

# Document and Record Retention Policy

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Issue: 3.2

Issue Date: May 2020

Review Date: May 2021



## 1. Overview

- 1.1. SIRM recognises the importance of keeping accurate and secure records and data. This includes complying with the Data Protection Act and the Freedom of Information Act 2000 and the GDPR 2018.
- 1.2. SIRM has been approved to deliver qualifications and use assessment and verification documents. As part of regulated procedures, candidate and learner data is utilised by SIRM and funding partners for legitimate administrative purposes and by awarding bodies and regulators upon request in order to externally verify learner evidence.
- 1.3. The aims of this policy is to ensure that SIRM complies with the principles of the Data Protection Act and the GDPR 2018 and that records containing personal data are accurate, stored appropriately and are only held for as long as necessary.
- 1.4. The aim is also to ensure that records are kept for only as long as is necessary and that they are disposed of in the appropriate way.

## 2. Security and Responsibility

- 2.1. SIRM is responsible for the storage of records and documents. All staff has a responsibility to follow this policy and must store and dispose of all records and documents in the appropriate manner.
- 2.2. All records and documents must be stored as securely as necessary to prevent the misuse or loss of the records data or documents.
- 2.3. All documents in current use are the responsibility of the staff accessing the records and storage must comply with the current requirements for security of information. Care must be taken where records and documents are stored in an area where the public may have access.

## 3. Retention Duration

- 3.1. All records and documents not in current use must be stored in an off-site secure archive facility up to 7 years and the access restricted to SIRM senior management.
- 3.2. All archive records must be kept up to date by the member of staff responsible for archiving the items and the records held securely by SIRM. All archive containers must clearly display a description of the records and date archived and a date by which they can be disposed.
- 3.3. It is a requirement of the ESF programme that all records and documents are held until at least 7 years from date of programme start for audit purposes. We are also required to hold ESFA paperwork for the same period. Learners are made aware of this requirement prior to programme start and again at induction with learner permission sought prior to sign up and further permissions sought a mid and end point of their programme.

## 4. Learner Details

- 4.1. SIRM collects data from its candidates and learners in accordance with defined funding partners, Awarding bodies and regulators' criteria and is used for funding, assessment and quality assurance purposes.
- 4.2. SIRM retains all funding body records (ILR's) and they are made available to funding bodies and regulators on request. Learners sign a permission to share document prior to programme start. Due to the introduction of GDPR we will send documents containing learner details via secure

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email and password protected.

This will include any documents which include learner information such as:

- Name
- Date of Birth
- National Insurance Numbers
- Unique learner numbers

And will also include all learner paperwork such as:

- ILR
- Application Forms
- ILPs
- Reviews
- Certificates

4.3. SIRM retains all assessment and verification records and they are made available to awarding bodies and regulators on request. These are stored electronically and are kept as long as required to ensure the learner certificate is claimed.

4.4. Under the GDPR SIRM will ensure learner have the following rights:

- The right to be informed - Data subjects have the right to be provided with information about how and why their data is being processed. The goal of this right is increased transparency over how personal data is used. This information is typically provided through a privacy notice which is concise, intelligible, easily accessible, written in plain language, and freely available. This will be provided prior to programme start.
- The right of access - Data subjects have the right of access to their personal data and other supplementary information on request. This is provided free of charge within 30 days although there are some exceptions to this. If SIRM refuse to respond or need to extend the time it takes to respond we will inform the data subject and explain why.
- The right to rectification - Data subjects have the right to have their personal data corrected if it is inaccurate or incomplete. This is completed within 14 days of the request being made. If data has been passed to third parties we will let the data subject know who those third parties are and, where possible, inform those third parties of the changes.
- The right to erasure / right to be forgotten - Data subjects have the right to have their personal data deleted and prevented from being further processed on request. Where this is the case we will cease processing of data immediately upon request.
- The right to restrict processing - Data subjects have the right to request that their personal data is no longer processed. The data will continue to be stored in line with funding rules but not processed further. We will inform individuals if it is decided to lift a restriction on processing within 7 days.
- The right to data portability - Data subjects have the right to obtain their personal data for reuse with another service provider. This means the data controller must be able to provide the learner their data in a structured, commonly used and machine readable format and it must be provided free of charge within 28 days of the request. If an extension is necessary

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or the request is refused the data subject must be informed of the reasons.

- The right to object - Data subjects have the right to object to their personal data being processed for the purposes of direct marketing, scientific or historical research, or legitimate interests. If the data is being processed for direct marketing purposes it will be stopped as soon as the request is received and there are no grounds for refusal.
- Rights in relation to automated decision making and profiling - Data subjects have the right not to be subject to a decision based solely on automated decision making (i.e. decisions based only on automated means), including profiling (i.e. automated processing of personal data to evaluate certain things about an individual). This right is not absolute and does not apply if the decision is necessary for entering into a contract between the data subject and the organisation, based on the explicit consent of the data subject, authorised by UK or EU law (e.g. for fraud and tax evasion purposes or for ensuring the security and reliability of the services the organisation provides to the data subject).

#### **5. SIRM Staff/Employees**

SIRM collects data from its staff and employees used for the processing of payroll, invoices, sending of course documentation etc. SIRM will treat this data in accordance with data protection act and the GDPR.

Any queries relating to data protection or GDPR should contact SIRM data protection officer:

Tel: 020 7078 7029

Email: [dpo@sirm.ac.uk](mailto:dpo@sirm.ac.uk)