

Records Retention Policy

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1. Introduction

1.1. The main aim of this policy is to enable the Open University Students Association (operating as Open SU) to manage our records effectively and in compliance with data protection and other regulations. As an organisation we collect, hold, store and create significant amounts of data and information, and this policy provides a framework of retention and disposal of categories of information and documents.

1.2. The Open University Students Association is committed to the principles of data protection, including the principle that information is only to be retained for as long as necessary for the purpose concerned.

1.3. The table below sets out the main categories of information that we hold, the length of time that we intend to hold them, and the reason for this.

1.4. Irrespective of the retention period assigned to an overall category of information or document specified in Section 2, any special category data collected in accordance with one of the GDPR Article 9 conditions for processing special category data, will be either deleted or anonymised as soon as it is no longer required for the specific purpose for which it was collected.

1.5. For information, the Appendix sets out the legal requirements for certain categories of document. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table at Section 2.

1.6. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The Chief Executive shall be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.

1.7. The "Person Responsible" identified for each category of information is the owner of the document and must maintain the official version of the document(s) for the full retention period. Any copies of document(s) may be destroyed at any point up to the full retention period.

1.8. If a document or information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to the Chief Executive, who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2. Document retention period

Document category	Retention period	Person responsible	Reason
Corporate/ constitutional			
Documents and photographs of clear historical/archival significance	Permanent if relevant data protection regulation provisions are met (as per OU Policy)	University Archivist	Data Protection regulation Open University Digital Archive Policy
Articles of Association Trustee/director minutes of meetings and written resolutions	Permanent	Chief Executive	Charities Act 2011
Contracts, confidentiality and non-disclosure agreements	Recommended at least 10 years	Chief Executive Head of Student Voice Head of EDI & Belonging	Companies Act 2006 Charities Act 2011
Conference minutes and resolutions	Length of contract term plus 6 years	Management team member responsible for the contract or agreement	Limitation Act 1980

Document category	Retention period	Person responsible	Reason
Legal files re provision of service	Recommended at least 10 years	Chief Executive	Companies Act 2006 (after incorporation) Charities Act 2011
Details of contacts for Clubs and Societies	Life of service provision plus 6 years	Head of EDI & Belonging	Limitation Act 1980
	As long as Club/Society is affiliated. Societies and Clubs asked to confirm or update their contact details annually		Charities Act 2011. It is essential that we can communicate effectively with the named persons who represent Clubs and Societies
Insurance			
Employer's liability insurance	40 years	Director of People & Finance	Employers' liability (Compulsory Insurance Regulation) 1998
Policies and any claims correspondence	3 years after lapse/settlement	Director of People & Finance	

Document category	Retention period	Person responsible	Reason
Health & safety			
General records	3 years	Head of People	Limitation Act 1970
Accident reports	3 years	Head of People	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
Personal Emergency Evacuation Protocols	3 years	Head of People	Health and Safety
Pension records			
Pension records (including active members, opt in/opt out, records re the scheme and records re: employees, all where known)	In keeping with latest guidance to employers from the Pensions Regulator	Chief Executive	In keeping with latest guidance to employers from the Pensions Regulator
Tax and finance			
Annual accounts	Permanently	Director of People & Finance	Companies Act 2006 Charities Act 2011

Document category	Retention period	Person responsible	Reason
Societies accounts	6 years following year end date	Director of People & Finance	Finance Act 1998 Taxes Management Act 1970
VAT returns and information relevant for VAT purposes	6 years	Director of People & Finance	Finance Act 1998 Taxes Management Act 1970
Tax and accounting records	6 years	Director of People & Finance	Finance Act 1998 Taxes Management Act 1970
Banking records	6 years	Director of People & Finance	Companies Act 2006 Charities Act 2011
Deed of covenant/Gift Aid declarations and correspondence re: donations	6 years	Director of People & Finance	Companies Act 2006 Charities Act 2011
Legacies (OUSET): correspondence and financial records	6 years after completion of estate administration	Charity Link	Companies Act 2006 Charities Act 2011
OUSET applications and supporting paperwork	6 years following the end of the academic year in which the award is made.	Charity Link	Companies Act 2006 Charities Act 2011

