



Data Privacy Policy

Incredible Kids requires that different types of data be retained for a specific period of time to comply with UK legislation and good practice. Incredible Kids require consistent treatment of records. This policy shows our retention, and disposal procedures of records held by Incredible Kids which must be followed by all volunteers, staff and trustees. This policy is intended to ensure that the charity meets legal standards.

Purpose

The purpose of this policy is to ensure that necessary data, records and documents are adequately protected and maintained and to ensure that records that are no longer needed or of no value are discarded at the appropriate time. This policy applies to all records, regardless of format. Incredible Kids collect and maintain an increasing portion of their records using computers, which are then stored in our secure online database, as well as traditional paper records stored in locked cabinets. The electronic records must be managed alongside traditional records to ensure compliance with legislation.

The individuals who are responsible for the retention of records are also responsible for the destruction of records following the retention period. Records must be destroyed by shredding or and fully deleting from all electronic sources or other means to ensure that all sensitive or confidential material can no longer be read or interpreted.

Definitions

For the purpose of this policy, “record” means: “any papers, files, books, photographs, tapes, films, recordings, or other documentary materials, or any copies thereof, regardless of physical form or characteristics, made, produced, executed, or received by any volunteer, staff member or trustee in connection with the transaction of Incredible Kids business.

The term “electronic record” means any record that is created, received, maintained or stored on local workstations or central servers. Examples include, but are not limited to:

1. Electronic mail (e-mail)
2. Word processing documents and spreadsheets
3. Databases – all data generated via automated information systems including but not limited to file records, investigation reports, financial accounting records, and payroll records.

“Official records” are the records maintained by senior managers and the Board of Trustees. Examples include, but are not limited to:

Accounts – all financial records, VAT records, payroll records, company bank accounts, etc.

IT (Information Technology) – electronic records, etc.

Human Resources – Personnel records, insurance records, etc.

Meeting Documents – Committee or Trustee meeting minutes, etc.

Procedures

The Trustees will review annually its records and forms to determine whether retention of these records and forms is adequate and appropriate.

In the event of an investigation, or pending litigation, record disposal may be suspended at the direction of the Board of Trustees.

When litigation against the charity or its employees is filed or threatened, the law imposes a duty upon Incredible Kids to preserve all documents and records that pertain to the issues.

The litigation hold directive overrides any records retention schedule that may have otherwise called for disposal or destruction of the relevant documents.

Any electronic documents such as e-mail and computer accounts will need to be immediately maintained by the Trustees until the hold is released. No volunteer, employee or trustee who has been notified of a litigation hold may alter or delete any electronic records that falls within the scope of that hold. Violation of the hold may subject the individual to disciplinary action, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

Records retention

Record retention periods may be increased by government regulation, judicial or administrative consent order, private or governmental contract, pending litigation or audit requirements. Such modifications supersede the requirements listed in this policy. No document list can be exhaustive. Questions regarding the retention period for any specific document or class of documents not included in the below table should be addressed to the Trustees.

Invoices, supplier documents, doner letters, receipts.		
Document	Retention Period	Reason for Retention
Payments cash book or record of payments made	Six years from the end of the financial year in which the transaction was made	Companies/Charities Act*
Purchase ledger	“ “	Companies/Charities Act
Invoice - revenue	“ “	Companies/Charities Act
Petty cash records	“ “	Companies/Charities Act and HMRC
Invoice – capital item	Ten years	Companies/Charities Act and HMRC
Doner letter / receipt	permanent	Evidence amount was donated
Our Sent thankyou letter records	Three years from the end of the financial year in which the transaction was made.	Record of who we have thanked .
Income/Monies received		
Bank paying in counterfoils	Six years from the end of the financial year in which the transaction was made	Companies/Charities Act
Bank Statements	“ “	Companies/Charities Act

