ICE Ilfracombe operates in partnership with Ilfracombe Academy and local churches. When our workers/volunteers are working within Ilfracombe Academy or local churches or organisations, that organisation's own data protection policy will apply. ICE Ilfracombe Data Protection Policy applies only to activities organised and carried out by ICE Ilfracombe workers/volunteers specifically for ICE Ilfracombe, such as the Delta Club, and not under the auspices of Ilfracombe Academy or local churches or other organisations.

The term 'worker' applies to both employees and volunteers.

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1. Data protection principles

From 25 May 2018 the General Data Protection Regulation (GDPR) replaced the Data Protection Act 1998 across the UK. In line with the GDPR, the following information sets out data protection principles to which ICE Ilfracombe is working.

- Personal data shall be processed fairly and lawfully.
- Personal data shall be held only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or purposes.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose.
- Personal data shall be processed in accordance with the rights of data subject under the Data Protection Act.
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of the data.

2. Data retention

Why retain information?
In practice, it means that ICE lfracombe will need to:

- 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
- update, archive or securely delete information if it goes out of date.

Duration of retention
Retention of safeguarding information is crucial to maintaining a transparent approach on the part of the organisation, both to assist in any future investigations and also to protect reputation. With regards to all other information and data of a non-safeguarding nature, we should demonstrate evidence of giving adequate reasons to retain and safe keep such relevant information. The default standard retention period for most organisations is 6 years plus the current year to allow for a review and/or disposal to be carried out within that year.

Storage
Any personal and sensitive information needs to be kept securely in a locked filing cabinet in a place where access is limited to known/designated people. Alternatively, documents can be scanned onto a computer where the information is password protected, backed up, where the password is regularly changed and where access is limited to known people.

Record of retention
ICE Ilfracombe will keep a **Data Asset Register** that captures details of all the data we hold within the organisation.

Some useful principles to keep in mind when looking at data retention are:
- Does the data have any historic value (heritage) associated with the organisation?
- Does it have any safeguarding value? (i.e. potentially assist in future investigations/enquiries)
- Has explicit consent been given for retaining the information (particularly personal/sensitive data i.e. names, addresses, photographs or any other identifying information)?
- If the data has been identified for longer term retention, can it be transferred into a different format i.e. paper files to electronic copies.
- Do you need to seek legal advice or speak to your insurance company regarding data retention?

Destruction and disposal
Documents should be shredded and destruction of both electronic and paper copies should be carried out at the same time.

3. Records management

Guiding principles of records management
According to Data Protection principles, records containing personal information should be:
- adequate, relevant and not excessive for the purpose(s) for which they are held
- accurate and up to date
- only kept for as long as is necessary (*Information Commissioner's Office, 2020).*

What safeguarding records need to be kept?

DBS Checks
You shouldn't store copies of criminal records check certificates unless there is a dispute about the results of the check. Instead, a confidential record should be kept of:
- the date the check was completed
- the level and type of check (standard/enhanced/barred list check and the relevant workforce)
- the reference number of the certificate
- the decision made about whether the person was employed (with reasons).

If there is a dispute about the results of a check, you may keep a copy of the certificate for no longer than six months. (*NSPCC Child protection records retention and storage guidelines July 2020)*

Trustee approval of appointments
Trustees have a duty to ensure everyone who works for them is suitable and legally able to work in that position. *(Charity Commission, Safeguarding Duties for Trustees Guidance 2020)* Along with safer recruitment practice, Trustees should note in the minutes of their meetings any appointments and resignations. Volunteers, staff and any other workers should be recorded in the same way. In the case of historical abuse claims these records will also enable the trustees to answer questions about where their workers are active.

The Trustee minutes should record the following:

- Worker name
- In which setting or settings the worker will be working.
- Date of appointment
- Date of resignation.
- If the worker changes roles within the organisation the new details should also be recorded. In this case the date of resignation from the old role and date of appointment in the new role will be the same.

Trustee approval of activities
The Trustees should record on an annual basis the activities they are providing in which setting. They should ensure that risk assessments are undertaken for their activities. This can be useful for insurance purposes and provide an historic record of where the organisation was active.

Record retention table

Document	*Retention Period*	*Reason for retention*
Trustee minutes	Permanent	Companies Act, Charity Commission, Use in historical abuse claims
DBS certificates	No more than 6 months	Disputed DBS check results
Confidential record of DBS check results	50 years after activity has ceased (in line with Church of England Practice)	Use in current or historical abuse claims
Record of child or adult protection incident or concern	70 years after last contact with the individual concerned (in line with Church of England Practice)	Use in current or historical abuse claims
Record of concern about the behaviour of an adult worker (paid or unpaid)	75 years after employment ceases (in line with Church of England Practice)	Use in current or historical abuse claims
Risk assessment of activities	50 years after activity has ceased (in line with Church of England Practice)	Use in current or historical abuse claims

It is also recommended that you keep a record of where staff and volunteers are deployed (both in terms of setting and days worked) in case that information is needed in dealing with an allegation.

We will review this policy annually.

Signed John Roles *Chair ICE Ilfracombe Trustees*

Date 17 November 2020 Reviewed 17 February 2022