible throughout the retention period.

The value of information tends to decline over time, so the majority of records should only be retained for a limited period of time and eventually be destroyed. A recommended minimum retention period, derived from operational or requirements, is provided for each category of record in the Schedule and applies to all records within that category.

During their retention period, operational needs may require records to be held in different locations and on different media, but they should always be properly managed in accordance with this policy.

A small proportion of records which are considered to be of permanent historical significance will be preserved in the HCPC's archives. The Information Services Manager, working in consultation with the Chief Executive, is responsible for the selection of records for permanent preservation and the maintenance of the archives of the HCPC and its predecessor entities.

## **Disposal**

Records should be reviewed as soon as possible after the expiry of the retention period. It need not be a detailed or time consuming exercise but there must be a considered appraisal of the contents of the record.

A record should not be destroyed without verification that:

- no work is outstanding in respect of that record and it is no longer required by any department within the HCPC;
- the record does not relate to any current or pending complaint, investigation, dispute or litigation;
- the record is unaffected by any current or pending request made under the Freedom of Information Act or Data Protection Act.

A record must be made of all disposal decisions and destruction should be carried out in a manner that preserves the confidentiality of the record. Confidential paper records should be placed in confidential waste bins and digital records will need to be either physically destroyed or erased to the current standard. Deletion of digital files is not sufficient. All copies of a record, in whatever format, should be destroyed at the same time.

## **Variation**

Information needs are dynamic and therefore this policy is a 'living' document which the HCPC will amend as the need arises.

Any review of retention periods should take account of relevant statutory and legal requirements and consideration of the overall operational value of records, including:

- on-going operational, accountability and audit needs;
- best practice in the applicable professional field;
- the probability of future use;
- the long-term historical or research value of the record;
- the costs of retention or destruction;
- the risks associated with retaining or destroying the record.

### **Other Records**

Many records have no significant operational or evidential value and are not subject to retention under this policy but may be destroyed once they have served their primary purpose. These include:

- requests for forms and brochures;
- meeting rooms reservation requests;
- compliment slips and similar items which accompany documents;
- superseded distribution or mailing lists;
- drafts of documents;
- working papers which are the basis of the content of other documents;
- notices of meetings and other events;
- invitations and notices of acceptance or apologies;
- magazines, marketing materials, catalogues, directories, etc.

This is not an exhaustive list but merely indicates the types of record which have no significant operational or evidential value and may be destroyed once their effective use has ended.

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## Retention Schedule

Description	Retention Period
<b>Governance</b>	
Corporate business annual plans	25 years
Risk registers	6 years after superseded
Memoranda of Understanding / information sharing agreements with other public bodies	6 years after superseded
HCPC responses to formal consultations	25 years
Annual Report and Accounts	25 years
Report to Parliament	25 years
Legal advice	25 years
Litigation papers	25 Years
External correspondence	6 Years
External briefing notes etc.	6 Years
Committees' terms of reference	Life of the organisation
Council and Committee papers	Life of the organisation
Council and Committee agendas	Life of the organisation
Council and Committee minutes	Life of the organisation
Gifts and Hospitality Register	Life of the organisation
Conflicts of Interest Register	Life of the organisation
General formal correspondence	6 Years
Governance documents including code of corporate governance	Life of the organisation
Historic record of Council membership	Life of the organisation
Records of decisions regarding Council & Committee member appointments	Life of the organisation
Application forms and recruitment administration files of successful candidates	Life of the organisation
Application forms and recruitment administration files of unsuccessful candidates	12 months after application decision
Council & Committee members personal files	6 years after term ends
Attendance books	Life of the organisation