Document category	Retention period	Person responsible	Reason
Payroll, Employee, Income Tax, National Insurance records, maternity pay, sick pay	6 years	Open University payroll team (on behalf of the Chief Executive)	Taxes Management Act 1970/IT (PAYE) Regulations
Foreign national ID documents	2 years from end of employment	Head of People	Immigration (Restrictions on Employment) Order 2007
HR files and training records	6 years from end of employment	Head of People	Limitation Act 1970 and Data Protection Regulation
Unsuccessful job applications and preemployment vetting	6 months	Head of People	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 Race Relations Act 1976
Volunteer role applications (CVs and related materials re: unsuccessful applicants)	Recommended: 6–12 months from your notification of outcome of application	Head of EDI & Belonging	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 Race Relations Act 1976

Document category	Retention period	Person responsible	Reason
Volunteer vetting	6 months	Head of EDI & Belonging	ICO Employment Practice Code
Disclosure & Barring Service checks	Only satisfactory/unsatisfactory result and delete any other information unless relevant to conditions of involvement, then 6 years.	Director of Strategy & Democracy	ICO Employment Practice Code Record
Volunteer records	<p>Volunteer application forms are deleted every 6 months. General volunteer data is kept in accordance with the website data retention policy to provide a historical log or to inform future recruitment.</p> <p>Volunteers working with vulnerable adults, or within a SLT, Trustee or Director role will be kept as historical data.</p>	<p>Head of EDI & Belonging</p> <p>Head of Student Voice</p> <p>Head of relevant teams responsible for deleting own additional data.</p>	<p>Retention is in place to ensure that volunteer data is kept no longer than necessary for tasks undertaken. However, it is important to have historical information to inform term length restrictions and if future allegations are made.</p> <p>ICO Employment Practice Code Record</p>

Document category	Retention period	Person responsible	Reason
Volunteer training records	<p>Deleted upon completion of volunteer role unless individual was in a role working with Vulnerable adults, or within a SLT, Trustee or Director role.</p> <p>In these circumstances data will be deleted a maximum of 6 years from end of role.</p>	<p>Head of EDI & Belonging</p> <p>Head of Student Voice</p> <p>Head of relevant teams responsible for deleting own additional data.</p>	Data Protection regulation
Member's Disciplinary and Complaints records	Retained for 6 years from the date of the last activity.	Head of People	
Event attendees	Personal data deleted upon completion of event feedback and review. Where event information is required, data to be anonymised.	Relevant Head of team/project	Data Protection regulation

Document category	Retention period	Person responsible	Reason
Black, Asian and Minority Ethnic Students Group Membership List	Membership data is retained until individuals leave. The student's record on the website will be retained in accordance with the website retention policy.	Group Chair/Secretary/ Head of EDI & Belonging	Kept on website database to enable engagement between groups and members.
Disabled Students Group Membership List	As above.	Group Chair/Secretary/ Head of EDI & Belonging (data controlled by group itself).	Kept on website database to enable engagement between groups and members.
OU Pride Membership List	As above.	Group Chair/Secretary/ Head of EDI & Belonging (data controlled by group itself).	Kept on website database to enable engagement between groups and members.

