

NA College

Retention and Disposal Policy

Reviewed by:

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Introduction

In the course of carrying out its various functions, NAC creates and holds a wide range of recorded information. Records need to be properly retained to enable NAC to meet its 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 NAC's business;
- the ability of NAC to defend or instigate legal actions;
- NAC's ability to comply with statutory obligations;
- NAC's reputation.

The permanent retention of records is undesirable and disposal is necessary to free up storage space, reduce administrative burden and to ensure that NAC does not unlawfully retain records for longer than necessary (particularly those containing personal data).

This policy supports NAC in demonstrating public 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 set out the length of time that NAC's records should be retained and the processes for disposing of records at the end of the retention period.

The policy helps to ensure that NAC operates within the applicable regulatory framework set out at Annex C.

Scope

The policy covers the records listed in the schedules to the policy set out at Annex A and B (**the Schedules**) irrespective of the media on which they are created or held including:

- paper;
- electronic files (including database, Word documents, powerpoint presentations, spreadsheets, webpages and e-mails);
- photographs, scanned images, CD-ROMs and video tapes.

The Schedule aims to include all types of records which NAC creates or holds. They include:

- minutes of meetings;
- submissions from external parties;
- contracts and invoices;
- registers;
- legal advice;
- file notes;
- financial accounts;
- employee information;
- NAC's publications
- Learner and ESFA documentation.

Should you become aware of any records missing from the Schedule, please notify our HR Manager so that they may be added at the next opportunity.

Application

The policy applies equally to full time and part time employees on a full or fixed-term contract and to associated persons who work for NAC such as agency staff, contractors and others employed under a contract of service.

This includes all learner enrolment forms and ESFA documents.

The HR Manager has lead responsibility for records management within NAC.

Minimum Retention Period

Unless a record has been marked for '*permanent preservation*' it should only be retained for a limited period of time. Records that are marked for '*permanent preservation*' should only be held by NAC for a total of 30 years before being transferred to the National Archives.

A recommended minimum retention period is provided for each category of record in the Schedules attached. The retention period applies to all records within that category. The recommended minimum retention period derives from either:

- business need as determined by the Senior Management Team;
- legislation; or
- guidance from The National Archives.

Disposition

HR and the Quality Department are responsible for ensuring that the Schedules are periodically reviewed (at least annually) to determine whether any retention periods applying to records have expired. Once the retention period has expired, the record must be reviewed and a 'disposition action' agreed upon.

A 'disposition action' is either:

- a) the destruction of the record;
- b) the retention of the record for a further period within NAC; or
- c) the transfer of the record to The National Archives.

Each of these options is described further below.

Making and Recording the Disposition Decision

A review of the record should take place as soon as possible after the expiry of the retention period or, if that is not feasible, the record should be retained and a later review date set. It need not be a detailed or time-consuming exercise but there must be a considered appraisal of the contents of the record. The review should be conducted by the relevant Director (or their delegate) in consultation with relevant stakeholders for example:

- other senior managers;
- HR/Quality;
- relevant external bodies;
- legal adviser.

The disposition decision must be reached having regard to:

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

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

For any learner documentation the agreed disposal decision must be recorded on a Record Disposal Form. The form will be available from **M:\Group Admin\Admin Documents "Learner Record Disposal Form"** and will require the following information:

- Description of the record;
- The medium on which it is held eg CD;
- The date of the creation of the record and the date of review;

- The disposal decision and the method of disposal;
- A summary of the reasons for the decision;
- The titles of the reviewers and officers consulted;
- The signature of the person authorising disposal.

Completed forms must be passed to the Quality Department for safekeeping.

Destruction

IMPORTANT!

No destruction of a record should take place without assurance that:

- the record 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 record;
- there are no current or pending FOIA or DPA access requests which affect the record.

Destruction of Paper Records

Destruction should be carried out in a way that preserves the confidentiality of the record. Non-confidential records i.e. records that are clearly in the 'public domain' can be placed in ordinary rubbish bins or recycling bins. Confidential records should be placed in the 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 in the same manner.

