

THE DUBLIN WELL WOMAN CENTRE
Policy Document

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| Subject: | Data Retention Policy and Periods | | |
| Approved By: | Alison Begas, Dr Shirley McQuade, Josephine Healion | | |
| Ref Number: | 003 | Effective Date: | 25/05/2018 |
| Target Group(s): | All | Date of next review: | 25/05/2019 |

Note:

A wide variety of records are held across the DWWC including healthcare records, financial records, HR records and general administrative records. Traditionally, records were paper-based but in recent times an increasing number of records are being stored electronically. This document outlines the minimum retention period for records across DWWC services and applies to records of all types regardless of the medium on which they are held. Since 2003, Data Protection legislation applies to both electronic and hard copy records.

Relevant Legislation:

Data Protection Acts 1988 to 2018.

Direct Tax Acts

Policy:

Dublin Well Woman's record retention policy is predicated upon three principles:

- Complete, accurate and high quality records are to be maintained.
- Important data is to be backed up.
- Records are to be retained only for their period of immediate use, unless longer retention is specifically authorized, as listed in the attached schedules. Official retention periods are as short as possible in order to keep down our records inventory.

Bases for Retention

Most of our medical records do not require long-term retention in hard copy format. After they have been scanned to the appropriate file, they will be shredded unless they are identified as a document that we are required to keep in hard copy.

Human Resource documents relating to employees are scanned and stored in the employees file on the shared drive, with the hard copy being shredded. Contracts of employment, governance documentation, and all lease agreement and HSE service level agreement are

handled separated based on legal requirement for retention of signature and the discretion of the CEO and kept in hard copy in Head Office.

Longer retention periods are based upon legal, audit or management requirements.

A “legal requirement” means that

- a specific law or HSE guideline to keep the record
- the Well Woman Centre is aware of a specific, impending claim or legal action.

The mere fact that a record is potentially useful in the event of a lawsuit does not constitute a positive requirement. As a practical matter, most claims will be made or recognized within the period for routine destruction of records (generally one or two years), and the relevant records will then be set aside. After those times, if unanticipated legal problems arise, the Company knowingly assumes a risk of loss caused by not having certain records. Documents are kept in scanned format on our shared drive and can be used for records if necessary.

An “audit requirement” refers to HSE or Charities Regulator audit. All records needed for audit are retained for the current year plus 6 years, a period long enough to cover the statutory three-year limitation on the audit plus extensions.

A “management requirement” refers to the needs of Company departments producing records of proprietary, technical or economic value to future operations of the Company. The mere fact that people at higher levels of management “might ask for certain records” does not constitute a positive management requirement.

Retention and Disposal

Annual Disposal

Each clinic is to conduct, at least every December, a formal record purging process, in which a year’s collection of records not expressly required by law to be kept in hard copy, should be scanned and the hard copy discarded.

More Frequent Disposal

During an archiving process, or during the day to day running of a clinic or head office, it may be necessary to undertake more frequent disposal of documents. For the day to day running, all hard copies of materials already scanned should be disposed in appropriate, secure lockers for periodic shredding.

During an archiving process, all documentation not identified in the terms of reference for the project as “permanent” should be put in secure lockers to await shredding, after the appropriate action has been taken to retain any data needed for the clinic or required by law.

General Guidelines for Disposal:

Every employee is to participate in the annual (or more frequent) record purging, under the supervision of the employee's manager (either the Operations Manager, Medical Director, Finance Manager or the Chief Executive.)

All disposed materials must be securely destroyed, e.g., shredded.

All participants who have Dublin Well Woman issued laptops must ensure that their personal hard disks, home computers, home files, etc., are purged in accordance with these guidelines.

On an ongoing basis, duplicate and multiple materials should be eliminated. Whenever possible, the official record is the one to be retained.

Accounting records should not be destroyed without clearance from the Finance Manager.

Retention Notification

In the event the organization is placed on notice as the subject of investigation senior management and/or legal counsel will notify personnel responsible for disposal processing to suspend destruction of documents. Efforts to suspend and commence retention and disposal processing will be done to ensure compliance with and full cooperation with enforcement and legal proceedings. All related management and supervisors should be sure to communicate such protocol in a timely manner to internal personnel and related vendors responsible for document retention and disposal processes.

III. BACKUP PROCEDURES

The Company's Chief Executive, in association with outside IT support will establish procedure for the safekeeping and periodic backup of electronic and paper files. All personnel are required to comply with these procedures and to take reasonable precautions to ensure that vital data is not lost due to an equipment failure or natural disaster.

