

## DOCUMENT RETENTION SCHEDULES

**Classification: Management**

**Status: Approved**

<b>Policy Lead:</b>	Chief Executive Officer
<b>Date Approved:</b>	December 2017
<b>Last Review Date:</b>	December 2017
<b>Review Due Date:</b>	December 2020
<b>Review Period:</b>	3 years unless required earlier due to changes in the law, regulation, best practice or requirement of the Association

## REFERENCE PAGE

<b>Document Title:</b>	Document Retention Schedule
<b>Aim:</b>	To retain and destroy information in line with law, regulations and best practice.
<b>Objective:</b>	1 The Eildon Group will ensure that the highest standards of governance and partnership working are adhered to, including compliance with our regulatory frameworks
<b>Scope of Policy:</b>	Board & Staff
<b>Nominated Officer:</b>	Corporate Services Manager
<b>Approval Source:</b>	Executive Team
<b>Legal and Regulatory References:</b>	Data Protection Act 1998 General Data Protection Regulations
<b>Procedural References:</b>	Privacy Policy
<b>Consultation Completed:</b>	Yes - Staff
<b>Risk Implications:</b>	1- Existing policy, minimal change
<b>Equalities Assessment:</b>	All Eildon policies and key documents are developed with the clear objective of ensuring that they do not discriminate against any person and have negative impacts for equality groups. We will always welcome comments on the impact of a policy on particular groups of people in respect of, but not limited to, age, disability, gender reassignment, race, religion, sex or sexual orientation, being pregnant or on maternity leave and children's rights and wellbeing.
<b>Accessibility:</b>	Accessible electronically/online and in print. All documents can be translated and made available in audio, braille and large print versions upon request.

## Document Retention Schedules

The following tables list the principal documentation which Housing Associations should keep, together with details of statutory and recommended retention periods.

In the schedules below, where the statutory and recommended retention periods differ, it is the recommended period that should be followed

Table 1

<b>Governance Documents</b>				
Document	Statutory Retention Period	Statutory Retention Source	Recommended Retention Period	Comments
Certificate of Incorporation	N/A	N/A	Permanently	Implied by CA, Sec.15.
Certificate of change of company name	N/A	N/A	Permanently	Implied by CA, Sec.80.
Memorandum & articles of association (original)	N/A	N/A	Permanently	Best practice.
Articles of association (current)	Permanently	CA	Permanently	Best practice.
Governance Documentation	N/A	N/A	Permanently	Required for charitable status.
Constitution, Aims and Objectives	N/A	N/A	Permanently	Required for charitable status.
Confirmation letter of charitable registration	N/A	N/A	Permanently	Best practice.
HMRC confirmation of charitable status	N/A	N/A	Permanently	Best practice
Registration documentation (I & P Societies)	Permanently	IPSA	Permanently	Best practice.
Certificate of registration with the housing regulator	N/A	N/A	Permanently	Best practice.
Board member documents – apt letters, SLAs, bank details etc	N/A	N/A	6 yrs after board membership ceases though some details should be destroyed when membership ceases e.g. bank details etc.	DPA 1998 5 <sup>th</sup> principle. CA 2006 recommendation for docs post termination of directorship

Table 2

<b>Meetings</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Notices of meetings	N/A	N/A	6 years	In case of challenge to validity of meeting or resolutions.
Board and committee minutes (companies)	Permanently	CA	Permanently	Signed originals must be kept.
Board resolutions (companies)	Permanently	CA	Permanently	Signed originals must be kept.
Minutes and resolutions of trustees (charities)	N/A	N/A	Permanently	Charity Commission requirement CC48
Resident Meeting Minutes	N/A	N/A	One Year	DPA

Table 3

<b>Strategic Management</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Business plans & supporting documentation (e.g. organisation structures, aims, objectives, funding issues)	N/A	N/A	6 years after plan completion	Best practice