Destruction of Electronic Records

All electronic records will need to be either physically or wiped to the current Government standard. Deletion of the files is not sufficient. Destruction will be overseen by the Quality Department.

Further Retention within NAC

The record may be retained for a further period if it has on-going business value or if there is specific legislation which requires it to be held for a further period. Please check with the Legal Services Directorate if there is any doubt as to how long a record should be retained under law.

A record should not ordinarily be retained for more than 30 years in aggregate from the date of creation. The National Archives should be consulted for advice where the aggregate retention period is likely to exceed 30 years.

Transfer to the National Archives

The record may be transferred to The National Archives, or another appropriate place of deposit as advised by The National Archives, if it is decided that the record has no further administrative value but should be permanently preserved for historical or research purposes. (Officers should seek the advice of The National Archives if there is doubt as to whether a record should be permanently preserved.)

The National Archives has produced transfer application forms and detailed guidance as to the preparation of records for transfer to The National Archives. The Lord Chancellor's Code of Practice on the Management of Records also contains guidance as to the FOIA aspects of transferring records to The National Archives.

Further Information

This policy should be read in conjunction with NAC's GDPR and Data Protection Policy.

Any queries about this policy or about records management within NAC should be directed to the HR Manager.

Further information about record retention and disposal generally can be found at:

<http://www.nationalarchives.gov.uk>

Review

This policy was made on 10 November 2021.

The Senior Management Team and HR are responsible for the regular review and updating of this policy.

Annex A – NAC Specific Records

Retention Schedule A 1 – Policy and Strategy

1.1	NAC Corporate Plan	25 years
1.2	NAC Annual Report and Accounts	25 years

Retention Schedule A 2 - Board Secretary

Ref	Description	Disposal Period
2.1	NAC board terms of reference	Life of the organisation
2.2	NAC committees' terms of reference	Life of the organisation
2.3	Board and Committee papers	Life of the organisation
2.4	Board and Committee agendas	Life of the organisation
2.5	Board and Committee minutes	Life of the organisation
2.6	NAC Rules of Procedure and budgetary management policy	Life of the organisation
2.7	Gifts and Hospitality Register	Life of the organisation
2.8	Conflicts of Interest Register	Life of the organisation
2.9	SMT expenses Logs	Life of the organisation
2.10	General formal correspondence	6 Years

Retention Schedule A 3 - Human Resources

Ref	Description	Disposal Period
3.1	NAC organisation chart	When superseded
3.2	Policies and procedures related to the recruitment and employment of staff	When superseded
3.3	Pay and Grading Framework and relating documents	When superseded
3.4	Performance management framework	When superseded

Annex B – Generic Records

This retention schedule is based upon the guidance from the National Archives Office and has been adapted to reflect NACs specific requirements.

Retention Schedule B 1 – 7: Internal Financial Information

1 National Accounts

Ref	Description	Disposal Period
1.1	Financial statements prepared for management	1 year after completion of Management annual financial report
1.2	Financial authorities or delegations	6 years after authority or delegation is Superseded
1.3	Policy and strategy records (including investment policy)	Second review (Review every 5 years)
1.4	Asset registers	6 years after item/asset is disposed of
1.5	Land registers	12 years after disposal
1.6	Depreciation records	6 years after action completed
1.7	Audit investigations (external)	6 years after action

2 Bank Account Details – Cheques and Associated Records

Ref	Description	Disposal Period
2.1	Cheque book for all accounts	2 years
2.2	Cancelled cheques	2 years
2.3	Dishonoured cheques	2 years
2.4	Paid/presented cheques	2 years
2.5	Fresh cheques	6 years
2.6	Stoppage of cheque payment notices	2 years
2.7	Record of cheques opened books	2 years
2.8	Cheque registers	2 years
2.9	Record of cheques drawn for payment	6 years
2.10	Bank deposit books / slips / butts	2 years
2.11	Bank deposit summary sheets; summaries of daily banking; cheque schedules	2 years
2.12	Register of cheques lodged for collection	2 years
2.13	Reconciliation files / sheets	2 years
2.14	Daily list of paid cheques	2 years
2.15	Unpaid cheque records	2 years
2.16	Bank statements, periodic reconciliations	7 years
2.17	Bank certificates of balance	2 years
2.18	Electronic banking and electronic funds transfer – Cash transactions; payment instructions; deposits; withdrawals	Disposal action in line with paper records
2.19	Electronic banking and electronic funds transfer – Audit trails	Retain for the same period as the base transaction record