RECORD RETENTION SCHEDULE

PART ONE

DOCUMENTS TO BE ROUTINELY, PROMPTLY DESTROYED

The following documents should be routinely and promptly destroyed by all persons who possess them:

- Drafts of Board Minutes; proposed agendas and resolutions after they are incorporated into approved minutes
- Drafts of business plans after the subsequent or final version is prepared
- Drafts of strategic plans after the subsequent or final version is prepared
- Drafts of press releases after the subsequent or final version is prepared
- Interim financial results, incomplete dashboard reports
- Medical records that have been scanned and when there is no legal requirement to keep them in hard copy.
- Correspondence that has already been scanned and that does not constitute a contract or written agreement for services.

RECORD RETENTION SCHEDULE

PART TWO

RETENTION PERIODS

Medical

| Type of Data | Minimum Retention Period | Final Action |
|--|--|---------------------------------------|
| Cervical Screening Slides | 10 years | Destroy under confidential conditions |
| Children and Young People | Retain until the patient's 25 th birthday, or 26 th if the young person was 17 at the conclusion of treatment, or 8 years after death. | Destroy under confidential conditions |
| Clinic Trials Data | 20 years | Destroy under confidential conditions |
| Death, cause of or certificate | 2 years | Destroy under confidential conditions |
| Dietetic and Nutrition | Retain for the period of time appropriate to the patient/speciality. | Destroy under confidential conditions |
| Donor Records (blood and tissue) | 25 years post transplantation | Destroy under confidential conditions |
| Forensic Medicine records (including pathology, toxicology, haematology, dentistry DNA testing and human tissue) | 30 years – see also Human Tissue | Destroy under confidential conditions |
| Genetic Records | 30 years from date of last attendance. | Destroy under confidential conditions |
| Healthcare records (excluding records not specified elsewhere in this schedule) | 8 years after conclusion of treatment or death. | Destroy under confidential conditions |
| Hospital acquired infection records | 6 years | Destroy under confidential conditions |

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| Human Tissue | For post-mortem records see Post-Mortem, all other records retain for 30 years. | Destroy under confidential conditions |
| Maternity | 25 years after the birth of the last child | Destroy under confidential conditions |
| Persons with a Mental Disorder (within the meaning of the Mental Health Acts 1945 to 2001) | 20 years after the date of the last contact between the patient/client/service user and any healthcare professional employed by the mental health provider, or 8 years after the death of the individual if sooner. | Destroy under confidential conditions |
| Midwifery records | 25 years after the birth of the last child. | Destroy under confidential conditions |
| Notifiable Disease Book | 6 years | Destroy under confidential conditions |
| Occupational Therapy | Retain for the period of time appropriate to the patient or specialist. | Destroy under confidential conditions |
| Pathology Records, documents, electronic and paper | 10 years or until superseded | Destroy under confidential conditions |
| Batch Records Results | 10 years | Destroy under confidential conditions |
| Day books and other records of specimens received by a laboratory | 2 calendar years | Destroy under confidential conditions |
| Equipment/Instruments maintenance logs, records of service inspections | Lifetime of Equipment | Destroy under confidential conditions |
| Photographic Records | 30 years where images present the primary source of information for the diagnostic process | Destroy under confidential conditions |
| Records of telephoned Reports | 2 calendar years | Destroy under confidential conditions |
| Records relating to investigation or storage of | 30 years if not held with healthcare record | Destroy under confidential conditions |

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| specimens relevant to organ transplantation, semen or ova | | |
| Human DNA | 4 weeks after final report for diagnostic specimens. 30 years for family studies for genetic disorders (consent required) | Destroy under confidential conditions |
| Body fluids/ aspirates/ swabs | 48 hours after the final report issued by lab. | Destroy under confidential conditions |
| Records relating to donor or recipient sera | 11 years post-transplant | Destroy under confidential conditions |
| Serum following needlestick injury or hazardous exposure | 2 years | |
| Whole blood specimens for full blood count | 24 hours | |
| Blood for grouping, antibody screening and saving and/or cross-matching | 1 week at 4 degrees Celsius | |
| Refrigerator and freezer charts | 11 years | |
| Physiotherapy records | Retain for period of time appropriate to the patient/speciality. | Destroy under confidential conditions |
| Psychology records | Retain for period of time appropriate to the patient/speciality. | Destroy under confidential conditions |
| Records/ documents related to any litigation | As advised by the DWWC's legal advisor. | Destroy under confidential conditions |
| Records of destruction of individual healthcare records and other health related records contained in this retention schedule | Permanently | |
| Suicide – notes of patients who committed suicide | 10 years | Destroy under confidential conditions |