Table 4

<b>Registrations and Statutory Returns</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Annual returns to the regulator	N/A	N/A	6years	Best practice.
Audited company returns and financial statements (including I & P Societies' Annual Returns to Registrar of Friendly Societies)	N/A	N/A	Permanently	Best practice.
Declarations of interest	N/A	N/A	6 years	Limitation for legal proceedings.
Register of directors and secretaries	Permanently	CA	Permanently	
Register of Shareholding members	Permanently	CA	Permanently	Records may be removed from register 20 years after membership ceases.
Register of seals	N/A	N/A	Permanently	Best practice.
Register of share certificates	N/A	N/A	Permanently	Best practice.
List of members (I & P Societies)	N/A	N/A	Permanently	Required by Registrar of Friendly Societies.
Nursing home and residential care homes registration certificates	N/A	N/A	Permanently	Best practice.
Nursing home and residential care homes inspection reports	N/A	N/A	6 years following end of management	Limitation for legal proceedings. Reports are public documents.

Table 5

<b>Insurances</b>				
Document	Statutory Retention Period	Statutory Retention Source	Recommended Retention Period	Comments
Current and former policies	N/A	N/A	Permanently	Limitation can commence from knowledge of potential claim and not necessarily the cause of the claim. N.B. Housing Association Boards must annually reaffirm formally their continuation of the Voluntary Board Members Liability Policy (automatically provided via NHF membership). NCVO recommends 3 years after lapse.
Annual Insurance schedule	N/A	N/A	6 years	Best practice.
Claims and related correspondence	N/A	N/A	2 years after settlement	Zurich Municipal recmnd. NCVO recmnnds 3 years after settlement.
Indemnities and guarantees	N/A	N/A	6 years after expiry	Limitation for legal proceedings. 12 years if related to land.
Group health policies	N/A	N/A	12 years after cessation of benefit	Best practice
Employer's liability insurance certificate	N/A	N/A	40 Years	2008 regs removed req. to retain for 40 years, need to be mindful of 'long tail' industrial disease claims etc.

Table 6

<b>Finance, Accounting &amp; Tax Records</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Accounting records for Limited Company	3 years from the date made	CA Sec 388	6 years	TMA Sec.20. may require any documents relating to tax over 6 (plus) years.
Accounting records for I&P Society or Charity	N/A	N/A	6years	OSCR
Balance sheets and supporting documents	N/A	N/A	6 to 10 years	Best practice. To relate to accounting records.
Loan account control reports	N/A	N/A	6years	Best practice.
Social Housing Grant documentation	N/A	N/A	Permanently	Best practice.
Signed copy of report and accounts	N/A	N/A	Permanently	Best practice.
Budgets and internal financial reports	N/A	N/A	2 years	Best practice.
Tax returns and records	N/A	N/A	10 years	TMA Sec.20. may require any documents relating to tax over 6 (plus) years.
VAT records	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.
Orders and delivery notes	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.
Copy invoices	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.
Credit and debit notes	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.

Table 6a

<b>Finance, Accounting &amp; Tax Records Continued..</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Cash records & till rolls	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.
Journal transfer documents	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.
Creditors, debtors & cash income control accounts	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.
VAT related correspondence	6 years	VATA	6 years	Customs & Excise requirement for VAT registered bodies.

Table 7

<b>Other Banking Records</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Cheques	N/A	N/A	6 years	Limitation for legal proceedings.
Paying in counterfoils	N/A	N/A	6 years	Limitation for legal proceedings.
Bank statements and reconciliations	3 years from the end of the financial year the transactions were made	CA	6 years	Limitation for legal proceedings.
Instructions to Banks	N/A	N/A	6 years	Limitation for legal proceedings.



Table 8

<b>Contracts &amp; Agreements</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Contracts under seal and/or executed as deeds	N/A	N/A	12 years after completion (including any defects liability period)	Limitation for legal proceedings.
Contracts for the supply of goods or services, including professional services	N/A	N/A	12 years after completion (including any defects liability period)	Limitation for legal proceedings (12 years if related to land).
Documentation relating to small one-off purchases of goods and services, where there is no continuing maintenance or similar requirement	N/A	N/A	3 years	Best practice. Suggested limit: goods or services costing up to £10,000.
Loan agreements	N/A	N/A	12 years after last payment	Best practice.
Licensing agreements	N/A	N/A	6 years after expiry	Limitation for legal proceedings.
Rental and hire purchase agreements	N/A	N/A	6 years after expiry	Limitation for legal proceedings.
Indemnities and guarantees	N/A	N/A	12 years after expiry	Limitation for legal proceedings.
Documents relating to successful tender	N/A	N/A	6 years after end of contract	Best practice.
Documents relating to unsuccessful tenders	N/A	N/A	2 years after notification	Best practice.
Forms of tender	N/A	N/A	6 years	Best practice.