3 Bank Account Details – Expenditure Records

Ref	Description	Disposal Period
3.1	Expenditure sheets	6 years
3.2	Cash books/sheets	6 years
3.3	Petty cash records/books/sheets	2 years
3.4	Petty cash receipts	2 years
3.5	Postal cash book/sheets; postage/courier account/cash records; register of postage expenditure; postage paid record; postage books sheets	2 years
3.6	Summary cash books	2 years
3.7	Creditors' history records; lists/reports	6 years
3.8	Statements of accounts outstanding; outstanding orders	2 years
3.9	Statements of accounts – rendered/payable	2 years
3.10	Copies of extracts and expenditure dissections	1 year
3.11	Credit note books	2 years
3.12	Credit notes	2 years
3.13	Debit note books	2 years

4 Ledger Records

Ref	Description	Disposal Period
4.1	General and subsidiary ledgers produced for purposes of preparing certified financial statements or published information	6 years
4.2	Creditor's ledgers	6 years
4.3	Other ledgers	2 years
4.4	Audit – ledger postings	2 years
4.5	Journals – prime records for raising of charges	6 years
4.6	Journals – routine adjustments	2 years
4.7	Year-end balances, reconciliations and variations to support ledger balances and published accounts	6 years

5 Receipts and Revenue Records

Ref	Description	Disposal Period
5.1	Receipt books/butts; office copies of receipts	6 years
5.2	Postal remittance books / records	6 years
5.3	Receipt books/records for imposts	6 years
5.4	Revenue cash books/sheets/records	6 years
5.5	Daily revenue dissections	1 year
5.6	Periodic revenue dissections	1 year
5.7	Copies of invoices/debit notices rendered on debtors	6 years
5.8	Source documents/records used for raising invoices/debit notes	6 years
5.9	Copies of invoices and copies of source documents	2 years
5.10	Records relating to unrecoverable revenue, debts and overpayments	6 years

6 Salaries and Related Records

Ref	Description	Disposal Period
6.1	Employee pay histories (NB the last 3 years records must be kept for leavers in either the personnel or finance records system, for the calculation of pension entitlement)	6 years
6.2	Salary rates register	When superseded
6.3	Salary ledger cards/records	6 years
6.4	Copies of salaries/wages payroll sheets	2 years

7 Other Accountable Financial Records

Ref	Description	Disposal Period
7.1	Equipment registers/records	6 years after asset or last one in the register is disposed of
7.2	Records relating to the calculation of annual depreciation	6 years after asset or last one in the register is disposed of
7.3	Financial statements/summaries prepared for inclusion in quarterly/annual reports	6 years
7.4	Periodic financial statements prepared for management on a regular basis	Destroy when cumulated into quarterly/annual reports
7.5	Ad hoc-statements	1 year

Retention Schedule B8: – Contract Records

Records relating to contracts worth less than £5,000 should be destroyed when they are two years old, records relating to contracts over £5,000 should be kept in accordance with schedule below.

