



Records Management Policy (internal) Incorporating Retention and Destruction of Records Procedure

December 2022

Policy Reference Information

Status	Approved
Author	Nicola Sinclair
Approval	
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Related Policies

Policy Title
NHS Lothian's Record Management Policy
Privacy Policy

1. BACKGROUND

- 1.1. NHS Lothian is the data controller for NHS Lothian Charity and we adhere to [NHS Lothian's Records Management Policy](#). As a charity some of the information we receive, process and store is not covered under the NHS Lothian Records Management Policy. The purpose of this additional policy is to ensure that the records management of NHS Lothian Charity is in line with current legislation, regulation and guidance.
- 1.2. This policy is in addition to the NHS Lothian Records Management Policy to ensure that we have robust policies in place to satisfy our requirements as a charity. If, in the unlikely event that there is conflicting information, the NHS Lothian Records Management Policy is the default policy to be followed.

2. Records Management Periods

- 2.1. In addition to the afore mentioned policy we will retain the following information for the minimum period shown in Table 1 below. This list is not exhaustive and will be updated as necessary to fulfil our corporate objectives or as legislation or best practice changes.

Table 1 – Minimum Retention Periods:

NUMBER	TYPE/SUBTYPE OF RECORDS	MINIMUM RETENTION PERIODS	NOTES
1	Change of address	2 years	This will be stored on our CRM system
2	Consent to direct marketing	6 years	GDPR data protection law and privacy law
3	Correspondence about donations e.g. letters that accompany donations, thank you letters etc	6 years from the end of the fiscal year	Companies Act / Charities Act

NUMBER	TYPE/SUBTYPE OF RECORDS	MINIMUM RETENTION PERIODS	NOTES
4	Deeds of covenant (donee)	6 years after final payment due but up to 12 years if any payments are still outstanding or there is any dispute regarding the deed	Tax/Limitation Act 1980 s8
5	Gift aid claims	6 years from the end of the fiscal year in which the last payment under the declaration was made	HMRC inspections/ Limitations Act 1980
6	Gift aid declarations	We will hold for 6 years from the end of the fiscal year in which the last payment under the declaration was made	For compliance with Finance Act 1988 Sch 18 (Declarations continue in force until revoked or cancelled)
7	Lotteries returns	3 years after the draw	
8	Medical declarations	6 years from date of event	
9	Parental consent forms	Based on a child's age – we will hold until they are 21 +3 years	Public Liability
10	Raffle tickets	3 years from the end of the fiscal year	Gambling Commission
11	Registration forms	6 years	Contract law purposes and Public Liability
12	Requests to be removed from direct marketing lists	6 years	Data protection and privacy law

NUMBER	TYPE/SUBTYPE OF RECORDS	MINIMUM RETENTION PERIODS	NOTES
13	Sponsor forms	6 years from end of fiscal year	Finance Act 1988
14	Supporter credit card numbers		We do not retain these in accordance with Payment Card Industry Data Security Standards (Requirement 3)
15	Supporter credit card verification codes (3 or 4 digit number on the front or back of the credit card)		We do not retain these in accordance with Payment Card Industry Data Security Standards (Requirement 3)

3. Legislation, Regulation and Guidance

3.1. This Record Retention Policy is based on the current Legislation, Regulation and Guidance available and will be updated as and when there are any changes to the following:

- Data Protection Law
- Privacy Law
- Public Liability
- Finance Act 1988
- General Data Protection Directive (GDPR)
- Payment Card Industry Data Security Standards
- Gambling Commission
- HMRC inspections/ Limitations Act 1980
- Tax/Limitation Act 1980

4. Updating Consent

- 4.1. Please refer to the [Privacy Policy](#) for more information about consent.
- 4.2. We will contact those whom we hold data on and who rarely* interact with our communications every year to regain their consent for e-communications (via telephone, email, text/SMS and other electronic methods). We will attempt to make contact no more than three times and if, after the third attempt, we do not receive positive confirmation of consent for ecommunications, we will assume that consent has been withdrawn and no further ecommunication will take place unless consent is given again. This will be stored on our CRM under point 2 in the above table.
- 4.3. Consent can be withdrawn at any time by selecting the unsubscribe button on our emails. This unsubscribes the person to email communications and their preference will be stored in our CRM. Consent can be given again at any time, this will also be recorded in our CRM.

*rarely – opens our emails less than twice a year

5. Review

- 5.1. This policy was last updated in December 2022 and updated as laws, regulations and guidance changes. The policy as a whole will be reviewed by December 2024.