Table 9

<b>Charitable Donations</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Deeds of covenant	6 years after last payment	TMA	12 years after last payment	Limitation for legal proceedings if related to land.
Index of donations granted	N/A	N/A	6 years	Best practice.
Account documentation	3 years	CA	6 years	Best practice.

Table 10

<b>Application &amp; Tenancy Records</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Applications for accommodation	N/A	N/A	6 years after offer accepted	Best practice.
Continuous Recording of lettings and sales (CORE) data record form	N/A	N/A	None	Best practice in DPA compliance requires form to be destroyed immediately statistics have been recorded.
Housing Benefit notifications	N/A	N/A	2 years	Recommendation of Institute of Rent Officers (now merged with CloH).
Rent statements	N/A	N/A	2 years	Best practice.
Tenants' tenancy Files, including rent payment records, and details of any complaints and harassment cases	N/A	N/A	In general, for the length of the tenancy up to 6 years post tenancy.  There may be occasion to weed very old, but still current, files. Judgement should be used in what to keep & destroy. Any live issues must be kept.	Limitations Act 1980 and Best practice with DPA compliance 5 <sup>th</sup> principle. For rent payment details, best practice suggests live system holds 2 years records plus current year.
Former tenants' Tenancy Agreements, and details of their leaving	N/A	N/A	6 years	Best practice with DPA compliance 5 <sup>th</sup> principle
Care Inspectorate Reports			2 years	
Residents Meeting Minutes			2 years	

Table 10a

<b>Application &amp; Tenancy Records Continued..</b>				
Document	Statutory Retention Period	Statutory Retention Source	Recommended Retention Period	Comments
Care plans for children and related documents	75 years	Ch A	Permanently	Some documents may be transferred to subsequent caring agency.
Care plans for adults and related documents	N/A	N/A	Permanently	May be subject to DPA. Some documents may be transferred to subsequent caring agency.
Documentation, correspondence and information provided by other agencies relating to special needs of current tenants.	N/A	N/A	While tenancy continues	Information held on 'need to know' basis. Medical & Social Svces records liable to be confidential. To be returned or passed to subsequent agency at end of tenancy, or destroyed.
Sheltered and Supported Resident information			6 years	Documents are managed in accordance with the Care Inspectorate's ' <i>Record Management Policy; 2 Oct.2014</i> '. Eildon have set a 6yr retention period after termination of tenancy on these documents as it meets the Limitations Act of 1980 & is deemed as being a reasonable amount of time to allowing for investigations to occur subsequent to resident's departure.

Table 10b

<b>Application &amp; Tenancy Records Continued..</b>				
Document	Statutory Retention Period	Statutory Retention Source	Recommended Retention Period	Comments
Records relating to offenders, ex-offenders and persons subject to cautions	N/A	N/A	While tenancy continues	Information held on 'need to know' basis. Police sourced records may be confidential. To be dealt with as required by Police.
Supporting People: subsidy claims, support plans, single assessments including supporting info.				Duration of Teanncy
ASB case files & associated documents.				6 years of until the end of legal action.

Table 11

<b>Property Records</b>				
Document	Statutory Retention Period	Statutory Retention Source	Recommended Retention Period	Comments
Rent registrations (superseded)	N/A	N/A	6 years	6 years if it has been superseded by a subsequent registration.
Rent Registration (not superseded)	N/A	N/A	Permanently	When no new fair rent has been registered (for example because there is no longer a Rent Act tenant in the property) the maximum recoverable rent will be applicable if a Rent Act tenant is ever moved into the property.
Fair rent documentation	N/A	N/A	6years	Rent Officer recommendation.
Leases and deeds of ownership	N/A	N/A	While owned Deeds of title – permanently or until property disposed of. Leases – Fifteen years after expiry [from NCVO]	Best practice.
Copy of former leases	N/A	N/A	12 years after settlement of all issues	Limitation for legal action relating to land or contracts under seal.
Wayleaves, licences and easements	N/A	N/A	12 years after rights given or received cease	Limitation for legal action relating to land or contracts under seal.
Abstracts of title	N/A	N/A	12 years after interest ceases.	Limitation for legal action relating to land or contracts under seal.
Planning and building control permissions	N/A	N/A	60 years after interest ceases	Limitation for legal action relating to land or contracts under seal.

