



**Shropshire, Telford
and Wrekin**
Clinical Commissioning Group



Midlands and Lancashire
Commissioning Support Unit

Corporate & Health Records Retention and Disposal Schedule

**A guide to management of corporate and health and care records
held by Shropshire, Telford & Wrekin CCG**

Version 1.0

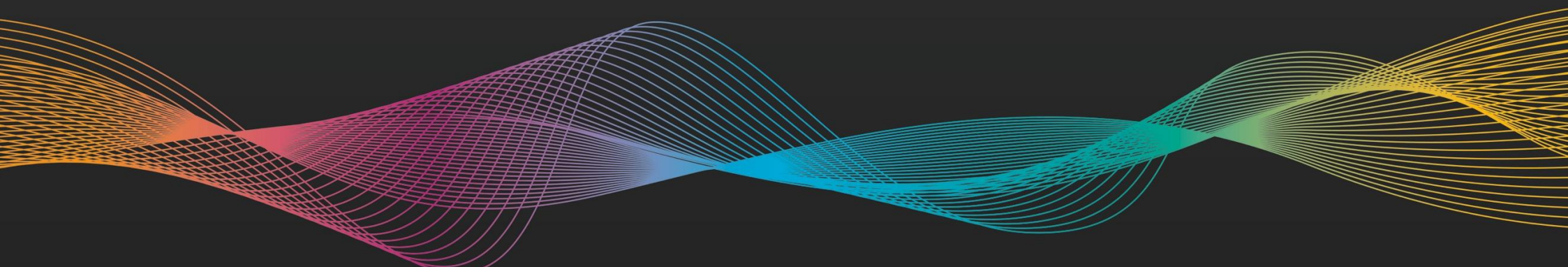


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Introduction

This localised retention schedule has been produced to support Shropshire, Telford & Wrekin CCG employees to adopt a consistent approach to the practice of managing records. The schedule is not an exhaustive list and focuses on the types of records as listed in the organisation's asset register. The schedule is based on the NHSX Records Management Code of Practice for Health and Social Care 2020 and the NHS England Corporate Records Retention 2019. The schedule replaces guidance produced under Records Management: NHS Code of Practice 2016

The schedule provides a framework for consistent and effective records management based on established standards. Any local deviations from the national standards, must be reviewed by the CCG's Information Governance Steering Group and once approved incorporated into the schedule.

What is a Record

The ISO standard ISO 15489-1:2016 defines a record as:

“Information created, received, and maintained as evidence and an asset by an organisation or person, in pursuance of legal obligations or in the transaction of business.”

Scope and Types of records covered

This schedule is based on guidelines that apply to NHS records that are held by the organisation which can include

- Records of patients treated by NHS organisations
- Staff Records
- Complaints Records
- Corporate Records – administrative records relating to all functions of the organisation

The schedule applies regardless of the media on which the records are held. Examples of records formats that are managed using this schedule are:

- Digital
- Paper
- Audio (including Microsoft Teams Recordings)
- Emails
- Computerised Records
- Text Messages (SMS) and social media
- Websites and intranet sites that provide key information to patient
- Corporate Records – administrative records relating to all functions of the organisation

Legal Obligations

Public Records Act 1958 and Local Government Act 1972

The **Public Records Act 1958** is the principal legislation relating to the public records. Records of NHS organisations are public records in accordance with Schedule 1 of the Act. This means that employees are responsible for any records that they create or use in the course of their duties. This includes records controlled by NHS organisations under contractual or other joint arrangements, or as inherited legacy records of defunct NHS organisations. The Act applies regardless of the format of the records. The Secretary of State for Health and Social Care and all NHS organisations have a duty under the Act to make arrangements for the safekeeping and eventual disposal of all types of records.

Freedom of Information Act 2000

The **Freedom of Information Act (FOIA)** governs the management of public records. The FOIA was designed to create transparency in government and allow any citizen to know about the provision of public services through the right to submit a request for information. Section 46 of the FOIA is a code of practice on good record management and is used as a statutory statement of good practice by the regulator and the courts.