<b>Description</b>	<b>Retention Period</b>
<b>Finance</b>	
<b>Bank account records</b>	
Bank statements, periodic reconciliations	6 years
Bank deposit books/slips/stubs	6 years
Bank deposit summary sheets; summaries of daily banking; cheque schedules	6 years
Cheques – cancelled, dishonoured, paid/presented, cheque registers	6 years
Revenue cash books/sheets/records	6 years
Copies of invoices/debit notices rendered on debtors	6 years
<b>Expenditure</b>	
Expenditure sheets	6 years
Cash books/sheets	6 years
Summary cash books	6 years
Copies of invoices/debit notices rendered on debtors	6 years
Source documents/records used for raising invoices/debit notes	6 years
Copies of invoices and copies of source documents	6 years
Receipt books/butts; office copies of receipts	6 years
Receipt books/records for imposts	6 years
Source documents/records used for raising invoices/debit notes	6 years
Copies of invoices and copies of source documents	6 years
Travel and subsistence claims and authorisations	6 years
Creditors' history records; lists/reports	6 years
Statements of accounts outstanding; outstanding orders	6 years
Statements of accounts – rendered/payable	6 years
Creditor's ledgers	6 years
Postal remittance books / records	6 years
<b>Investments</b>	

<b>Description</b>	<b>Retention Period</b>
Investment records	6 years
Asset registers	6 years
Equipment registers/records	6 years
Land registers	6 years
Records relating to the calculation of annual depreciation	6 years
Financial records relating to Capital works projects	6 years
<b>Payroll records</b>	
Employee pay histories	6 years
Salary ledger cards/records	6 years
Copies of salaries/wages payroll sheets	4 years
Personal payroll history	4 years
Authorisation of overtime or travel time claims	6 years
<b>Budget / management accounts / reports</b>	
General and subsidiary ledgers produced for purposes of preparing certified financial statements or published information	6 years
Year-end balances, reconciliations and variations to support ledger balances and published accounts	6 years
Financial statements/summaries prepared for inclusion in quarterly/annual reports	6 years
Periodic financial statements prepared for management on a regular basis	6 years
Reconciliation files / sheets	6 years
Other ledgers	6 years
Journals – prime records for raising of charges	6 years
Journals – routine adjustments	6 years
Audit investigations (external)	6 years
Audit – ledger postings	6 years
Financial authorities or delegations	6 years
Procedure manuals	2 years after superseded
<b>Contracts</b>	
Statement of interest	1 year from date of last paper

<b>Description</b>	<b>Retention Period</b>
Agreed specification, Evaluation criteria, Invitation to tender	6 years from end of contract
Unsuccessful tender documents	1 year from date of last paper
Successful tender documents	6 years from date of contract
Signed contract	6 years from end of contract or 12 years if under seal
Commissioning letter, Interview panel report and notes of proceedings	1 year from end of contract
Changes to requirements	6 years from end of contract
Forms of variation	6 years from end of contract
Extensions to contract	6 years from end of contract
<b>Internal Audit</b>	
Audit reports (including interim)	6 years
Report papers used in the course of fraud investigation	6 years after legal proceedings have concluded
Terms of reference	3 years
Programmes, plans, strategies	1 year after last date of the plan
Correspondence, working papers, minutes of meetings and related papers	3 years
<b>Projects</b>	
Approved project proposals	10 years after completion of project
Rejected or deferred project proposals	6 years after completion of project
Feasibility studies	10 years after completion of project
Plans and specifications	6 years after completion of project
Approved lists of contractors	When new list issued
Tender Board	At end of project
Tender board – working papers	2 years after date of last paper

<b>Description</b>	<b>Retention Period</b>
Tender Board Minutes	10 years after completion of project
Maps plans drawings and photographs	10 years after completion of project
Equipment and Supplies Documentation	6 years after completion of project
Project Board Minutes and correspondence	6 years after completion of project
Project reports, plans and charts	5 years after issues
Product descriptions	6 years after completion of project
Project operating manuals	6 years after completion of project
Miscellaneous project records	2 years after completion of project
<b>Health and Safety</b>	
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995	3 years
Health and safety inspection reports	Review 12 years after issue
Accident books	6 years after date of last entry
Accident reports	6 years
<b>Building Records</b>	
Specifications Review	25 years after contract end
Bills of quantity	Review 16 years after completion
Tender documents - rejected	Review 16 years after completion
Tender documents - accepted	Review 16 years after completion
Agreements with contractors and consultants	Review 16 years after completion
Maintenance manuals	Destroy when no longer required
Mechanical and electrical engineering records	Review 15 years after issue
Fire precautions and services	15 years
Asbestos Inspections	Review 40 years after issue
Other specialist reports	16 years

