

Document & Data Retention Policy

1. Scope and Objectives

This policy sets out how data and documents, which are controlled or processed by MTC learning will be managed through retention, storage and disposal.

This applies to all documents and data that MTC learning possess, from creation to destruction, inclusive of whether the data or documents are printed, written on paper or stored electronically/digitally, regardless of whether the data or documents are personal, confidential, or any other type of data.

MTC learning's specific policy objectives are:

- To ensure compliance with the General Data Protection Regulations 2018 and the Data Protection Act 1998
- To protect Data Subject Rights
- To prevent the storage of documents or data longer than is lawfully required
- To ensure that retention schedules are consistent with what is stated when the data is gathered
- To prevent unlawful or premature destruction of personal, corporate and other types of data
- To promote good Records Management practices within MTC learning.

2. Policy Statement

To provide the comprehensive range of services that MTC learning delivers, the retention, storage and disposal of data will be undertaken at appropriate times, with adequate methods to meet our legislative, regulative and any other significant obligations.

MTC learning needs to process data and use documentation to be able to provide its services. This requires information to be stored in systems that enable it to honour contracts and service agreements. MTC learning will only hold data and documentation for as long as required and will deploy an effective review mechanism to ensure that this works in practice. MTC learning will ensure compliance with all necessary regulatory and legislative requirements regarding data and document retention, storage and disposal.

3. Roles and Responsibilities

The **Executive Director** are responsible for:

- taking ownership of responsibility for data and document retention within MTC learning and leading by example.
- Regularly reviewing' MTC learning s data and document retention policy and data retention schedule.

The **trustees** are responsible for:

- monitoring the adherence to policy through regular reporting to the management Committee.

The **Funding and Data Coordinator** is responsible for:

- the security and maintenance of the IT Infrastructure and Cyber Security Landscape.

All **employees** are responsible for:

- working in accordance with data and document retention policies, procedures and schedule.

4. Policy Details

4.1. TYPES OF DOCUMENT

MTC learning processes and stores a wide range of data and documentation. This includes, but is not limited to:

- Handwritten notes
- E-mails
- Letters and correspondence
- Invoices and financial statements
- Proof of identification and medical information
- Memory in mobile devices, computer hardware and backup
- Computer programmes
- Call Recordings/voicemail
- Surveillance footage
- Online postings on social media platforms or websites

4.2. RETENTION

This policy ensures that the periods identified in the Data and Document Retention Schedule are enforced and that documents or data are not prematurely destroyed.

Documents and data will be retained in secure locations and in the appropriate format to meet its purpose. Electronic copies will be minimised to a single copy where possible, with paper documents retained for legal or contractual purposes only.

4.3. DISPOSAL

Data and Documentation, whether paper or electronic, will be disposed of in line with the Schedules detailed in MTC learning's Data and Document Retention Schedule. MTC learning will take every opportunity to automate the review and disposal process.

A record of document and data disposal will be retained to confirm the implementation of these guidelines.

Paper copies will be confidentially and securely destroyed with a certificate of destruction where practical. Digital, electronic or hardware containing data will be disposed of in co-ordination with the IT department aligned to National Archive guidelines.

4.4. STORAGE

MTC learning will ensure that data is stored in a way that meets the principle of "Secure by Design". Robust security protocols and safeguards will be applied regardless of storage type or location (e.g. paper, device, system).

MTC learning will seek to store as few copies of the same documentation and data as possible. The location of data and documentation storage will comply with the GDPR.

4.5. CONSENT

Where consent is required for the storage and processing of data, the withdrawal of consent will mean that data will be erased or returned. In the event that processing is solely reliant on consent, this Data Subject Right overrides this policy and MTC learning's Data and Document Retention Schedule.

4.6. 3RD PARTY DATA SHARING

MTC learning will ensure that where data is shared with 3rd parties, they will follow MTC learning's Data and Document Retention Policy. This will identify where data needs to be deleted or returned by the Data Processor. This will be enforced through legally binding contracts.

Where MTC learning are the Data Processor, we will comply with the Data Controllers Data Retention, Storage and Disposal requirements where they are aligned with our contractual, regulatory and legislative obligations. This will be defined in the pre-contract signing stage.

MTC learning will not share personally identifiable or personal information without a legally binding contract or regulatory/legal imperative.

4.7. IMAGES AND RECORDINGS

MTC learning sometimes need to record calls and gather photographic images/recordings to fulfil our Call Recording

MTC learning reserves the right to record calls, when necessary, all calls that are handled, in which case MTC learning ensures that a clear welcome message details the purpose and usage of call recording. Calls will be automatically deleted after a period of 6 months. The retention period for specific calls may be extended based upon where callers have been abusive or problematic, or where complaints or legal claims have been received or are expected. The retention of all such calls will be reviewed monthly, and calls will be deleted where they are no longer required.

Monitoring of call recordings will be undertaken by authorised employees on a need-to-know basis to ensure policy adherence, meeting MTC learning's obligations and for staff development.

Call recording files will not be removed from the Call Recording system, unless there is an overriding imperative to do so.

4.7.1. Closed circuit television (CCTV)

MTC learning utilises CCTV and photographic images for a variety of legitimate reasons including, but not limited to, prevention or detection of crime or disorder to identifying service needs (e.g. fly-tipping).

Before CCTV systems are installed, a CCTV Impact Assessment will be carried out. This will ensure the system is compliant with the GDPR. A master list of all CCTV systems is held by the Data Protection Officer.

CCTV recordings will be automatically deleted after a maximum of 6 months, unless there is an investigation, legal and/or regulatory requirement or request for the footage from a particular system. CCTV recordings will only be shared with 3rd parties in line with section 5.

4.7.2. Photographic images (excluding CCTV)

MTC learning employees are provided with devices, where required, that contain the ability to capture and store photographic images and video recordings. All MTC learning staff receive annual Data Protection training and will only take photographic images or recordings with people identifiable where necessary.

Employees must ensure that photographic images and recordings are held only as long as required by MTC learning's Data and Document Retention Schedule. If the images or recordings are used in a form of corporate publication, a photographic consent form will be required before usage.

4.8. SPECIAL CATEGORIES OF PERSONAL DATA

The GDPR identifies "Special Categories of Personal Data". These merit special protection and a significant restriction of processing.

MTC learning will ensure that these are only gathered in line with our legal responsibilities or within the acceptable use of Special Categories of Personal Data identified within the GDPR.

Where MTC learning collects this information for a specific purpose this will be identified on logs so that all Special Category of Personal Data is tracked, monitored and deleted after it's requirement. MTC learning will ensure that there are an appropriate number of logs to prevent unnecessary access to such data. This will be overseen by the Data Protection Officer.

4.9. EXCEPTIONS

For personal data, there are three exceptions to this policy.

- Consent has already been mentioned as an exception to this policy under section 4.
- Where data or documentation needs to be retained for establishment or defence of legal claims.
- User discretion over temporary data or documents. This includes duplicates of originals also preliminary drafts of letters, spreadsheets, or informal notes that do not represent significant steps or decisions towards making official records.

5. Regulatory and legal Considerations

General Data Protection Regulations

2018 Data Protection Act 1998

CCTV Code of Practice produced

by ICO Human Rights Act 1998

Regulation of Investigatory Powers Act 2000

Telecommunications (Data Protection and Privacy) Regulations 1999

Protection of Freedoms Act 2012

Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000

6. Monitoring, Reviews and Evaluation

The policy will be monitored by the Executive Director. Regular reports to MTC learning's Senior Management will identify the compliance status for retention, storage and disposal.