

NLTS P104 RETENTION OF RECORDS POLICY

Introduction

A wide variety of records are held by New Links Training Solutions including, learner course work (paper, electronic and video), learner vital details (including DOB & PPS numbers) certification records, financial records, HR records and general administrative records. Records may be paper based or electronic. This document outlines the minimum retention period for records and applies to records of all types regardless of the medium on which they are held.

Definition of Record

A record is defined under the Freedom of Information Acts 1997 and 2003 as "any memorandum, book, plan, map, drawing, diagram, pictorial or graphic work or other document, any photograph, film or recording (whether of sound or images or both), any form in which data (within the meaning of the Data Protection Act, 1988 and 2003) are held, any other form (including machine-readable form) or device in which information is held or stored manually, mechanically or electronically and anything that is a part or a copy, in any form of any of the foregoing or is a combination of two or more of the foregoing" (Freedom of Information Act, 1997, 2003).

An authentic record is one that can be proven to be what it purports to be. In order to ensure that the records created are authentic then records should be dated, timed and signed. They should be placed into the filing system to form part of the retention schedule so that they are protected against unauthorised addition, deletion or alteration.

The integrity of a record refers to it being complete and unaltered. Once created, additions or amendment to the record can only be carried out by those authorised to do so and any changes or updates should be explicitly indicated on the record.

Record Retention Periods New Links Training Solutions observes the provisions of section 2(1)(c) of the Data Protection Acts 1988 and 2003** and the General Data Protection Regulation (GDPR) Act 2018**. The Acts set out the principle that personal data shall not be kept for longer than is necessary for the purpose or purposes for which it was obtained. This requirement places a responsibility on the provider to be clear about the length of time personal data will be kept and the reasons why the information is being retained. To comply with this rule the provider must have a policy on retention periods for personal data that is retained. This policy includes defined retention periods for records and systematic disposal of records within a reasonable period after the retention period expires. Since 2003, Data Protection legislation applies to both electronic and hard copy records.

****Please see Section 10 Administration and Data Protection** for more detail on this legislation.

New Links Training Solutions is committed to effective records management retention and disposal to ensure that it:

- Meets legal standards in terms of retention periods
- Optimises the use of space
- Minimises the cost of record retention
- Securely destroys outdated records

The categories of records referred to in this document are as follows:

- Learner course work/portfolios/videos/photographs
- Learner personal data (enrolment forms)
- Certification records

- Learner correspondence
- Office administration
- Course administration
- Accounts/financial
- HR records
- Any other files relating to the categories listed above

Minimum retention period:

Minimum retention periods are calculated from the end of the calendar month or accounting year following the last entry on the record. Consideration is given to retention periods for records and any special protection or preservation requirements. Determining a retention period for each record category is based on relevant statutory requirements, regulations and policy. In some instances, for example financial records, the retention periods are fixed.

For many categories, there may not be legal or regulatory retention requirements, in which case a timeframe is decided on the basis of need and good practice. In some cases it may be appropriate to retain certain records for longer than the statutory retention period – these records should be identified as such and archived accordingly.

A systematic disposal of records is applied within a reasonable period after their retention period expires. The following timeframes have been agreed based on legislative guidelines and best practice guidelines.

Record Type	Minimum retention period	Method of disposal of record
General administration	3 years	Secure professional shredding
QQI portfolios	6 Weeks after the issue of QQI certificate	Secure professional shredding
Course forms (general)	3 Years	Secure professional shredding
Course forms FAS,SOLAS	5 Years	Secure professional shredding
Accounts/financial	6 Years	Secure professional shredding
Electronic data	3 years	Secure professional shredding
Certification Records	3 Years	Secure professional shredding
HR Records	3 Years	Secure professional shredding

QQI Learner Portfolios/course work

Learners should be advised that they may collect their course work (portfolios) within 6 weeks of the final issue of certificates. Due to GDPR regulations records will be destroyed on a more frequent basis. Depending on the destruction schedule we cannot guarantee that learners work will be available after the 6 week minimum retention period date. Destruction records will be maintained as proof of destruction. Ordinarily learners are permitted collect their portfolio of work (by prior arrangement) and no cost will be incurred. If a learner requests that their work is returned by post associated administration/postal charges will be applied.

Learners will be requested to sign a document/data release form **(NLTS 099)**

Electronic Retention of Certification Records:

Note: IV, EA and RAP reports will be retained on secure server for future reference.

QQI Results are retained on QBS.