Data Protection Act 2018

The **DPA18** supplements the EU GDPR in UK law. It is the principal legislation governing how records, information and personal data are managed. It sets in law how personal and special categories of information may be processed. The DPA 18 principles are relevant to the management of records.

Health and Social Care Act 2008

Regulation 17 under the Health and Social Care Act 2008 requires health and care providers must securely maintain accurate, complete and detailer cords for patients/service users, employment of staff and overall management.

Limitation Act 1980

The Limitation Act sets out the length of time you can bring a legal case after an event and sets it at six years.

Caldicott Principles

All NHS staff are expected to adhere to the seven principles in addition to the DPA18.

Records for Permanent Preservation

The Public Records Act 1958 requires organisations to select records for permanent preservation. Select to transfer under this Act is separate to the operational review of records to support current services provision. It is designed to ensure the permanent preservation of small core (typically 2-5%) of key records, which will:

- Enable the public to understand the working of the organisation and its impact on the population it serves
- Preserve information and evidence likely to have a long-term research or archival value

Selection may take place at any time in advance of transfer however the selection and transfer must take place at or before records are 20 years old. Records may be selected as a class (for example all board minutes) or at lower levels down to individual files or items.

Records can be categorised as follows

- Transfer to Place of Deposit (PoD) – this class of records should normally transfer in its entirety to the PoD
- Consider transfer to PoD – all, some or none of this class may be selected
- No PoD interests

Records selected for permanent preservation should be transferred to the assigned [Place of Deposit \(POD\)](#) appointed by the Secretary of State for Digital, Culture, Media and Sport. The assigned PoD for Shropshire, Telford & Wrekin CCG is:

Shropshire Archives

Castle Gates

Shrewsbury

Shropshire

England

SY1 2AQ

Email: archives@shropshire.gov.uk

Once transferred to the Place of Deposit (PoD), records will still be owned by the organisation transferring them and all relevant laws will apply. Individual records deposited with PoDs are still protected by the DPA18, FOIA and duty of Confidentiality. Where records are kept for permanent preservation for reasons other than care, consideration should be given to preserving the records in an anonymised way to protect confidentiality. Where this is not possible, then consider removing as many identifiers as possible.

When an Archive Service holds records and access is requested, the PoD will liaise with the CCG before releasing any information (including any checks for subject access requests required by DPA18 and any exemptions under FOIA).

Reference Materials

[NHS Records Management Code of Practice 2020](#)

[NHS England Corporate Records Retention Schedule](#)

Retention Schedule

The retention periods listed in this retention schedule must always be considered the **minimum period**. With justification a retention period can be extended.

Audits				
Record Type	Retention Start	Retention Period	Disposal Action	Notes
Audit Reports – Non-Clinical Quality assurance	End of the year to which the assurance relates	12 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Clinical Audits	Date of the audit	5 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Care Records				
Record Type	Retention Start	Retention Period	Disposal Action	Notes
CHC Care Record	Discharge or patient last seen	8 years	Review and consider transfer to PoD	CHC activity is covered in law by 2012 Commissioning Board and NHS CCG Regulations
Individual Funding Requests (IFRs)	Discharge or patient last seen	8 years	Review and consider transfer to PoD	As IFRS are unique to an individual it may be that the care package given to the patient/service user is unique and bespoke to that person. This may mean that the record may have long-term archival value, due to the uniqueness of the care given. Local discussions with PoD should be held to determine level of local interest
Referrals – NOT ACCEPTED	Two years from the end of the year to which they relate	2 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Requests for care funding – NOT ACCEPTED	Date of decision	2 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020