Description	Retention Period
Consultants and contractors drawings and associated records	Review 16 years after project completion
'As built' or 'as installed ' drawings	16 years
Maintenance schedules	10 years
Installation survey	Review 16 years after date of survey
Maintenance and Operational manuals	When equipment disposed of, destroy or transfer to new owner
Maintenance contacts and related correspondence	7 years
Agenda, Minutes etc of meetings with contractors	Destroy when no longer required for business administration
Subletting agreements	16 years after surrender, expiry or termination of lease
Landlords' consent	Destroy 16 years after surrender, expiry or termination of lease
Licences	Destroy 16 years after surrender, expiry or termination of lease
Test and statutory certificates	Destroy 12 years after expiry or superseded
Fire certificates	Destroy 12 years after expiry or superseded
Consultant and contractors correspondence	Review 16 years after date of last paper
Statutory authorities correspondence	16 years after date of last paper
Utility and communications companies correspondence	7 years after date of last paper
<b>Customer service complaints</b>	
Policy Statements	When superseded
Case enquiries and correspondence	6 years from last correspondence
Register of complaints	10 years from last entry
Review reports	6 years
<b>Information Management</b>	

Description	Retention Period
Records relating to the control of record keeping systems	5 years after system/policy is superseded
Information about the number of FOIA requests answered and their outcomes	10 years
Policy records and internal documents on implementation and compliance with FOIA	5 years after policy or procedures have been superseded
Records relating to FOI requests including the information subject to the request	3 years after date of request
Records relating to DPA requests including the information subject to the request	3 years after date of request
Information security control assets	When superseded
<b>Human Resources</b>	
Retention periods are based on guidance published by the Chartered Institute of Personnel and Development (CIPD) for employee records.	
Application forms, records and interview notes (for unsuccessful candidates)	12 months
Job History - Consolidated record of employee's whole career and supporting papers	6 years after employment ends
Partner personnel files (Contract, contact details, application forms etc)	20 years from end of contract
HR handbook and policies	50 years after being superseded
Pay and performance management framework and relating documents	50 years after being superseded
Pension records	Permanent
Senior/Executive Management Team records	Permanently for historical purposes
Key documents related to major employee issues e.g. gross misconduct, fraud	50 years after employment ends to ensure that the individual concerned is not re-employed
Records of Disclosure and Barring Service (DBS) checks	6 months after check is completed
Parental leave records	5 years from birth/adoption of the child or 18 years if the

Description	Retention Period
	child receives disability allowance
A summary of basic leaver information (start date, leaving date, leaving reason, etc.) based on ACAS guidance, will be retained permanently in electronic format for historical purposes.	
<b>Policy &amp; Standards</b>	
Consultation documents	Life of the organisation
Consultation responses	6 years Anonymised data kept for research purposes
External facing Policy documents – Standards	Life of the organisation
HCPC's responses to other organisation's consultations	Life of the organisation
Correspondence	7 years
<b>Communications</b>	
Press releases	7 years
Press conference reports/previews	3 years
Press report digests	7 years
Correspondence with media	7 years
Policy and administrative records	25 years after superseded
Handbooks and guides to media relations	Destroy when superseded
Image library	Destroy when no longer required
Brochures and guides	3 years
Presentations	3 years
Survey results	Destroy when no longer required
<b>Education</b>	
List of currently approved programmes	Life of the organisation
List of historically approved programmes	Life of the organisation
Education provider quality assurance documents	6 years after programme closure
Visitor reports	Life of the organisation

