

Data retention policy and framework

1. Purpose

- 1.1 This is the Data retention policy of the Trefoil Guild. The charity is registered with the Charities Commission and the Information Commissioners Office.
- 1.2 The Data retention policy enables the charity to comply with the requirements of the Data protection act 2018. Moreover, this policy will enable the charity to manage and track documents and assist in providing openness and transparency to its staff and its members.
- 1.3 This policy supports the organised creation, retrieval, storage, and preservation of the charity's essential records. In addition, it supports the timely and appropriate disposal of records with no continuing business, legal or historical requirements.
- 1.4 The retention period for each record will depend on several factors, including:
 - Legal obligations
 - Storage constraints and costs
 - The legitimate needs of the charity to retain and access the records
 - Archive or historical value
 - Best practice

2. Scope

- 2.1 This policy covers records, documents or data created or received by Trefoil staff or its members in their official roles and duties for the Charity.
- 2.2 Records, documents, or data could be in a hard copy or electronic format and are regardless of the medium used.

3. Data Protection

- 3.1 Personal data retention is regulated by the Data Protection Act 2018.
- 3.2 This policy helps the charity in ensuring that the obligations of that legislation are upheld. Especially, that all records, documents, and data should be accurate, up to date and retained for no longer than is necessary for the purpose for which it was obtained.

- 3.3 Where personal data is held and in line with the Trefoil Privacy policy, members have several legal rights over that data, such as to rectify or delete. More information can be found in the Managing information policy or in the Trefoil handbook.
- 3.4 A formal retention period for data obtained outside of the Trefoil Privacy policy, by explicit consent has not been defined in this document however the principles within the Data Protection legislation should be applied.

4. Record management

- 4.1 All records, documents and data should be reviewed against their retention period at least annually.
- 4.2 Records which have reached their retention period and have no other requirement to be retained, such as, an ongoing complaint, legal action, safeguarding issue or flagged as heritage should be disposed of, after confirming with the relevant chair for approval.

5. Secure disposal

- 5.1 All documents, records and data should be disposed of in a secure manner.
- 5.2 Paper or hard copy data should be shredded if possible or alternatively ripped into small pieces so that personal data cannot be read
- 5.3 Electronic data should be deleted from all electronic media including computer folders, emails, download folders, trash or recycle bins and cloud storage

6. Retention schedule

- 6.1 Any queries regarding retention of records, documents or data should be directed to the Trefoil chair of the finance and general purposes committee for review.
- 6.2 Unless stated otherwise the records, documents or data will be destroyed when the retention period has been reached
- 6.3 This schedule is not exhaustive but provides a framework for managing records in line with the ethos of the Data protection act 2018 and GDPR principles.

Level			
N	National	Country or region	Country or region
C	County	Guild	Guild
All	National, country or region, county and guild		

Governance			
Record type	Retention period	Justification	Level
Trefoil national constitution.	Life of charity	Legislation	N
Certification of charity	Life of charity	Legislation	N,C
Charity Commission annual returns, accounts, and trustees' annual report (TAR)	7 Years NB: 5 years are kept on the Charity Commission website	In line with financial accounting regulations.	N
C, R, County or Guild registration documents	Life of charity	Good practice. Heritage.	N, C or R, C or G
Meeting and annual review minutes	Life of charity	Good practice. Heritage.	All
Register of trustees	Life of charity	Good practice. Heritage.	N
Appointment of trustees, countries or regions and county executive members: adverts, application and nomination forms, interview notes, copy of offers	6 months after a nomination or candidate application	To support decisions against any challenges arising. NB papers should be retained whether successful or unsuccessful.	N, C or R, C
Intellectual property, such as branding, trade names, patents, and domain names	Life of charity	Promoting the business needs of the charity and for heritage and legal challenges.	N

General Forms and Member Data			
Record type	Retention period	Justification	Level
Meeting risk assessments	Retain and update annually or in the event of a change in the venue or risk status	To support any insurance or accident claims or issues arising.	All
Ad hoc risk assessments for events and activities	6 months if no accidents or incidents otherwise retain in line with guidance given for that specific incident.	To support any insurance or accident claims or issues arising.	All
Records and documents used for event management or activities, e.g., application forms, attendee lists. For financial or contract related documents – refer to relevant section.	For duration of event or activity + 1 year	For management of the event and any queries arising post event.	All
Accident details in books or incident forms.	3 years unless falling under COSHH regulations	In line with UK law, Social Security Regulations and COSHH.	All
Joining form	Until data entered onto KEY and membership cards sent out.	GDPR	N, G
Subscription forms	Retained until data entered onto KEY.	GDPR	N, G
Starter pack forms	3 years from issue	Anonymised forms can be retained for monitoring purposes	N
Membership database records	3 years post active end date	To support questions or queries from the	N

	or deceased date. Under review	membership period, including safeguarding and legacy.	
New membership enquiry records	1 year following the enquiry.	To support the membership enquiry.	N
Grants applied for and their outcome if unsuccessful	3 years following application date	In case of any query or challenge arising.	N, C or R, C
Grants applied for and their outcome if successful	7 years	Kept in line with the accounting records	N, C or R, C
Award nomination forms	3 years following application date	In case of any query or challenge arising.	N, C or R, C
Roles held (excluding trustees)	For the full period of membership +3 years Under review	Business needs and to recognise achievements. Note: For heritage it is acceptable to hold local records of Trefoil appointments, e.g., Name, Number, Role, Start and End Date. Full personal details should not be retained.	N, C or R, C, G