Table 11a

<b>Property Records Continued.</b>				
Document	Statutory Retention Period	Statutory Retention Source	Recommended Retention Period	Comments
Searches	N/A	N/A	12 years after interest ceases	Limitation for legal action relating to land or contracts under seal.
Property maintenance records	N/A	N/A	6 years	Limitation for legal action.
Reports and professional opinions	N/A	N/A	6 years	Limitation for legal action.
Development documentation	N/A	N/A	12 years after settlement of all issues	Limitation for legal action relating to land or contracts under seal.
Invoices	6 years	VATA	12 years	Limitation for legal action relating to land or contracts under seal.
VAT documentation	See Finance, Accounting & Tax Records section	See Finance, Accounting & Tax Records section	See Finance, Accounting & Tax Records section	See Finance, Accounting & Tax Records section
Insurance	See Insurances section	See Insurances section	See Insurances section	See section on insurance.
Technical and Research				NCVO recommends 12-15 years after requirements have ended for both Records and Reports and Drawings and other data.

Table 12

<b>Vehicles</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Mileage records	N/A	N/A	2 years after disposal	Best practice.
Maintenance records, MOT tests	N/A	N/A	2 years after disposal	Best practice.
Copy registrations	N/A	N/A	2 years after disposal	Best practice.

Table 13

<b>Capital Assets</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Capital Assets	N/A	N/A	Date of purchase to at least 6 years after date sold, transferred or disposed of.	Best practice
Fixed Asset Register	CA Charities Act	N/A	Permanently	



Table 14

<b>Employees: Tax and Social Security</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Record of taxable payments	6 years	TMA	6 years	Inland Revenue require retention of each payment for 3 years.
Record of tax deducted or refunded	6 years	TMA	6 years	Inland Revenue require retention of each payment for 3 years.
Record of earnings on which standard National Insurance Contributions payable	6 years	TMA	6 years	Inland Revenue require retention of each payment for 3 years.
Record of employer's and employee's National Insurance Contributions	6 years	TMA	6 years	Inland Revenue require retention of each payment for 3 years.
NIC contracted-out arrangements	6 years	TMA	6 years	
Copies of notices to employee (e.g. P45, P60)	6 years plus current year	TMA	6 years plus current year	
Inland Revenue notice of code changes, pay & tax details	6 years	TMA	6 years	
Expense claims	N/A	N/A	6 years after audit	Best practice.
Record of sickness payments	3 years following year to which they relate	SSPR	6 years	CIPD
Record of maternity payments	3 years following year to which they relate	SMPR	3 years	Inland Revenue require retention of each payment for 3 years after the end of the tax year in which the maternity period ends.

Table 14a

<b>Employees: Tax and Social Security Continued..</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Income tax PAYE and NI returns	3 years following year to which they relate	IT(E)R	6 years	Best practice.
Redundancy details and record of Payments & Refunds	N/A	N/A	12 years	Chartered Institute of Personnel & Development (CIPD) recommendation.
Inland Revenue approvals	N/A	N/A	Permanently	CIPD recommendation
Annual earnings summary	N/A	N/A	12 years	Best practice.
Wage / Salary Records	6 years	TMA		In line with Personnel Procedure.

Table 15

<b>Employees: Pension Schemes</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Actuarial valuation reports	N/A	N/A	Permanently	CIPD recommendation.
Detailed returns of pension fund contributions	N/A	N/A	Permanently	Best practice.
Annual reconciliations of fund contributions	N/A	N/A	Permanently	Best practice.
Money purchase details	N/A	N/A	6 years after transfer or value taken	CIPD recommendation.
Qualifying service details	N/A	N/A	6 years after transfer or value taken	CIPD recommendation.
Investment policies	N/A	N/A	12 years from end of benefits payable under policy	CIPD recommendation.
Pensioner records	N/A	N/A	12 years after benefits cease	CIPD recommendation.
Records relating to retirement benefits	6 years after year of retirement	RBS(IP)R	6 years after year of retirement	Statutory requirement.