Remittance advices	“	Companies/Charities Act
Correspondence re donations	“	Companies/Charities Act
Bank reconciliations	“	Companies/Charities Act
Receipts cash book	“	Companies/Charities Act and HMRC
Sales Ledger	“	Companies/Charities Act and HMRC
Deeds of covenant/Gift Aid declarations	Six years after the last payment made. Twelve years if payments outstanding or dispute regarding the deed.	Data Protection Act
Legacies	Six years after the estate has been wound up.	Data Protection Act
Payroll Documentation		
Income tax records re employees leaving e.g. P45	Six years plus current year	Taxes Management Act
Notice to employer of tax code (P6)	“	Taxes Management Act
Annual return of employees and directors expenses and benefits (P11D)	“	Taxes Management Act
Certificate of pay and tax deducted (P60)	“	Taxes Management Act
Notice of tax changes	“	Taxes Management Act
Annual return of taxable pay and tax deducted	“	Taxes Management Act
Records of pension deductions (including superannuation)	“	Pensions Act
time sheet recording	Two years after audit	Audit
Payroll and payroll control account	Six years plus current year	Companies Act/Charities Act and Taxes Management Act
Employee/personnel records		
Medical records and details of biological tests under the control of Lead at Work Regulations	Forty years from the date of the last entry	The Control of Lead at Work Regulations
Accident books, accident records/ reports	Three years after the last entry or end of investigation if later	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
Volunteer and staff Personnel files and training records	Six years after volunteering / employment ceases	Limitations Act 1980
Wages and salary records	Six years plus current year	Taxes Management Act
Expenses accounts/records	“	Taxes Management Act
Overtime records/authorisation	“	Taxes Management Act
Redundancy details, calculations of payments, refunds, notifications to the Secretary of State.	Six years after employment has ceased	Data Protection Act
Life assurance expression of wish forms	Six years after employment has ceased or death	Data Protection Act

Application forms from and interview notes (for unsuccessful candidates). For paid and volunteer roles	Six months to a year	Disability Discrimination Act 1995 and Race Relations Act 1976 recommend six months. One year limitation for defamation actions under Limitations Act
Statutory Maternity records, calculations, certificates or other medical evidence.	Three years after the end of the tax year in which the maternity period ends.	The Statutory Maternity Pay Regulations
Statutory Sick Pay records, calculations, certificates or self-certificates.	Three years after the end of each tax year for the Statutory Sick Pay purposes.	The Statutory Sick Pay (General) Regulations
Records relating to working time	Two years from the date on which they were made.	The Working Time Regulations
National minimum wage records	Three years after the end of the pay reference period following the one that the records cover.	National Minimum Wage Act
Contracts of employment, appraisals, annual leave. Volunteer agreements.	Six years after employment or volunteering ceases	Data Protection Act
Staff/volunteer pilloried photo sign in/out board	Until employee/volunteer leaves, or sooner if employee/volunteer requests its destruction	Enable families know who is working that session
Pension Records		
Pensions schemes-next of kin/expression of wish form	Six years after death	Data Protection Act
All trust deeds and rules	Permanently	Companies Act, Commercial, Pensions Act
Trustees' minutes	"	Companies Act, Commercial, Pensions Act
Annual accounts	"	Companies Act, Commercial, Pensions Act
Pension scheme investment policies	Twelve years from the ending of any benefit payable	Companies Act, Commercial, Pensions Act
Actuarial reports	Permanently	Companies Act, Commercial, Pensions Act
Contribution records	"	Companies Act, Commercial, Pensions Act
Insurance Documents		
Policies	Three years after the lapse	Data Protection Act
Claims correspondence	Three years after settlement	Data Protection Act
Employer's Liability Insurance certificate	Forty years	Employer's Liability (Compulsory Insurance) Regulations 1998
Accident reports and relevant correspondence	Three years after settlement	Data Protection Act
Other Records		
Trustee/director minutes of meeting and decisions	Permanently	Data Protection Act
Annual accounts and annual review	"	Data Protection Act

Major agreements of historical significance	“	Data Protection Act
Investment certificates	“	Companies Act, Charities Act, Commercial
Investment Ledger	“	Companies Act, Charities Act, Commercial
Fixed assets register	“	Companies Act, Charities Act, Commercial
Contracts with customers, suppliers or agents, licensing agreements, rental/hire purchase agreements, indemnities and guarantees and other agreements or contracts	Six years after expiry or termination of this contract. If the contract is executed as a deed, the limitation period is twelve years.	Limitations Act 1980**
Trustees records i.e. all documentation that relates to their application, appointment and personal details.	Six years following retirement or resignation.	
Paper session Sign in sheets	Untill end of the following financial year or until anomilised data is inputted into excel doc, if later.	Evidence for anomilised excel doc, required by funding providers
Anominised Excel sign in sheet data	indefinitely	Evidence of charities work required by funding providers.
Original Member forms	Until a family informs us they have left, or sooner if they request this data destroyed	Members opt to provide us with their data, so we can keep in contact and use as Evidence of families IK reaches,
Excel member forms doc	Individual Row anoimilised when family informs us they have left, or sooner if they request this data anoimilised.	Evidence of who IK has been supporting.
Children’s poloride photo for sign in/out board	When family informs us they have left or sooner if they request this destroyed.	For the children to use to sign them self in and out

*Although the Companies Act states 3 years for private companies and 6 years for public limited companies, the Charities Act states 6 years from the end of the financial year in which the transaction was made.

** Six years is generally the time limit within which the proceedings founded on contract may be brought. Actions for latent damages may be brought up to 15 years after the damage occurs.