Document category	Retention period	Person responsible	Reason
<p>Student/volunteer registrations on oustudents.com</p>	<p>User accounts are retained while the account remains active.</p> <p>Accounts with no recorded activity for a continuous period of four years are considered inactive. Inactive accounts are permanently deleted from the system in an annual review process.</p>	<p>Deputy Director of Marketing & Communications</p>	<p>Provider – MSL – retention policy</p>
<p>CAMEL emails – Pls</p>	<p>Mail lists should be deleted after they are no longer relevant. E.g. when they apply to information on an event/activity which has passed. Review every 6 months to ensure compliance with this approach.</p>	<p>Deputy Director of Marketing & Communications</p>	<p>To facilitate mailings on a variety of subjects including service messages.</p>

Document category	Retention period	Person responsible	Reason
Mail lists on MailChimp	Mail lists should be deleted after they are no longer relevant. E.g. when they apply to information on an event/activity which has passed. Review every 6 months to ensure compliance with this approach.	Deputy Director of Marketing & Communications	To distribute mailings on a variety of activities/events.
Membership opt out records	As well as being permanently logged in the opt out database, opt outs are logged on a spreadsheet temporarily and shared with the management team following freshers, elections and other activities that generate opt outs. This is so that students who have opted out of membership can also be removed from any other mailing lists. The spreadsheet is available for 2 months and then deleted.	<p>Deputy Director of Marketing & Communications is responsible for opt out records.</p> <p>All managers are responsible for maintaining their mailing lists and reviewing these against the temporary opt out listing within the timeframe.</p>	The opt out database is an OU system and so is not covered by this policy. The sharing of the temporary record for a limited period enables the opt out notification to be applied to our own mailing lists as well as being logged in the OU's student management information system.

Document category	Retention period	Person responsible	Reason
University Challenge entrants	<p>For those students entering but not making the team, all details will be deleted at the point the team (5 students) is finalised.</p> <p>Details of the final 5 students will be kept for at least five years.</p>	Head of Programmes	<p>We will need to contact entrants as part of the selection process.</p> <p>Details of the final team will be kept as they are often used in events such as Conference. Their names and photo will also be kept as part of the SU Archive.</p>
Meet-up hosts	Details of meet-up hosts are kept so that we can send relevant information to them on new events, initiatives and policies. Data deleted when host ceases volunteering.	Head of EDI & Belonging	We need to contact these active students to ensure that they are happy and safe in delivering meet-ups.
Residential school volunteers	We need contact details for our Resi-school volunteers in order to make the events run smoothly and safely. Data kept for 18 months.	Head of EDI & Belonging	We keep this data for a period of 18 months. This enables us to contact them the following year to see if they wish to continue volunteering.

3. Deletion of documents and data

3.1. When a document or set of data is at the end of its retention period, it should be dealt with in accordance with this policy.

3.2. The OU Students Association staff team holds an annual deletion week when old records are cleared to ensure compliance.

3.3. Records held by volunteers and elected representatives will be deleted on completion of their term, or in line with local policies/approaches depending on the role and data/documents held.

Confidential waste

3.4. This must be placed in Open University-provided confidential waste sacks or shredded.

3.5. Anything that contains personal information should be treated as confidential.

3.6. When deleting electronic records, make sure you also empty the Recycle Bin or in the case of emails the Deleted Items folder.

Other documentation

3.7. Other documentation can be deleted or placed in recycling bins where appropriate.

Individual responsibility

3.8. When faced with a decision about an individual document, you should ask yourself the following:

- 3.8.1. Has the information come to the end of its useful life?
- 3.8.2. Is there a legal requirement to keep this information or document for a set period? (Refer to the Appendix for more information)

- 3.8.3. Would the information be likely to be needed in the case of any legal proceedings? (Is the information contentious? Does it relate to an incident that could potentially give rise to proceedings?)
- 3.8.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
- 3.8.5. Is the document of historic or statistical significance?