Table 16

<b>Employees: Personnel Procedures</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Terms and conditions of service, both general terms and conditions applicable to all staff, and specific terms and conditions applying to individuals	N/A	N/A	All records are kept whilst in employment then former employees files kept for 6 years.	Limitation for legal proceedings.
Service contracts for directors (companies)	3 years	CA	6 years after directorship ceases	Best practice.
Former employees' Personnel Files	N/A	N/A	6 years	CIPD recommendation.

<b>Employees: Personnel Procedures</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Training programmes	N/A	N/A	6 years after completion	Best practice.
Individual training records	N/A	N/A	6 years after employment ceases	CIPD recommendation.
Short lists, interview notes and related application forms,	N/A	N/A	1 year	CIPD recommendation.
Application forms of non-shortlisted candidates	Three months after notification	SDA & RRA	1 year	CIPD recommendation
Disclosure Certificate	Date of decision	The Police Act 1997	Date of decision	EHA Policies
PVG Scheme Record	Date the individual ceases to do work for the Association	Protection of Vulnerable Groups (Scotland) Act 2007	Date of decision	
Time cards	N/A	N/A	2 years after audit	CIPD recommendation.
Trade union agreements	N/A	N/A	10 years after ceasing to be effective	CIPD recommendation.
Trust deeds, rules and minutes (for joint employee/employer sports/social clubs, etc, set up under trust)	N/A	N/A	Permanently	CIPD recommendation.
Employer/employee committee minutes	N/A	N/A	Permanently	CIPD recommendation.
Records relating to working time	2 years	WTR	6 years after the end of employment	CIPD recommendation
Parental Leave	2 years	WTR	5 years from birth / adoption	CIPD

Table 17

<b>Employees: Health &amp; Safety</b>				
<b>Document</b>	<b>Statutory Retention Period</b>	<b>Statutory Retention Source</b>	<b>Recommended Retention Period</b>	<b>Comments</b>
Medical records relating to control of asbestos	40 years	CAWR	40 years	
Health and Safety assessments	N/A	N/A	Permanently	CIPD recommendation.
Health and Safety policy statements	N/A	N/A	Permanently	Good practice.
Records of consultations with safety representatives	N/A	N/A	Permanently	CIPD recommendation.
Accident records, reports	3 years after date of settlement	RIDDOR	3 years	CIPD recommendation
Accident books	N/A	N/A	3 years	CIPD recommendation
Sickness records	Three years after the end of each tax year for Statutory Sick Pay purposes	SSP (general) regulations	3 yearss	CIPD recommendation 3 years. However for industrial injuries not detectable within that period e.g. asbestos, the time period may be extended. Also for employees exposed to hazardous substances.
Health and safety statutory notices	N/A	N/A	6 years after compliance	Limitation for legal proceedings

## Document Retention Schedule KEY

CA	Companies Act 2006
CAWR	Control of Asbestos Regulations 2012
Ch A	Childrens Act 1989
CIPD	Chartered Institute of Personnel & Development
DPA	Data Protection Act 1998
IPSA	Industrial And Provident Societies Act 1965
IT(E)R	Income Tax (Employment) Regulations 1993
LA - Limitations for legal proceedings	Prescription and Lmitation (Scotland)
NCVO	National Council for Voluntary Organisations
RIDDOR	Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 1985
RBS(IP)R	Retirement Benefits Schemes (Information Powers) Regulations 1995
RRA	Race Relations Act 1976 (Replaced with Equality Act 2010)
SDA	Sex Discrimination Acts 1965 & 1975 (Replaced with Equality Act 2010)
SMPR	Statutory Maternity Pay Regulations 1982 (General amendment 2005)
SSPR	Statutory Sick Pay Regulations 1982 (General amendment 2008)
TMA	Taxes Management Act 1970
VATA	Value Added Tax Act 1994
WTR	Working Times Regulations 1998

**Approved by Executive Team 14 December 2017**