Data Protection			
Record type	Retention period	Justification	Level
ICO Registration	Rolling 3 years	Registration valid for 1 year only. Evidence of registration may be required in the event of challenge.	N
Data protection incident reports	Rolling 7 years	To monitor effectiveness of	N
Monitoring records	Rolling 7 years		N

		controls and support lessons learned.	
Information Commissioner Organisation notifications	Life of charity	Requirements under GDPR	N

Accounting and financial			
Record type	Retention period	Justification	Level
Accounts including all associated documents and invoices	End of financial year + 6 Years	Companies Act 2006 and Charities Act 2011	All
Banking administration records , such as, the opening, closing, and updating of bank mandates and banking instructions such as direct debits, standing orders, etc,	Retain for period of validity, + end of financial year + 6 Years	Companies Act 2006 and Charities Act 2011	All
Banking management and related records such as, cash balances, statements, deposits, withdrawals, or transfers, statements, and bank books (cheques and paying in stubs), records of cancelled or stopped cheques as relevant or the equivalent evidence if using electronic banking.	End of financial year + 6 Years	Companies Act 2006 and Charities Act 2011	All
Records and documents relating to Trefoil Investments	End of financial year + 6 Years	Companies Act 2006 and Charities Act 2011	N
Records can only be retained after the 6+1 retention period if there are compelling other statutory, regulatory, legal or security reasons or where they have heritage value.			

Donor information			
Record type	Retention period	Justification	Level
Gift Aid declaration	For period of validity + 7 Years	HMRC Tax Audit	All
Deed of Covenant	For period of validity + 7 Years	HMRC Tax Audit	All
Legacy	7 Years	Limitation Act 1980	All
Grants received into Trefoil	7 Years	Legislation	All
Partnership donations	7 Years	Legislation	N

Any donations via direct debit instruction (DDI)	7 Years	As proof of DDI and to support any claims against that DDI	All
For all forms of donation, full details of financial transactions, donor details and associated correspondence should be retained for the retention period. Anonymised records of donors can be retained for heritage purposes.			

Human resources			
Trefoil human resources, retention of documents and records is sub-contracted to Girlguiding and should be verified with the Girlguiding HR team before destruction of any HR records.			
Record type	Retention period	Justification	Level
Personnel records including training, appraisals, awards, leave, etc	6 years after leaving	To defend against tribunals or claims.	N
Payroll wage or salary records – also overtime, bonuses, and expenses	7 years	Legislation	N
Income tax and NI records	3 years from the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993 and subsequent amendments	N
Recruitment records: adverts, application forms, interview notes, copy of offers	12 months after the candidate has not been successful	To defend against tribunals or claims. See also Equality Act 2010 Code of Practice, Employment Statutory Code of Practice	N
Retirement benefits schemes and pension records	6 years from the end of the scheme year in which the event took place.	The Retirement Benefits Schemes Regulations 1995, Pensions Regulator Detailed Guidance 9, Keeping Records, April 2015 Pensions Act 2005	N
Statutory Maternity Pay records, calculations, and certificates (also Paternity leave)	3 years from the end of the tax year in which the	The Statutory Maternity Pay (General) Regulations 1986 as amended.	N

	maternity period ends		
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Advertising and marketing			
Record type	Retention period	Justification	Level
Records of the editorial, design and production processes related to merchandise and publications.	End date + 3 years	Business need and planning	N, C or R, C
Press releases, media documents, surveys, questionnaires, stakeholder engagement.	Varies depending on business need.	To be determined at the point of setting up but GDPR principles to be applied in all cases.	All
The Trefoil magazine – national copy	Life of charity	Heritage	N
Newsletters and local Trefoil publications	Varies depending on business need.	As agreed for heritage purposes but GDPR principles to be applied in all cases.	All
Website and social media content	Until updated or superseded	Business need but GDPR principles to be applied in all cases.	All

Legal or contractual			
Record type	Retention period	Justification	Level
Tenders with 3 rd party suppliers or vendors	Retain for 3 years from the start of the tender or contractual process	To defend against challenges.	N
Contracts and agreements with 3 rd party suppliers or vendors	Retain for life of the contract + 7 years	Limitation Act 1980	All
Various claims and litigated actions including simple claims in contract, tort, fraud, or negligence.	6 years from the settlement or closure of the case.	Limitation Act 1980	N

7. Data retention policy and framework

Any documents related to conduct, complaints or safeguarding.	6 years from date of resolution.	Limitation Act 1980, legal challenges	N, C or R, C
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