Description	Retention Period
Programme approval decision records and correspondence	Life of the organisation
Education provider complaint documentation	6 years after programme closure
External stakeholder communications	10 years
Education provider contact details	Destroyed when superseded
Quality assurance planning and implementation records	Destroyed when superseded
Workforce management records	Destroyed when superseded
Work plans	Life of the organisation
<b>IT</b>	
Back up to tape	2 years

Description	Retention period	Comment
<b>Registration</b>		
Consolidated registration record comprising application, readmission, renewal forms and all registration related correspondence including history of payments, including name, date of birth and address.	Permanent	Information retained for public protection reasons.
Registration application file <b>not</b> leading to registration	20 years	To keep a record of our reasons for refusing registration in case the individual re-applies.
List of persons successfully completing approved qualifications	10 years	Evidences individuals who have gained an approved qualification.
Recordings of telephone conversations	3 months	Retained for audit purposes.

<b>Description</b>	<b>Retention period</b>	<b>Comment</b>
Registration appeals under Article 37 of the Order <sup>1</sup>	Life of the applicant	To keep a record of decisions made.
<b>Fitness to practise</b>		
Retention periods run from the date the case is closed or legal proceedings have ended and also applies to the physical evidence that has not been scanned onto the case management system.		
Complaints that do not meet the HCPC Threshold Policy. (Includes closed MIS cases)	20 years	Information is retained in case further complaints are made.
Cases in respect of which an Investigating Committee Panel determines that there is no case to answer.	20 years	Information is retained in case further complaints are made.
Cases in respect of which a case to answer decision was reached but which are discontinued by a Panel of the Conduct and Competence Committee or Health Committee before final hearing.	20 years	Information is retained in case further complaints are made. A summary will be retained permanently.
Cases which a Panel of the Conduct and Competence Committee or Health Committee determines are not well founded.	Permanent	Information is retained in case further complaints are made.
Cases that result in a sanction imposed by the Conduct and Competence Committee or Health Committee.	Permanent	Information is retained in case further complaints are made.
Decisions of a Panel of the Conduct and Competence Committee or Health Committee when reviewing an order under Article 30 of the Order. <sup>2</sup>	Permanent	Information is retained in case further complaints are made.

<sup>1</sup> Art 37 of the Health and Social Work Profession Order 2001 (the Order) relate to appeals against decisions of the Education and Training Committee.

<sup>2</sup> Art. 30 of the Health and Social Work Profession Order 2001 (the Order) requires all conditions of practice orders and suspension orders to be reviewed before they expire.

Description	Retention period	Comment
Decisions of a Panel of the Conduct and Competence Committee or Health Committee in respect of applications for restoration under Article 33 of the Order. <sup>3</sup>	Permanent	It is necessary to keep a record of the fact the registrant was restored (or restoration refused) to the register after being struck off.
Investigations in respect of offences under Article 39 and 39A of the Order (where no prosecution follows).	20 years	Information is retained in case further complaints are made.
Prosecutions in respect of offences under Article 39 and 39A of the Order. <sup>4</sup>	Permanent	Information is retained in case further similar complaints are made.
Cases where a registrant has made a declaration in respect of their health/ character	20 years	Information retained for public protection reasons.
Notifications about individuals not on the Register, who may apply for registration (including FTP information from overseas regulators).	20 years from last correspondence	Information retained for public protection reasons.

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<sup>3</sup> A person who has been struck off may apply for restoration to the Register under Art. 33.

<sup>4</sup> Offences relate to 'protection of title' (Art 39) or the controlled act of performing the functions of a hearing aid dispenser (Art. 39A). As noted above, prosecutions in Scotland must be undertaken by the Procurator Fiscal and the HCPC will not possess the file in respect of such a prosecution.