



## **YORLMC Ltd**

### **Record Retention and Disposal Policy**

YOR Local Medical Committee Limited ('**YORLMC Ltd**') is the brand name for Bradford & Airedale and North Yorkshire Local Medical Committees. It is the professional voice for all NHS GPs and practice teams across the areas of North Yorkshire & York and Bradford, Airedale, Wharfedale & Craven. YORLMC Ltd is a gateway to pastoral support and provides personal and totally confidential support for GPs and practices in difficulty or experiencing major change. It also provides personal advice and support for practices on a wide range of issues.

#### **1. PURPOSE**

The purpose of this Record Retention and Disposal Policy is to ensure that YORLMC Ltd ('The Company') with its registered office address at 87-89 Leeds Road, Harrogate, England, HG2 8BE, (Company number 6349731), retains its official records in accordance with the requirements of all applicable laws and to ensure that official records no longer needed by the Company are discarded at the proper time. This Policy provides guidelines concerning the length of time official records should be retained under ordinary business circumstances.

The Company provides benefits to, and holds information on:

- i. GP Constituents and practice contacts
- ii. Individuals and employees working within organisations
- iii. Directors and employees of the Company

#### **2. COVERED RECORDS**

This Policy applies to all official records generated in the course of the Company's business, including but not limited to:

<b>Category of data held:</b>	<b>Period of retention</b>
GP Constituents/practice contacts	Personal and contact details will be deleted when the LMC is notified that the GP constituent or practice is leaving the LMC, unless there is a legitimate reason to retain some or all of the details for longer, such as in connection with a fitness to practice investigation or complaint or for archiving purposes. In

	any event information shall only be kept for a reasonable amount of time and only as required.
Individuals and employees working within working within organisations	Contact details will be deleted within three months of the Company terminating any arrangements with those organisations unless there are specific circumstances, including potential litigation and or disputes, where those details may be kept for longer.
Directors and employees	<p>Recruitment records shall not be kept for longer than 6 months unless there is a legitimate reason for keeping them longer. It is recommended that personal information of directors and employees, including contact details, appraisals and reviews, be kept for at 6 years following their departure.</p> <p>Director and employee records contain sensitive information so it is essential to ensure they are disposed of correctly. This includes the cross shredding of paper records and the secure disposal of hard drives which should be destroyed rather than re-formatted.</p> <p>Director and employees' financial information will be retained for 7 years.</p>
Election data	Data shall be retained for 1 year from the date of the election result
Data Processors	<p>Article 5 (e) of the UK GDPR states personal data shall be kept for no longer than is necessary for the purposes for which it is being processed.</p> <p>YORLMC Ltd will review the arrangements it has with all its data processors when the working relationship comes to an end and shall ensure any personal data is securely disposed of, if and when it is no longer necessary.</p>
Accounts	Data shall be retained for 6 years from the end of the financial year to which the records relate.

### **3. RECORD RETENTION**

We will only use the information that you provide us and comply with standard retention periods wherever possible in accordance with the principles of the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (“UK GDPR”), the Data Protection Act 2018 and any other relevant legislation, regulation, code of practice or guidance which now govern how Local Medical Committees use personal data, we will only use any information that you provide and we will comply with standard retention periods wherever possible.

The company will specifically apply the principles as set out in Article 5(1)(e) of the UK GDPR which states:

‘Personal data shall be:

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;’

All records shall (unless otherwise stated) be maintained and stored for a period of 7 years. The Directors of the Company:

- i. Will be responsible for the administration of this policy to all employees and to ensure that the policy is implemented; and
- ii. May make modifications to the Policy from time to time to ensure that it complies with all applicable law.

### **4. RECORD STORAGE PROCEDURES**

In order to facilitate administration of this Policy, where practicable, the official records of the Company should be organised and stored according to general categories in a manner that best facilitates the efficient administration of the organisations operations. Records within each category should generally be organised and stored in chronological order by time period (e.g., by month or year).

Categories of records not required to be retained on a permanent basis should be maintained by date or conspicuously dated to enable such records to be easily identified for disposal at the end of the record retention period.

Records containing confidential information should be labelled and/or stored in a manner to limit access to those employees or other individuals with authorisation to view such records.

### **5. SUSPENSION OF RECORD DISPOSAL IN EVENT OF LITIGATION OR CLAIMS**

In the event that any employee of the Company reasonably anticipates or becomes aware of a governmental investigation or audit concerning the Company or the commencement of any litigation against or concerning the Company, such employee shall inform the Directors and any further disposal of documents shall be suspended until such time as the Directors determine otherwise. The Directors shall take such steps as are necessary to promptly inform affected staff of any suspension in the disposal of documents.

### **6. CONFIDENTIALITY AND OWNERSHIP**

All records are the property of the Company and employees are expected to hold all business records in confidence and to treat them as Company assets. Records must be safeguarded and may be disclosed to parties outside of the Company only on proper authorisation. Any subpoena, court order or other request for documents received by employees, or questions regarding the release of the Company’s records, must be directed to the Directors prior to the release of such records. Any records

of the Company in possession of an employee must be returned to the employee’s supervisor or the Directors upon termination of employment.

This policy is not intended to and does not constitute or create contractual terms of employment, assure specific treatment under specific conditions and/or does not alter the at-will nature of any employment relationship with the Company.

## 7. EXCLUSIONS

For the avoidance of doubt, this Policy does not apply to any commissioned contracts or other contracts that the Company may hold where the requirements of record retention and disposal are part of the terms and conditions of that contract. Under those circumstances the relevant terms of those contracts shall prevail over this policy.

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Policy Approval Date:

<b>Date</b>	<b>Author</b>	<b>Document History</b>
Feb 2019	Corporate Affairs Team, YORLMC Ltd	Approved by Board, YORLMC Ltd
Feb 2020	Corporate Affairs Team, YORLMC Ltd	As above
Jan 2021	Corporate Affairs Team, YORLMC Ltd	As above
August 2021	Corporate Affairs Team, YORLMC Ltd	As above
October 2021	Corporate Affairs Team, YORLMC Ltd	Copyright information added, pronouns updated