Human Resources

| Type of Data | Minimum Retention Period | Final Action |
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| Trade Union negotiation | Indefinitely | |
| Pay and conditions (exceptions) | Indefinitely | |
| Personnel Files | 7 years after the employee's term of service has completed. | Destroy under confidential conditions |
| Applications and CV of candidates who are called for interview | 6 years or to the expiry date of the panel | Destroy under confidential conditions |
| Candidates not qualified or short-listed | 6 years or to the expiry date of the panel | Destroy under confidential conditions |
| Candidates short listed but not successful at interview or are successful but do not accept offer | 6 years or to the expiry date of the panel | Destroy under confidential conditions |
| Interview board marking sheet and interviewer notes | 6 years or to the expiry date of the panel | Destroy under confidential conditions |
| Applications, CV, references, file cover sheet, job spec, acceptance letter and/or relevant qualifications which may include registration of the successful candidate who also accepted the job | See Personnel Files above | Destroy under confidential conditions |
| Employee registration form which has candidate's personal details, including bank details for payroll purposes | 7 years or duration of employment | Destroy under confidential conditions |

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| Copy of contract of employment | 7 years | Destroy under confidential conditions |
| Contract of Employment Letter | 7 years | Destroy under confidential conditions |
| Other correspondence e.g. emails between the candidate and contracting or contracting and hiring manager regarding referees, start dates etc. | 3 years | Destroy under confidential conditions |
| Start and finishing times, hours worked each day and each week and leave granted to employees | 3 years | Destroy under confidential conditions |
| Carer's Leave Records | 8 years | Destroy under confidential conditions |
| Parental Leave Records | 8 years | Destroy under confidential conditions |
| Incident Report Book | 10 years | Destroy under confidential conditions |
| Pensioner file | 7 years after the death of the pensioner | Destroy under confidential conditions |
| Accident/Incident Investigation Report Forms | 10 years from date of accident if no claim made in interim | Destroy under confidential conditions |
| HR/Health and Safety Investigation Reports | 10 years from date of accident if no claim made in interim | Destroy under confidential conditions |
| Copy of interview marks and notes | 7 years | Destroy under confidential conditions |
| Appeals Correspondence | 7 years | Destroy under confidential conditions |
| Garda Vetting Application Forms | These are held by the Garda Vetting Unit. Confirmation notices are held at local level for 7 years. | Destroy under confidential conditions |

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| Garda Vetting Disclosures | 1 year – keep number and date | Destroy under confidential conditions |
| Third party case files. E.g. Rights Commissioner, Labour Court, Employment Appeals tribunal, Equality Tribunal | 7 years from completion of the case | Destroy under confidential conditions |
| Investigation Files | 7 years from completion of the investigation | Destroy under confidential conditions |
| Grievances | 7 years | Destroy under confidential conditions |
| Environmental Health Officer work/desk diaries | 5 years | Destroy under confidential conditions |
| Complaint files FOI requests Data Protection requests Ombudsman / Information Commissioner requests | 7 years applies to files created under; the Freedom of Information Acts, the Data Protection Acts, the DWWC complaints procedures, following engagement with the Ombudsman, the Ombudsman for Children, the Information Commissioner | Destroy under confidential conditions |

Financial Records

Section 886 of the Direct Tax Acts states that the Revenue Commissioners require records to be retained for a minimum period of six years after the completion of the transactions, acts or operations to which they relate.

These requirements apply to manual and electronic records equally.

If under investigation or if litigation is likely, files must be held in original form indefinitely, otherwise hold files for the minimum periods set out below. These retention periods are the suggested time periods for which the records should be held based on the organisation's needs, legal and /or fiscal precedence or historical purposes.

| Financial Records | Minimum retention period | Final action |
|--------------------------|---------------------------------|---------------------|
| <i>Accounts Payable;</i> | | |

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| Batches of Invoices and Vouchers | Hold for current year plus 6 years | Destroy under confidential conditions |
| Value Added Tax (VAT) Records | Hold for current year plus 6 years | Destroy under confidential conditions |
| Tax Clearance Certificates | Hold until superseded by a more recent Tax Clearance Cert or for current year plus 6 years from last customer interaction | Destroy under confidential conditions |
| <i>Accounts Receivable;</i> | | |
| Debtors Ledger | Hold for current year plus 6 years | Destroy under confidential conditions |
| Income Listings | Hold for current year plus 6 years | Destroy under confidential conditions |
| Income Control Accounts | Hold for current year plus 6 years | Destroy under confidential conditions |
| Receipts Reconciliation | Hold for current year plus 6 years | Destroy under confidential conditions |
| <i>Bank Records;</i> | | |
| Paid Cheques | Hold for current year plus 6 years | Destroy under confidential conditions |
| Bank Reconciliations | Hold for current year plus 6 years | Destroy under confidential conditions |
| Bank Statements | Hold for current year plus 6 years | Destroy under confidential conditions |
| Procurement card and | Hold all records for 18 months | Destroy under confidential |