Ref	Description	Disposal Period
8.1	Policy on contracts, normally contained in a separate registered file series	First and second review (reviews every 5 years)
8.2	Initial proposal – end user requirement	6 years
8.3	List of approved suppliers	An active document – updated regularly
8.4	Statement of interest	1 year from date of last paper
8.5	Draft specification	Destroy when specification has been agreed
8.6	Agreed specification	6 years from end of contract
8.7	Evaluation criteria	6 years from end of contract
8.8	Invitation to Tender	6 years from end of contract
8.9	Unsuccessful tender documents	1 year after date of last paper
8.10	Successful tender document	6 years from award of contract
8.11	Background information supplied by department	1 year after date of last paper
8.12	Interview panel – report and notes of proceedings	1 year from end of contract
8.13	Commissioning letter	1 year from end of contract
8.14	Signed contract	6 years from end of contract or 12 years if contract under seal
8.15	Reports from contractors	2 years from end of contract
8.16	Records of complaints	6 years from end of contract
8.17	Disputes over payment	6 years from end of contract
8.18	Final accounts	6 years from end of contract
8.19	Minutes and papers of meetings	25 Years
8.20	Changes to requirements	6 years from end of contract
8.21	Forms of variation	6 years from end of contract
8.22	Extensions to contract	6 years from end of contract

Retention Schedule B9: – Internal Audit

Ref	Description	Disposal Period
9.1	Audit reports (including interim), where these have included the examination of long term contracts	6 years
9.2	Report papers used in the course of a fraud investigation	6 years after legal proceedings have been completed
9.3	Other audit reports (including interim)	3 years
9.4	Terms of reference	3 years
9.5	Programmes/plans/strategies	One year after last date of the plan
9.6	Correspondence	3 years
9.7	Minutes of meetings and related papers including those of the Audit Committee	3 years
9.8	Working papers	3 years
9.9	Internal audit guides	When superseded
9.10	Manuals and guides relating to departmental procedures (rules of procedure)	When superseded
9.11	Local auditing standards	When superseded
9.12	Annual reports to Accounting Officers	3 Years
9.13	Internal Audit Plan	

Retention Schedule B10: – Health and Safety

Ref	Description	Disposal Period
10.1	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995	3 years

Retention Schedule B11: – Buildings Records

Ref	Description	Disposal Period
11.1	Specifications	Review 25 years after contract end
11.2	Bills of quantity	Review 16 years after completion
11.3a	Tender documents - rejected	Review 16 years after completion
11.3b	Tender documents - accepted	Review 16 years after project completion
11.4	Agreements with contractors and consultants	Review 16 years after completion
11.5	Maintenance manuals	Destroy when no longer required
11.8	Final accounts	Review after 25 years
11.9	Client project board minutes and papers	Review 25 years after date of last paper
11.10	Mechanical and electrical engineering records	Review 15 years after issue
11.11	Fire precautions and services	Review 10 years after issue
11.12	Asbestos Inspections	Review 40 years after issue
11.13	Other specialist reports	Review 10 years after issue
11.14	Consultants and contractors drawings and associated records	Review 16 years after project completion
11.15	'As built' or 'as installed ' drawings	Review 15 years after settlement of contract
11.16	Maintenance schedules	Review 16 years after superseded
11.17	Installation survey	Review 16 years after date of survey
11.18	Maintenance and Operational manuals	When equipment disposed of, destroy or transfer to new owner
11.19	Health and safety inspection reports	Review 12 years after issue
11.20	Accident books	Review 3 years after date of last entry
11.21	Accident reports	Review 5 years after action or, if a claim is made, 6 years after claim settled
11.22	Maintenance contacts and related correspondence	Review 12 years after end of contract
11.23	Agenda, Minutes etc of meetings with contractors	Review 5 years after date of meeting
11.24	Subletting agreements	Destroy 12 years after termination
11.25	Wayleave agreements	Destroy 12 years after termination

Ref	Description	Disposal Period
11.26	Landlords' consent	Destroy 16 years after surrender, expiry or termination of lease
11.27	Licences (Car Park)	Destroy 16 years after surrender, expiry or termination of lease
11.28	Test and statutory certificates	Destroy 12 years after expiry or superseded
11.29	Fire certificates	Destroy 12 years after expiry or superseded
11.30	Consultant and contractors correspondence	Review 16 years after date of last paper
11.31	Statutory authorities correspondence	Review 25 years after date of last paper
11.32	Utility and communications companies correspondence	Review 16 years after date of last paper
11.33	Any other records relating to buildings not otherwise referred to in schedules	Review 5 years after date of issue, closure or last action