Commissioning				
Record Type	Retention Start	Retention Period	Disposal Action	Notes
Commissioning decisions (including appeal and decision documentation)	Date of appeal/decision	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Contracts	Termination of contract	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Tendering - successful	End of Contract	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Tender Documentation (unsuccessful)	Award of Tender	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Procurement documentation, including Business Cases and Project Costings	End of financial year to which records relates	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Event and Transaction Records				
Record Type	Retention Start	Retention Period	Disposal Action	Notes
Datasets released by NHS Digital and its predecessors	Delete with immediate effect	See notes	Delete in line with NHS Digital Instructions	NHS Digital issue guidance through the DARS process on the retention and disposal of data released by them. NHSX Records Management Code of Practice 2020

Communications				
Record Type	Retention Start	Retention Period	Disposal Action	Notes
Intranet Site	Date of publication	6 years	Review and consider transfer to PoD	NHSX Records Management Code of Practice 2020
Press Releases and important internal communications	Date of release	6 years	Review and consider transfer to PoD	Press release may form part of a significant part of the public record of an organisation which may need to be retained. NHSX Records Management Code of Practice 2020
Public Consultations	Date of last actions	5 years	Review and consider transfer to PoD	The possibility of wider public interest in the outcome of the consultation (particularly where this resulted in changes to the services provided) and so may have historical value. NHSX Records Management Code of Practice 2020
Surveys (patient/ staff) individual Responses/ analysis	Completion of survey	1 year after return	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Surveys (patient/staff) – Final reports	Completion of survey	Permanent retention	Review and consider transfer to PoD	NHSX Records Management Code of Practice 2020
Telephony systems record	Date of Recording	1 year	Review and destroy if no longer required	This is the minimum specified to meet NHS contractual requirements. NHSX Records Management Code of Practice 2020
Video Conferencing – Microsoft Teams	Date of Recording	6 years	Review and destroy if no longer required	Recorded conversations which may be needed for legal purposes. Retention period runs from the date of the recording and is intended to cover the Limitation Act 1980. NHSX Records Management Code of Practice 2020
Website	Date of Publication	6 years	Review and consider transfer to PoD	NHSX Records Management Code of Practice 2020

Corporate Governance

Record Type	Retention Start	Retention Period	Disposal Action	Notes
Board Meetings	Creation	Up to 20 years	Review and transfer to PoD	NHSX Records Management Code of Practice 2020
Board Meetings (Closed Boards)	Creation	Up to 20 years	Review and transfer to PoD	Although these may still contain confidential or sensitive material, they are still a public record and must be transferred at 20 years, and any exemptions noted, or indications that the duty of confidentiality applies. NHSX Records Management Code of Practice 2020
Business Continuity Planning	Date of last action	30 years	Review and transfer to PoD	NHS England Corporate Records Retention 2019
Chief Executive Records	Creation	Up to 20 years	Review and transfer to PoD	This may include emails and correspondence where they are not already included in board papers. NHSX Records Management Code of Practice 2020
Committees (Major) – Listed in a scheme of Delegations or report direct into the Board	Creation	Up to 20 years	Review and transfer to PoD	NHSX Records Management Code of Practice 2020
Committees (Minor)	Creation	6 years	Review and consider transfer to PoD	Includes minor meetings/projects and departmental business meetings. These may have local historical value required transfer consideration. NHSX Records Management Code of Practice 2020
Conflicts of Interest Register	Date last updated	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Data Protection Impact Assessments (DPIAs)	End of processing activity	6 years	Review and destroy if no longer required	Should be kept for the life of the activity to which it relates, plus six years after that activity ends. NHSX Records Management Code of Practice 2020

