

Edinburgh Northwest Kirk
(in this document as 'The Congregation')

Registered Charity number SC006457

Data Protection Policy 2: Data Retention Policy

Approved by Kirk Session of Edinburgh Northwest Kirk on

ENK is a member of



The Church of Scotland

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1. Introduction

1.1. Church of Scotland congregations gather personal information from individuals and external organisations as well as generating a wide range of personal data, all of which is recorded in documents and records, both in hard copy and electronic form.

1.2. Examples of the types of information accumulated and generated are set out in Appendix 1 of this policy and include but are not limited to minutes of Kirk Session meetings; membership rolls; baptismal information; employment records; newsletters and other communications such as letters and emails.

1.3. In certain circumstances it will be necessary to retain documents to meet legal requirements and for operational needs. Document retention is also required to evidence agreements or events and to preserve information.

1.4. It is however not practical or appropriate for congregations to retain all records. Additionally, data protection principles require information to be as up-to-date and accurate as possible. It is therefore important that congregations have in place systems for the timely and secure disposal of documents that are no longer required: including consideration of depositing older printed documents with the National Records of Scotland via the Dept. of General Assembly at Church Office, 121 George Street.

2. Roles and Responsibilities

2.1. Congregational office bearers and those involved with safeguarding will adopt the retention and disposal guidance at Appendix 1 of this policy and strive to keep records up to date.

2.2. Advice will be obtained from the Law Department or Safeguarding Department of the Church Office at 121 George Street if there is uncertainty about retention periods.

3. Retention and Disposal Policy

3.1. Decisions relating to the retention and disposal of data should be guided by:-

3.1.1. Appendix 1 – Document Retention Schedule – Guidance on the recommended and statutory minimum retention periods for specific types of documents and records.

3.1.2. Appendix 2 - Quick Guide to document retention.

3.2. In circumstances where the retention period for a specific document or category of documents has expired, a review should be carried out prior to disposal and consideration should be given to the method of disposal: including consideration of depositing older printed documents with the National Records of Scotland via the Dept. of General Assembly at Church Office, 121 George Street.

4. Disposal

4.1. Documents containing confidential or personal information should be disposed of either by shredding or by using confidential waste bins or sacks. Such documentation is likely to include financial details, contact lists with names and addresses and pastoral information.

4.2. Documents other than those containing confidential or personal information may be disposed of by recycling or binning.

4.3. Electronic communications including email, Facebook pages, X (twitter) accounts etc. and all information stored digitally should also be reviewed and, if no longer required, closed and/or deleted so as to be put beyond use. This should not be done simply by archiving, which is not the same as deletion. It will often be sufficient simply to delete the information, with no intention of ever using or accessing it again, despite the fact that it may still exist in the electronic ether. Information will be deemed to be put beyond use if the Congregation is not able, or will not attempt, to use it to inform any decision in respect of any individual or in a manner that affects the individual in any way and does not give any other organisation access to it.

4.4. Deletion can also be effected by using one of the following methods of disposal:-

- Using secure deletion software which can overwrite data;
- Using the function of “restore to factory settings” (where information is not stored in a removable format);
- Sending the device to a specialist who will securely delete the data.
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THIS IS THE END OF THIS POLICY DOCUMENT, bar 2 Appendices.

Appendix 1

Illustrative Data Retention Schedule

This Schedule is provided as a guide to common types of documents but is not exhaustive.

NOTE: There may be an historic interest in the Congregation's records. Kirk Session minutes are archived after 50 years. If you think that archiving other records is preferable to destruction, you should be in touch with the Department of the General Assembly, which will organise archiving where appropriate.

Avoid retaining information if there is no reason for doing so. Consult with the Law Department if you are unsure.

	RECORD	RETENTION PERIOD
Core Church Records	Kirk Session meetings	50 years - permanent. After 50 years pass the minutes to the Principal Clerk's office, who then liaise with the National Records of Scotland for archiving.
	Minutes of other meetings	6 years
	Congregational Roll	100 years
	Certificates of Transference/Lines	100 years
Safeguarding	Safeguarding - Service confirmation of advice, emails, letters	100 years
	Safeguarding - Confidentiality Agreements	100 years
	Safeguarding - Covenants of Responsibility (managing those who pose a risk)	100 years

	RECORD	RETENTION PERIOD
	Safeguarding - Risk Assessments	100 years
	Safeguarding - Complaints concerning people	100 years
	Safeguarding - Audit for Congregations and Presbyteries	100 years
Employee related	Pre-employment enquiries/applications/notes/letters/references	6 months after completion of recruitment (unless data to be retained for a future similar opportunity, in which case 1 year)
	Employee/appointments records including: contracts, time records etc	Duration of employment + 7 years
	Pension plans and retirement records	Permanent
	Salary schedules; ranges for each job description	2 years
	Payroll Records	Minimum, 7 years. No maximum
	Volunteer records	Duration of placement + 7 years
	Databases for mailing lists/distribution	Reviewed annually, delete out of date information
	Miscellaneous contact information	Delete once there is no longer a requirement to hold such information
	Arranged accommodation/placements (e.g. overseas visitors)	3 years following end of event/placement
	Hazardous material exposures	30 years
	Injury and Illness Incident Reports (RIDDOR)	5 years
	Contracts	7 years following expiration

	RECORD	RETENTION PERIOD
	Construction documents	Permanent
	Fixed Asset Records	Permanent
	Leases	7 years after expiration
	Property/buildings documentation (including loan and mortgage contracts, title deeds)	Permanent
	Warranties	Duration of warranty + 7 years
	Environmental studies	Permanent
	Insurance claims/ applications	Permanent
	Insurance disbursements and denials	Permanent
	Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers' Compensation)	Permanent
	Resolutions	Permanent
	Documents relating to litigation or potential litigation	Until matter is concluded plus 7 years
	Records relating to potential, or actual, legal proceedings	Conclusion of any tribunal or litigation proceedings + 7 years
Finance related	Application for charitable and/or tax-exempt status	Permanent
	Sales and purchase records	5 years
	Audit and review workpapers	5 years from the end of the period in which the audit or review was concluded
	OSCR filings	5 years from date of filing

	RECORD	RETENTION PERIOD
FINANCE related	Records of financial donations	7 years
	Accounts Payable and Receivables ledgers and schedules	7 years
	Annual audit reports and financial statements	Permanent
	Annual plans and budgets	2 years
	Bank statements, cancelled cheques, deposit slips	Minimum of 7 years
	Business expense records	7 years
	Cash/cheque receipts	7 years
	Electronic fund transfer documents	7 years
	Employee expense reports	7 years
	General ledgers	Permanent
	Journal entries	7 years
	Invoices	7 years
	Petty cash vouchers	7 years
	Tax records	Minimum 7 years
	Filings of fees paid to professionals	7 years
CCTV images	Held as per contract and/or equipment capability	

Appendix 2

General guidance for documents NOT included in the retention schedule.

On-going business use is subjective, but generally refers to documents still required for on-going projects, or documents that may still need to be referred to for on-going activities.