Retention Schedule B12: – Project Records

Ref	Description	Disposal Period
12.1	Approved project proposals	10 years after completion of project
12.2	Rejected or deferred project proposals	5 years after completion of project
12.3	Feasibility studies	10 years after completion of project
12.4	Plans and specifications	5 years after completion of project
12.5	Approved lists of contractors	When new list issued
12.6	Tender Board	At end of project
12.7	Tender board – working papers	2 years after date of last paper
12.8	Tender Board Minutes	10 years after completion of project
12.9	Maps plans drawings and photographs	10 years after completion of project
12.10	Equipment and Supplies Documentation	6 years after completion of project
12.11	Project Board Minutes and correspondence	5 years after date of last paper
12.12	Project reports, plans and charts	5 years after issues
12.13	Product descriptions	5 years after completion of project
12.14	Project operating manuals	5 years after completion of project
12.15	Miscellaneous project records	2 years after completion of project

Retention Schedule B13: – Complaint Records

Ref	Description	Disposal Period
13.1	Policy Statements	When superseded
13.2	Case enquiries and correspondence	6 years
13.3	Register of complaints	10 years
13.4	Reviews Correspondence and papers	10 years
13.5	Review reports	6 years

Retention Schedule B14 – Information Management Records

Ref	Description	Disposal Period
14.1	Records relating to the control of record keeping systems	5 years after system/policy is superseded
14.2	Information about the number of FOI requests answered and their outcomes, e.g., Enquiry Template	10 years
14.3	Policy records and internal documents on implementation and compliance with the FOI Act	5 years after policy/procedures have been superseded
14.4	Records relating to FOI requests including the information subject to the request	3 years after date of request
14.5	Record Retention and Disposal policy	When superseded

Retention Schedule B15 -18 – Employee Records

15 Employment and Career

Ref	Description	Disposal Period
15.1	Written particulars of employment, including contract of employment	Until age 100
15.2	Job History - Consolidated record of whole career	Until age 100
15.3	Current Address details	6 years after employment has ended
15.4	Variation of hours – calculation of formulae for individual	Destroy after use
15.5	Promotion, temporary promotion and /or substitution documentation	Destroy after summary noted
15.6	Record of previous service dates	Until age 100
15.7	Previous service supporting papers	Destroy after records noted as appropriate
15.8	Qualifications / references	6 years
15.9	Annual/assessment reports for last 5 years of service or summary of performance marks	Until age 72
15.10	Training history	6 Years
15.11	Travel and subsistence – claims and authorisation	6 years
15.12	Annual leave records	2 years
15.13	Job applications -internal	1 Year
15.14	Recruitment, appointment or promotion selection papers	1 Year
15.15	Building Society or Bank References	6 Months

16 Health

Ref	Description	Disposal Period
16.1	Health Declaration	Until age 100
16.2	Health referrals including medical reports from doctors and consultants	Until age 100
16.3	Papers relating to any injuries on duty	Until age 100
16.4	Medical/Self Certificates – unrelated to industrial injury	4 Years

17 Personal

Ref	Description	Disposal Period
17.1	Welfare Reports	Destroy after minimum of 6 years after last action

