

Records Management Policy Incorporating NHS Lothian Records Management Policy

March 2026

Policy Reference Information

Status	Approved
Policy Owner	Nicola Sinclair
Author	Vanessa Healey
Approval	Nicola Sinclair
Date of Last Review	March 2026
Date of Next Formal Review	March 2028

Change Record

Date	Author	Summary of Changes
June 2021	Nicola Sinclair	Publication of new policy
October 2022	Vanessa Healey	Reviewed and updated
March 2024	Vanessa Healey	Reviewed and updated
March 2026	Vanessa Healey	Reviewed and updated

Related Policies and Processes

Policy Title
NHS Lothian's Record Management Policy
NHS Lothian Charity Privacy Policy
NHS Lothian Charity Legitimate Interest Statement
NHS Lothian Charity Process for Records Management 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 best practice.
- 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 Principles and Periods

- 2.1. NHS Lothian Charity have adopted a paperless approach to all correspondence and documents, and any hard copies received are digitised and the originals are disposed of securely. The exception is hard copies of any deeds of covenant or Wills received in connection to gifts in Wills or trust funds, which are retained for the minimum period as per the below table, in line with accounting obligations.
- 2.2. 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 and charitable objectives or as legislation or best practice changes.
- 2.3. Where necessary, certain information will be held for longer than the minimum retention period. The justification in these circumstances is as a fundraising charity, there is an expectation from donors that we will be able to demonstrate a full history of their support, and any details pertaining to their motivations and interests, for the lifetime of their relationship with the charity. This approach allows us to foster strong relationships with donors which aids our charitable objectives. The charity has a legitimate interest to apply this approach, as set out NHS Lothian Charity's Legitimate Interest Statement. This justification will be noted below when it applies.

Table 1 – Minimum Retention Periods:

NUMBER	TYPE/SUBTYPE OF RECORDS	MINIMUM RETENTION PERIODS	NOTES
1	Change of address	*2 years	Stored on our CRM system.
2	Consent to e-marketing	No minimum period, see section 3	PECR
3	Requests to be removed from direct marketing lists	No minimum period, see section 3	PECR
4	Correspondence on donations e.g., letters that accompany donations, thank you letters etc.	*6 years from the end of the fiscal year	Companies Act 2006/ Charities and Trustee Investment (Scotland) Act 2005
5	Wills and/or 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 Will or deed	Limitation Act 1980
6	Gift Aid claims	Minimum of 6 years from the end of the fiscal year in which the last payment under the declaration was made	HMRC inspections/ Limitation Act 1980
7	Gift Aid declarations	*Minimum of 6 years from the end of the fiscal year in which the last payment under the declaration was made	For compliance with Finance Act 2021 (Declarations continue in force until revoked or cancelled in line our best practice and policies).
8	Lotteries returns	3 years after the draw	Local authority terms and conditions

9	Staff Lottery recordings and data spreadsheet	3 years after the draw	Local authority terms and conditions, audit purposes and best practice
10	Raffle tickets	3 years from the end of the fiscal year	Local authority terms and conditions
11	Medical declarations	6 years from date of event	Public Liability
12	Parental consent forms	Based on a child's age – we will hold until they are 21 +3 years	Public Liability
13	Registration forms	6 years	Contract Scotland Act 1997 and Public Liability
14	Sponsor forms	6 years from end of fiscal year	Finance Act 2021
15	Supporter credit card numbers	N/A	We do not retain these in accordance with Payment Card Industry Data Security Standards (Requirement 3)
16	Supporter credit card verification codes (3 or 4 digit number on the front or back of the credit card)	N/A	We do not retain these in accordance with Payment Card Industry Data Security Standards (Requirement 3)

*This will be retained beyond the minimum period, as per our justification in point 2.3.

3. Updating Consent

3.1. Please refer to NHS Lothian Charity's [Privacy Policy](#) for more information about consent to marketing.

3.2. The focus of PECR is on obtaining and demonstrably holding valid consent. However, best practices and considerations exist to ensure compliance and maintain good relationships with contacts. Our best practice approach to managing consent to e-marketing includes:

- Regular reviews and clear unsubscribe options
- Balance – we take great care not to overwhelm our contacts, including using sophisticated segmentation and a planned calendar of e-communications
- A trigger-based approach to reviewing consent, as set out below.

3.3. On an annual basis, we undertake a process where we ask for refreshed consent from all our current contacts who rarely** interact with our e-communications (via email, text/SMS and any other electronic methods). We attempt to make contact no more than three times and if, after the third attempt, we do not receive positive confirmation of consent for e-communications, we assume that consent has been withdrawn and no further e-communication will take place unless consent is given again. This is stored on our CRM under point 2 in the above table.

3.4. Consent can be withdrawn at any time by selecting the unsubscribe button on our emails. This unsubscribes the person to e-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 = Time subscribed as over one year, low engagement to our emails and have not opened the last 10 emails.

4. Legislation, Regulation and Best Practice

4.1. This Records Management Policy is based on the current Legislation, Regulation, and best practice available and will be updated as and when there are any changes to the following:

- [The Data Protection Act](#)
- [General Data Protection Regulation \(GDPR\)](#)
- [PECR \(Privacy and Electronic Communications Regulations\)](#)
- [Payment Card Industry Data Security Standards](#)
- [Limitation Act 1980](#)
- [Companies Act 2006](#)
- [Finance Act 2021](#)
- [Contract \(Scotland\) Act 1997](#)
- [Charities and Trustee Investment \(Scotland\) Act 2005](#)
- [Local authority small society lottery licence terms and conditions](#)
- Public Liability

5. Review

5.1. This policy was last updated in March 2026 and updated as laws, regulations, and best practice changes. The whole policy will be fully reviewed by March 2028.