

Document Retention Policy

Ensuring Compliance, Accountability, and Effective Management of Health and Safety Records

Introduction

Fortis Health and Safety play a pivotal role in assisting organisations to comply with health and safety legislation. Effective management and retention of records is not only a legal obligation but also a fundamental aspect of quality assurance, risk management, and continuous improvement. This policy outlines the approach to the retention, storage, and disposal of health and safety documents and records within a UK health and safety consultancy, ensuring compliance with legislation such as the Health and Safety at Work etc. Act 1974, the General Data Protection Regulation (GDPR), and associated regulations.

Policy Purpose

The purpose of this retention policy is to:

Ensure that all health and safety records are retained for appropriate periods in accordance with statutory and contractual requirements.

Promote efficient management and retrieval of records.

Protect confidential and sensitive information.

Facilitate compliance with legal, regulatory, and ethical obligations.

Minimise data storage costs and risks associated with the retention of unnecessary information.

Scope

This policy applies to all employees, contractors, consultants, and third parties who handle, create, store, or dispose of health and safety records on behalf of the company. It covers all formats of documents and records, including but not limited to, paper files, digital files, emails, photographs, audio, and video recordings.

Definitions

Records: Any documented information, regardless of format or medium, related to health and safety consultancy activities, including risk assessments, audit reports, accident reports, training records, compliance certificates, and correspondence.

Retention Period: The prescribed period for which a record must be kept before it is destroyed or reviewed for further retention.

Disposal: Secure destruction or deletion of records that are no longer required.

Legal and Regulatory Framework

The company is subject to several key legislative and regulatory requirements related to record retention:

Health and Safety at Work etc. Act 1974

Control of Substances Hazardous to Health Regulations (COSHH)

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013

Management of Health and Safety at Work Regulations 1999

Data Protection Act 2018 and UK GDPR

The Company is aware of sector-specific or client contractual obligations that may require longer retention periods for certain records.

Retention Periods

Different types of health and safety records have varying statutory or recommended retention periods. The table below outlines typical retention periods for common health and safety records in the UK:

Risk Assessments: Minimum of 3 years from the date the assessment was made or last revised; longer if relevant to ongoing work or incidents.

Accident Books and Report Forms (RIDDOR): At least 3 years from the date of the last entry (in practice often retained for 6 years in line with personal injury limitation period).

Health Surveillance Records: At least 40 years from the date of the last entry (COSHH requirement for certain hazardous substances).

Training Records: Minimum of 3 years after the employee leaves the organisation, or longer if required by regulatory bodies.

Audit Reports and Inspections: Minimum of 3 years, but best practice is 6 years to cover potential claims under the Limitation Act.

Equipment Maintenance and Inspection Records: At least 5 years, or for the life of the equipment if safety critical.

Fire Risk Assessments and Related Documentation: At least 3 years, but retention for the duration of occupancy is recommended.

Exposure Records (e.g., asbestos, lead, ionising radiation): 40 years in line with statutory obligations.

Correspondence and Advice: 3–6 years, depending on the nature of the advice and associated risks.

Record Management and Storage

Security and Confidentiality: All records, whether physical or electronic, will be stored securely. Physical records will be kept in locked cabinets or secure archives with access restricted to authorised

personnel. Electronic records will be stored on secure, access-controlled systems, with regular backups and encryption where appropriate.

Indexing and Retrieval: Records will be indexed and catalogued systematically to facilitate timely retrieval for operational, regulatory, or audit requirements.

Regular Review: Records will be reviewed regularly to identify those due for destruction or further retention, ensuring ongoing compliance with this policy.

Disposal of Records

Records identified as having reached the end of their retention period will be disposed of securely. Methods include:

Shredding paper documents using cross-cut shredders.

Permanently deleting electronic records and ensuring removal from backup systems.

Securely destroying storage media (disks, USB drives) when decommissioned.

A record will be kept of all disposed records, including what was destroyed, when, and by whom.

Exceptions and Holds

Where a record is or may be relevant to ongoing or anticipated litigation, audit, insurance claim, or investigation, it must not be destroyed, even if the retention period has expired. Instead, such records must be placed under a “hold” and securely preserved until the issue is resolved and legal advice is obtained.

Data Protection and Privacy

Personal data contained within health and safety records must be managed in accordance with GDPR and the Data Protection Act 2018. This includes:

Ensuring that personal data is retained only as long as necessary for the purpose for which it was collected.

Securing personal data against unauthorised access, disclosure, or loss.

Facilitating individuals’ rights of access, rectification, and erasure, subject to legal constraints.

Staff Responsibilities and Training

All staff involved in the creation, handling, storage, or destruction of health and safety records will be familiar with this policy and receive regular training on:

Legal and regulatory requirements for record retention and disposal

Confidentiality and data protection obligations

Procedures for secure storage, retrieval, and destruction of records

Managers are responsible for ensuring compliance within their teams and for reporting any actual or suspected data breaches or policy violations.

Monitoring and Review

This policy will be reviewed annually, or sooner if required by changes in legislation or operational practice. Periodic audits of record management practices will be conducted to ensure compliance and identify opportunities for improvement.

Policy Breaches

Failure to comply with this policy may result in disciplinary action, up to and including termination of employment, as well as potential civil or criminal liability. Any breaches or suspected breaches should be reported immediately to the Data Protection Officer or designated compliance lead.

Contact and Further Information

For queries relating to this policy or advice on the retention of specific health and safety records, staff and clients should contact the company's Data Protection Officer or Compliance Manager.

Conclusion

Effective retention and management of health and safety records is essential for legal compliance, risk management, and the delivery of high-quality consultancy services. Adhering to this policy will help ensure that the consultancy upholds its obligations, protects the interests of clients and employees, and maintains its reputation for integrity and professionalism.