

Approach to data retention

The Data Protection Act states: “Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.”

This requires London TravelWatch to do the following:

- Review the length of time we keep personal data;
- Consider the purpose or purposes we hold the information for in deciding whether (and for how long) to retain it;
- Securely delete information that is no longer needed for this purpose or these purposes; and
- Update, archive or securely delete information if it goes out of date.

This paper sets out the steps London TravelWatch takes in order to comply with the requirements surrounding the retention of personal data as set out in the Data Protection Act.

1. Categorise the personal data held by London TravelWatch. It is recognised under the Data Protection Act that different categories of personal data may be needed for different lengths of time.
2. Define periods for the retention of different categories of data.
3. Establish procedures for ensuring compliance with data retention policy.

Categories of data held by London TravelWatch

Broadly speaking, the Data Protection Act applies to personal data that is held in some form of automated or manually organised filing system. Personal data is any data which relates to a living individual who can be identified either directly from the data or from the data and other information which is in London TravelWatch’s possession.

The following departments of London TravelWatch hold qualifying personal data.

Casework

London TravelWatch holds personal data relating to individuals who are seeking help with their complaints about their travel in London. This data is held on the CRM (complaints database).

Communications

London TravelWatch holds personal data relating to individuals who have agreed to receive information about London TravelWatch's work. This information is computerised via the website. It includes various categories of people, including representatives of user groups, holders of elected office and people with an interest in transport.

Corporate support

The HR function of London TravelWatch holds personal data relating to current and post employees and Board members. Some of this information is computerised and some is held manually but is organised in such a way as to enable easy retrieval.

Reasonable periods for the retention of data

The Data Protection Act recognises that different categories of data can reasonably be retained for different periods of time. For example, data about a successful employment candidate may be retained for at least as long as the employee continues to work at London TravelWatch, whereas data about any unsuccessful candidates may only need to be retained until the expiration of the statutory period for bringing a claim arising from the recruitment process.

The Information Commissioner's Office states that the length of time different categories of personal data are retained for should be based on individual business needs. A judgement must be made about:

- the current and future value of the information;
- the costs, risks and liabilities associated with retaining the information; and
- the ease or difficulty of making sure it remains accurate and up to date.

London TravelWatch may wish to keep certain categories of data for very lengthy periods, in order to keep useful statistics about, for example, the number of people who have contacted us to complain about their travel in London. The Information Commissioner's Office says there may often be good grounds for keeping personal data for historical, statistical or research purposes. The Data Protection Act provides that personal data held for these purposes may be kept indefinitely as long as it is not used in connection with decisions affecting particular individuals, or in a way that is likely to cause damage or distress. This does not mean that the information may be kept forever – it should be deleted when it is no longer needed for historical, statistical or research purposes.

While it will be reasonable to retain data about employees during the period of their employment, it is likely that only some of that data will be needed once the employee leaves. London TravelWatch should not hold unnecessary information about former employees.

The data held by the Communications department relates to individuals who have indicated a desire to receive information from London TravelWatch. Automatic

emails sent by the Communications team give the option for recipients to unsubscribe. Officers can remove individuals from the automatic email list on request.

It is proposed that personal data relating to Casework is held indefinitely for the purposes of historical or statistical research.

It is proposed that information relating to employees and Board members be retained in accordance with good practice. London TravelWatch will have regard to the model schedule compiled by the National Archives, as far as this it applies to London TravelWatch (see Appendix 1) and also advice from the Chartered Institute of Personnel and Development.

It is proposed that personal data held on the London TravelWatch be held as long as the individuals continue to seek information from London TravelWatch. We will implement periodic reviews of the data we hold, including proactive checking that individuals still wish to receive information from London TravelWatch.

Appendix 1: Extract from National Archives Records Management Retention Scheduling for employee personnel records.