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| credit card records | in hard copy. Hold a soft copy of the voucher/receipt for 6 years | conditions |
| <i>Fixed Assets;</i> | | |
| Deeds & Titles of Properties / Assets | Retain indefinitely in original form | Archive |
| Records of Sales & Purchases of HSE Properties | Retain indefinitely in original form | Archive |

| <i>Fixed Assets;</i> | | |
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| Lease Agreements | Hold for current year plus 6 years after expiration or 13 years if executed under seal | Destroy under confidential conditions |
| Assets Register | Retain indefinitely in original form | Archive |
| Depreciation Schedules | Hold for current year plus 6 years | Destroy under confidential conditions |
| <i>Insurance Records;</i> | | |
| Property Insurance Policies | Retain indefinitely in original form | Archive |
| Liability Insurance Policies | Retain indefinitely in original form | Archive |
| Insurance Claim documents | Hold for five years | Destroy under confidential conditions |
| Incident Report Forms(general) | Hold for ten years | Destroy under confidential conditions |
| Incident Report Forms(in specific where exposure to physical, biological or chemical agents) | Hold indefinitely in original form | Archive |
| Accident Reports | Retain indefinitely in original form if they contain personal data, delete personal data after 7 years and retain report only if it has precedent value. | Archive and or Destroy under confidential conditions |
| <i>Other Records;</i> | | |
| Financial Statements | Retain indefinitely in original form | Archive |
| Final Budgetary Reports for any year | Retain indefinitely in original form. | Archive |
| Inventory | Hold for current year plus 6 | Destroy under confidential |

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| | years | conditions |
| Audit Reports General | Hold for current year plus 6 years | Destroy under confidential conditions |
| Audit Reports used in the course of a fraud investigation | Hold for 6 years after legal proceedings have been completed | Destroy under confidential conditions |
| Monthly Income & Expenditure Reports. | Hold for 4 years | Destroy under confidential conditions |
| Department of Health and Children Circulars and Correspondence | Retain indefinitely in original form | Archive |
| Patients Private Property Accounts / Client Fund Accounts (Community Residences) | Retain indefinitely in original form or for 7 years after account discontinued at HSE location and audit complete. | Archive and or Destroy under confidential conditions |
| Internal Financial policies, accounting standards, procedures etc. | Hold in original form until superseded. | Store indefinitely electronically |

| <i>Other Records;</i> | | |
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| Cancelled Cheques | Hold for current year plus 6 years | Destroy under confidential conditions |
| Travel Claims | Hold for current year plus 6 years | Destroy under confidential conditions |
| Receipt Books | Hold for current year plus 6 years | Destroy under confidential conditions |
| Purchase Orders | Hold for current year plus 6 years | Destroy under confidential conditions |
| Voucher Books | Hold for current year plus 6 years | Destroy under confidential conditions |
| Delivery Dockets | Hold for current year plus 6 years | Destroy under confidential conditions |
| Purchase Requisition | Hold for current year plus 6 years | Destroy under confidential conditions |
| Invitation to Tender documents | Hold for 3 years after award of contract | Destroy under confidential conditions |
| Suppliers proposals | Hold for 1 year after award of contract | Destroy under confidential conditions |
| Tender Report | Hold for 4 years | Destroy under confidential conditions |
| Contract and Contract Management Files | Hold for 2 years after expiry of contract | Destroy under confidential conditions |
| Payroll | | |
| Taxation records/reports/pension records/calculations, appointment/contract details, pay awards/increments, payscales. | Hold indefinitely (microfilm) | Archive |
| Authorisations to deduct from pay | Hold until 6 years after employee ceases to be paid | Destroy under confidential conditions |

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| Time Sheets, Clock cards | Hold until 6 years after employee ceases to be paid | Destroy under confidential conditions |
| Personal information Including changes affecting: name (copy of marriage certificate), address, bank account / details, telephone number, etc. | Only current personal information should be retained and only where necessary. The retention period reflects the current lifespan of the file. | Destroy under confidential conditions |
| Leave entitlement records (compassionate leave, Study leave, unpaid leave, sick leave, etc) | Only current personal information should be retained and only where necessary. The retention period reflects the current lifespan of the file. | Destroy under confidential conditions |