3.9. If the decision is made to keep the document, this should be referred to the Chief Executive and reasons given.

Appendix

Document type	Legislation / reasons for retention	Requirement
Corporate/ constitutional records		
Company Articles of Association, Rules/bylaws	Companies Act 2006 Charities Act 2011	Permanent
CIO constitution/rules	Charities Act 2011	Permanent
Royal Charter/ Bylaws/Trust Deed/ unincorporated association constitution	Charities Act 2011	Permanent
Trustee/director minutes of meetings and written resolutions	Companies Act 2006 Charities Act 2011 CIO (General) Regulations 2012	Recommended at least 10 years
Members' meetings etc Minutes/resolutions	Companies Act 2006 Charities Act 2011 CIO (General) Regulations 2012	Recommended at least 10 years

Document type	Legislation / reasons for retention	Requirement
Documents of clear historical/archival significance	Data Protection regulation	Permanent if relevant data protection regulation provisions are met
Contracts e.g. with funders or grantees, confidentiality and non-disclosure agreements	Limitation Act 1980	Length of contract term plus 6 years
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years
IP records and legal files re: provision of service	Limitation Act 1980	Recommended: Life of service provision or IP plus 6 years
Tax and finance		
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006 Charities Act 2011 CIO (General) Regulations 2012	Minimum 6 years Recommended: permanent record
Tax and accounting records	Finance Act 1998 Taxes Management Act 1970	6 years from end of relevant tax year
Information relevant for VAT purposes	Finance Act 1998 and HMRC Notice 700/21	Minimum 6 years from end of relevant period

Document type	Legislation / reasons for retention	Requirement
Banking records/receipts book/sales ledger	Companies Act 2006 Charities Act 2011	6 years from transaction
Deed of covenant/Gift Aid declarations and correspondence re: donations	As part of tax records	6 years after last payment or 12 years if payments are outstanding or dispute over deed
Legacies – correspondence and financial records		6 years after completion of estate administration
Employee/ administration	See generally ICO Employment Practices Code	
Payroll/Employee/Income Tax and NI records: P45; P6; P11D; P60 etc	Taxes Management Act 1970 /IT (PAYE) Regulations	6 years from end of current year
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year
Sick pay	Statutory Sick Pay (General) Regulations	3 years after the end of the tax year
National Minimum Wage records	National Minimum Wage Act	3 years after the end of the tax year

Document type	Legislation / reasons for retention	Requirement
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007	Minimum 2 years from end of employment
HR files and training records	Limitation Act 1970 and Data Protection regulation	Maximum 6 years from end of employment
Records re: working time	Working Time Regulations 1998 as amended	2 years
Job applications (CVs and related materials re: unsuccessful applicants)	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 Race Relations Act 1976	Recommended: 6–12 months from your notification of outcome of application
Pre-employment/ volunteer vetting	ICO Employment Practice Code	6 months
Disclosure & Barring Service checks	ICO Employment Practice Code	Record only satisfactory/ unsatisfactory result and delete other information
Volunteer records		Undertake assessment to decide on retention period taking account of risk (e.g. safeguarding re: work with children or vulnerable adults)

Document type	Legislation / reasons for retention	Requirement
Insurance		
Employer's Liability Insurance	Employers' Liability (Compulsory Insurance Regulation) 1998	40 years
Policies	Commercial	3 years after lapse
Claims correspondence	Commercial	3 years after settlement
Health & safety/ medical		
General records	Limitation Act 1970	Minimum 3 years
Records re: work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Up to 40 years. Recommend: Permanent
Accident books/records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation
Medical Scheme documentation	Commercial	Permanent unless personal data is included

Document type	Legislation / reasons for retention	Requirement
Charity premises/ property		
Original title deeds		Permanent/to disposal of property
Leases	Limitation Act 1980	12 years after lease has expired
Building records, plans, consents and certification and warranties etc	Limitation Act 1980	6 years after disposal or permanent if of historical/archival interest. Carry out review re: longer retention e.g. if possible actions against contractors
Pension records		
Records about employees and workers	For all categories see: Detailed Guidance for Employers: (April 2017) www.thepensionsregulator.gov.uk	
Records re: the Scheme		
Records re: active members and opt in/opt out		

Document type	Legislation / reasons for retention	Requirement
Trust Deed/Rules and HMRC approvals	For all categories see: Detailed Guidance for Employers: (April 2017) www.thepensionsregulator.gov.uk	
Trustees' Minutes and annual accounts		
Policies including investment policies		