Document description – employment and career	Retention period
Written particulars of employment Contracts of employment, including the Certificate of Qualification or its equivalent and including the Senior Civil Service Changes to terms and conditions, including change of hours letters	Until age 100
Job History - consolidated record of whole career and location details (paper or electronic)	Until age 100
Current address details	Six years after employment has ended
Record of location of overseas service	Until age 100
Variation of hours - calculation formula for individual	Destroy after use
Promotion, temporary promotion and/or substitution documentation	Destroy after summary noted
Working Time Directive opt out forms	Three years after the opt-out has been rescinded or has ceased to apply.
Record of previous service dates	Until age 100
Previous service supporting papers	Destroy after records noted as appropriate
Qualifications/references	Six years
Transfer documents (OGD E18)	Destroy after summary noted and actioned
Annual/Assessment reports or summary of performance marks where an open reporting system operates	Five years
Annual/Assessment reports for the last five years of service or summary of performance marks where an open reporting system operates	Until age 72

Training history	Six years
Travel and subsistence - claims and authorisation	Six years
Annual leave records (dependent on departmental practice)	Two years
Job applications – internal	One year
Recruitment, appointment and/or promotion board selection papers	One year
Building society references	One year

Document description – health	Retention period
Health declaration	Until age 100
Health referrals, including Medical reports from doctors and consultants Correspondence with the appointed medical adviser to the PCSPS (currently BMI Health Services and, previous to that body, the Occupational Health and Safety Agency Ltd, the Civil Service Occupational Health Service or the Medical Advisory Service (MAS))	Until age 100
Papers relating to any injury on duty	Until age 100
Medical reports of those exposed to a substance hazardous to health, including: Lead (Control of Lead at Work Regulations 1980) 40 years from date at which entry was made Asbestos (Control of Asbestos at Work Regulations 1996) 40 years after last record Compressed Air (Work in Compressed Air Regulations 1996) 40 years from date of last entry Radiation (Ionising Radiation Regulations 1985)	50 years from date of last entry
Medical/Self Certificates – unrelated to industrial injury	Four years

Document description – personal	Retention period
Welfare papers	Four years

Document description – security	Retention period
Security personnel files	Five years after leaving (if normal retirement age) or ten years after leaving (if before normal retirement age)

Document description – pay and pension	Retention period
Bank details – current	Six years after employment has ended
Death Benefit Nomination and Revocation Forms	Until age 100
Death certificates	Return original to provider Retain copy to age 100
Decree absolutes	Return original to provider Retain copy to age 100
Housing advice	Six years after repayment
Marriage certificate and documentation relating to civil registration	Return original to provider Retain copy to age 100
Unpaid leave period (eg maternity leave)	Until age 100
Statutory maternity pay documents	Six years
Other maternity pay documentation	18 months
Overpayment documentation	6 years after repayment or write-off
Personal payroll history, including record of pay, performance pay, overtime pay, allowances, pay enhancements, other taxable allowances, payment for untaken leave, reduced pay, no pay, maternity leave	Until age 100

Pensions estimates and awards	Until age 100
Record of: Full name and date of birth National Insurance number Pensionable pay at leaving Reckonable service for pension purposes (and actual service where this is different, together with reasons for the difference) Reason for leaving and new employer's name (where known) Amount and destination of any transfer value paid Amount of any refund of PCSPS contributions Amount and date of any Contributions Equivalent Premium paid All other papers relating to pensionability not listed above (such as papers about pensionability of other employment (including war service); extension of service papers; papers about widow's, widower's, children's and other dependant's pensions; correspondence with the Cabinet Office, other departments and pension administrators, or the officer and his/her representatives (MPs, unions or others) about pension matters	Until age 100
Resignation, termination and/or retirement letters	Until age 100
Added years	Until age 100
Additional voluntary contributions	Until age 100
Payroll input forms	Six years
Bonus nominations	Six years
Complete sick absence record showing dates and causes of sick leave	Until age 72
Statutory sick pay forms	For last four to six years

Papers relating to disciplinary action which has resulted in any changes to terms and conditions of service, salary, performance pay or allowances	Until age 72
Authorisation for deputising, substitution allowance and/or overtime/travel time claim	Six years
Advances for: Season tickets Car parking Bicycles Christmas/holidays Housing	Six years after repayment