Record Type	Retention Start	Retention Period	Disposal Action	Notes
Data Processing Agreement	End of processing activity	6 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019
Information Sharing Protocols/Memorandum of Understanding/Service Level Agreements	Date of last action	10 years	Review and consider transfer to PoD	NHS England Corporate Records Retention 2019
Incidents - Serious	Date of incident	20 years	Review and consider transfer to PoD	NHSX Records Management Code of Practice 2020
Incidents - Not Serious	Date of incident	10 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Merger Pack	Date of Publication	10 years	Review and consider transfer to PoD	NHS England Corporate Records Retention 2019
Patient Advice and Liaison Service (PALS) records	End of the financial year to which the record relates	10 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Policies/ Strategies and Operating Procedures	Date of publication	Life of organisation plus 6 years	Review and consider transfer to PoD	Retention begins from when the document is approved, until superseded. If the retention period reaches 20 years from the date of approval, then consider transfer to PoD NHSX Records Management Code of Practice 2020
Risk Registers	See note	6 years	Review and destroy if no longer required	Retention period in accordance with the Limitation Act and Corporate awareness of risks. NHSX Records Management Code of Practice 2020
Visitor Book	Date of last action	3 years	Review and destroy if no longer required	NHS England Corporate Records Retention 2019

Human Resources

Record Type	Retention Start	Retention Period	Disposal Action	Notes
Personnel Files	Staff member leaves	75th birthday	Create Staff Record Summary 6 years after staff member leaves then review or destroy the main file under confidential conditions	This includes (but is not limited to) evidence of right to work, security checks and recruitment documentation for the successful candidate including job adverts and application forms. NHSX Records Management Code of Practice 2020
Staff Rotas	End of Rota	2 years	Review and destroy if no longer required	Local retention
Staff Salary Information Files	Close of financial year to which they refer	10 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Statutory and mandatory training records	Completion of Training	10 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Employee – Line Management Records	End of contract of employment	6 years	All information should be recorded centrally for a complete employment record	Types of records sick notes, annual leave records, PDR, appraisal, objective monitoring documentation.
Staff/Public Images - Photographs	End of contract of employment	Destroy at end of employment or consent period	Destroy or delete images unless consent for an unlimited period has been gained for promotional images	Types of images include ID badge image, promotional images.

Finance

Record Type	Retention Start	Retention Period	Disposal Action	Notes
Expenses	From end of financial year to which they relate	6 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Final Annual Accounts Report	See notes	Up to 20 years	Review and transfer to PoD	NHSX Records Management Code of Practice 2020
Financial Transaction Records	End of financial year to which they relate	6 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Invoices	End of financial year to which they relate	6 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020

Legal Complaints and Information Rights

Record Type	Retention Start	Retention Period	Disposal Action	Notes
Complaints – Case Files	Closure of the complaint	10 years	Review and destroy if no longer required	The complaint is not closed until all processes (including potential and actual litigation) have ended. NHSX Records Management Code of Practice 2020
Freedom of Information (FOI) requests, responses to the request and associated correspondence	Closure of the FOI request	3 years	Review and destroy if no longer required	Where redactions have been made it is important to keep a copy of the response sent to the requestor. NHSX Records Management Code of Practice 2020
FOI requests – where there has been an appeal	Closure of the appeal process	6 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020
Subject Access Requests (SAR),	Closure of the SAR	3 years	Review and destroy if	NHSX Records Management Code of Practice 2020

response and subsequent correspondence			no longer required	
SAR – where there has been an appeal	Closure of SAR appeal	6 years	Review and destroy if no longer required	NHSX Records Management Code of Practice 2020

Record Type	Guidance to be followed below
Child Health Notifications	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk
Concerns Raised	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk
Court of Protection	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk
Deprivation of Liberty Reviews	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk . Retention solely for any persons who have been sectioned under the Mental Health Act 1983 must be considerably longer than 20 years where the case may be ongoing. Very mild forms of adult mental health treated in a community setting where a full recovery is made may consider treating as an adult record and keep for 8 years after discharge. All must be reviewed prior to destruction taking into account any serious incident retentions.
Domestic Homicide Reviews	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk
Internal Health Reviews	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk
Safeguarding Adult Reviews	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk
Serious Case Reviews	Before making any decisions about this record you are advised to review the POVA – (The Protection of Vulnerable Adults and Children’s Scheme) and check for any further update from the inquiry website at www.iicsa.org.uk



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