PENICUIK TRINITY COMMUNITY CHURCH SC005838 (the "Congregation")
DATA RETENTION POLICY

- **Introduction**

  - Church of Scotland congregations gather personal information from individuals and external organisations as well as generating a wide range of personal data, all of which is recorded in documents and records, both in hard copy and electronic form.
  - Examples of the types of information accumulated and generated are set out in Appendix 1 of this policy and include but are not limited to minutes of Kirk Session meetings; membership rolls; baptismal information; employment records; newsletters and other communications such as letters and emails.

  - In certain circumstances it will be necessary to retain documents to meet legal requirements and for operational needs. Document retention is also required to evidence agreements or events and to preserve information.

  - It is however not practical or appropriate for congregations to retain all records. Additionally, data protection principles require information to be as up to date and accurate as possible. It is therefore important that congregations have in place systems for the timely and secure disposal of documents that are no longer required.

  - This Data Retention Policy was adopted by the Congregation on 12th September 2023 and will be implemented on a day to day basis.

- **Roles and Responsibilities**

  - Congregational office bearers and those involved with safeguarding will adopt the retention and disposal guidance at Appendix 1 of this policy and strive to keep records up to date.

  - Advice will be obtained from the Law Department or Safeguarding Department of the Church Office at 121 George Street if there is uncertainty about retention periods.

- **Retention and Disposal Policy**

- Decisions relating to the retention and disposal of data should be guided by:-

  - Appendix 1 – Document Retention Schedule – Guidance on the recommended and statutory minimum retention periods for specific types of documents and records.

  - Appendix 2 – Quick Guide to document retention.

- In circumstances where the retention period for a specific document or category of documents has expired, a review should be carried out prior to disposal and consideration should be given to the method of disposal.

- **Disposal**

  - Documents containing confidential or personal information should be disposed of either by shredding or by using confidential waste bins or sacks. Such documentation is likely to include financial details, contact lists with names and addresses and pastoral information.

  - Documents other than those containing confidential or personal information may be disposed of by recycling or binning.

  - Electronic communications including email, Facebook pages, twitter accounts etc and all information stored digitally should also be reviewed and if no longer required, closed and/or deleted so as to be put beyond use. This should not be done simply by archiving, which is not the same as deletion. It will often be sufficient simply to delete the information, with no intention of ever using or accessing it again, despite the fact that it may still exist in the electronic ether. Information will be deemed to be put beyond use if the Congregation is not able, or will not attempt, to use it to inform any decision in respect of any individual or in a manner that affects the individual in any way and does not give any other organisation access to it.

  - Deletion can also be effected by using one of the following methods of disposal:-

- Using secure deletion software which can overwrite data;
- Using the function of "restore to factory settings" (where information is not stored in a removeable format);
- Sending the device to a specialist who will securely delete the data.

Appendix 1

Illustrative Data Retention Schedule

This Schedule is provided as a guide to common types of documents but is not exhaustive.

NOTE: There may be an historic interest in the Congregation's records. Kirk Session minutes are archived after 50 years. If you think that archiving other records is preferable to destruction, you should be in touch with the Department of the General Assembly, which will organise archiving where appropriate.

Avoid retaining information if there is no reason for doing so. Consult with the Law Department if you are unsure.

RECORD	RETENTION PERIOD
Minutes of meetings	6 years
Kirk Session meetings	50 years - permanent. After 50 years pass the minutes to the principal clerk's office, who then liaise with the National Records of Scotland for archiving.
Pre-employment enquiries/applications/notes/letters/references	6 months after completion of recruitment (unless data to be retained for a future similar opportunity, in which case 1 year)
Safeguarding - Service confirmation of advice, emails, letters	100 years
Safeguarding - Confidentiality Agreements	100 years
Safeguarding - Covenants of Responsibility (managing those who pose a risk)	100 years
Safeguarding - Risk Assessments	100 years

Safeguarding - Complaints concerning people	100 years
Safeguarding - Audit for Congregations and Presbyteries	100 years
Congregational Roll	100 years
Certificates of Transference/Lines	100 years
Employee/appointments records including: contracts, time records etc	Duration of employment + 7 years
Volunteer records	Duration of placement + 7 years
Databases for mailing lists/distribution	Reviewed annually, delete out of date information
Miscellaneous contact information	Delete once there is no longer a requirement to hold such information
Arranged accommodation/placements (e.g. overseas visitors)	3 years following end of event/placement
Documents relating to litigation or potential litigation	Until matter is concluded plus 7 years
Hazardous material exposures	30 years
Injury and Illness Incident Reports (RIDDOR)	5 years
Pension plans and retirement records	Permanent
Salary schedules; ranges for each job description	2 years
Payroll Records	Minimum, 7 years. No maximum
Contracts	7 years following expiration
Construction documents	Permanent
Fixed Asset Records	Permanent
Application for charitable and/or tax-exempt status	Permanent

Sales and purchase records	5 years
Resolutions	Permanent
Audit and review workpapers	5 years from the end of the period in which the audit or review was concluded
OSCR filings	5 years from date of filing
Records of financial donations	7 years
Accounts Payable and Receivables ledgers and schedules	7 years
Annual audit reports and financial statements	Permanent
Annual plans and budgets	2 years
Bank statements, cancelled cheques, deposit slips	Minimum of 7 years
Business expense records	7 years
Cash/cheque receipts	7 years
Electronic fund transfer documents	7 years
Employee expense reports	7 years
General ledgers	Permanent
Journal entries	7 years
Invoices	7 years
Petty cash vouchers	7 years
Tax records	Minimum 7 years
Filings of fees paid to professionals	7 years
Environmental studies	Permanent
Insurance claims/ applications	Permanent
Insurance disbursements and denials	Permanent

Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers' Compensation)	Permanent
Leases	7 years after expiration
Property/buildings documentation (including loan and mortgage contracts, title deeds)	Permanent
Warranties	Duration of warranty + 7 years
Records relating to potential, or actual, legal proceedings	Conclusion of any tribunal or litigation proceedings + 7 years

Appendix 2

General guidance for documents <u>NOT</u> included in the retention schedule.

On-going business use is subjective, but generally refers to documents still required for on-going projects, or documents that may still need to be referred to for on-going activities.