18 Pay and Pension

Ref	Description	Disposal Period
18.1	Bank details – current	6 years after employment has ended
18.2	Death Benefit Nomination and revocation forms	Until age 100
18.3	Death Certificates	Return original to provider Retain copy until age 100
18.4	Decree Absolutes	Return original to provider Retain copy until age 100
18.5	Marriage certificate and documentation relating to civil registration	Return original to provider Retain copy until age 100
18.6	Unpaid leave periods	Until age 100
18.7	Statutory maternity pay documentation	6 years
18.8	Other maternity pay documentation	18 Months
18.9	Overpayment documentation	6 years after repayment or write off
18.10	Personal payroll history	Until age 100
18.11	Pension estimate and awards	Until age 100
18.12	Record of:- Full name and date of birth National insurance number Pensionable pay at leaving Reckonable service for pension purposes Reason for leaving and new employers name (where known)	Until age 100
18.13	Resignation, termination and/or retirement letters	Until age 100
18.14	Added years	Until age 100
18.15	Additional Voluntary Contributions	Until age 100
18.16	Complete sick absence record showing dates and causes of sick leave	Until age 72
18.17	Statutory Sick Pay forms	6 years
18.18	Papers related to disciplinary action which has resulted in any changes to terms and conditions of service, salary, performance pay or allowances	Until age 72

Ref	Description	Disposal Period
18.19	Authorisation for deputising, substitution allowance and or overtime/travel time claim	6 years
18.20	Advance for: Car parking Bicycles Housing Other	6 years after repayment

19 Learner Records

Ref	Description	Disposal Period	Action
19.1	Learner records: <ul style="list-style-type: none"> • Details of learner • Course studied • Learner eligibility 	6 years from Financial Year End after last payment made	Destroy records older than 7 years. List all remaining records with full name, course studied & course dates
19.2	'Live' Portfolios (paper and electronic)*	2 years from end of course	Destroy records older than 2 years. List all remaining records with full name, course studied & course dates.
19.3	Certificates	N/A - send to learner	Return all certificates to awarding body if not sent to learner.
19.4	European Social Fund (ESF)	For the 2007-13 ESF Programme this is expected to be until at least 31 December 2022. For the For the 2014-20 ESF Programme until at least 31 December 2030.	Destroy records if past destruction date. List all remaining records with full name, course studied and course dates. Note: check the DWP - ESF guidance before destroying any paperwork in case the destruction date has changed.
19.5	Corporate records: <ul style="list-style-type: none"> • HR records • Finance records • Contract records 	Retain as per statutory guidance provided by Companies House and HMRC on a company's record keeping requirements	

Annex C Regulatory Framework

The policy will assist NAC to comply with:

The Public Records Act 1958

Section 3 places a duty on public record bodies to select those of their records which ought to be 'permanently preserved' and for safe-keeping them in proper conditions until they can be transferred to The National Archives (the official archive for England, Wales and the central UK government). The National Archives has produced guidance to determine when a record should be 'permanently preserved.'

Freedom of Information Act 2000 ('FOIA')

Following a valid FOIA request, public authorities will have either retrieve and release information or deny its holding or apply a valid exemption to prevent release.

Disposal decisions which are properly undertaken will enable NAC to account for the legitimate absence of information requested under the FOIA and accordingly may prevent undue criticism from requesters, the Information Commissioner or the Information Tribunal. In particular it should serve as a defence against a claim under section 77 of the FOIA that a record has been destroyed with the intention of preventing disclosure.

The Lord Chancellor's Code of Practice on the Management of Records under section 46 of the Freedom of Information Act 2000 (November 2002)

The code of practice provides guidance to all public authorities on records management for the purpose of enabling them to properly discharge their duties under the FOIA including as to the keeping and destruction of records and the reviewing and transferring of records to The National Archives.

The Data Protection Act 1998 ('DPA')

In respect of records which contain "personal data", consideration must be given to the fifth principle of the DPA i.e.:

"Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes"

The DPA reinforces the imperative to dispose of records containing personal information in a timely, orderly manner and not to retain personal information once the legitimate business use for such information has expired.

As an exception to this principle, section 33 of the 1998 Act allows for personal data to be held indefinitely for research purposes (including historical or statistical purposes). The National Archives must be contacted for advice in all cases where it is suspected that personal data held by NAC potentially has research value.

The National Health Service Act 2006

NAC has a duty to maintain certain records, for example, section 39 requires NAC to maintain a register of NHS foundation trusts and their key corporate documents.

Best Practice Guidance from The National Archives The overarching principles of good

government

In particular, the principles of openness and transparency.