

## **POLICY REGULATING THE RETENTION OF DOCUMENTATION IN THE Department of Active Ageing and Community Care**

### **SCOPE**

1. This Policy is aimed at regulating the retention, maintenance and disposal of documentation, both personal and other, within the Active Ageing and Community Care Department, as provided for in the Public Administration Act and the PSMC, and in consonance with the principles of data protection legislation, and other legal provisions in Maltese Law.

### **BACKGROUND**

2. The GDPR puts forward the principle that personal data and sensitive personal data should not be retained for periods that are longer than necessary. In this context, the Active Ageing and Community Care Department will be putting forward a retention policy for all data and documentation that it collects and processes, with the purpose of ensuring compliance to the Regulation and to ensure that no resources are utilised in the processing and archiving of data which is no longer of relevance.

### **OBJECTIVES**

3. This policy aims to achieve the following objectives:
  - a. Regulate the retention of and disposal of the various types of documentation whether held in manual or automated filing systems within the Active Ageing and Community Care Department, while adhering to the Data Protection principle that personal data should not be retained for a longer period than necessary;
  - b. Dispose of unnecessary documentation that is no longer relevant and is taking up useful storage space;
  - c. Promote the digitisation of documentation as may be reasonably possible in order to minimize the use of storage space required to store the required documentation, as well as to promote a sustainable use of paper and printing consumables.

### **ADMINISTRATION**

4. Documentation is held and recorded by the Registry and Administration sections within the Department. This Policy is therefore applicable to all such documentation. It will be the responsibility of the relevant Active Ageing and Community Care Department and its Data

Controller, the Chief Executive Officer to ensure that all provisions of this Policy are adhered to. In the case of any issues with personal data, the final decision rests with the Active Ageing and Community Care Department's Data Protection Controller and Data Protection Officer for endorsement.

## **DOCUMENTATION HELD WITHIN THE ACTIVE AGEING AND COMMUNITY CARE DEPARTMENT**

5. As part of its operating requirements the Active Ageing and Community Care Department, requests, keeps and maintains a wide range of documentation which may include personal data. The various types of documentation utilised by Active Ageing and Community Care Department may be categorised as follows:
  - a. Personal Data of all Active Ageing and Community Care Department employees.
  - b. Attendance and absence records;
  - c. Discipline related Records;
  - d. Financial records including payslips, tax and national insurance contributions, procurement documentation, etc.;
  - e. Documents relating to EU Funding programmes;
  - f. Medical records;
  - g. Other Records.
  - h. Records of residents in homes both personal and medical.
  - i. Accounts and procurement records.
  - j. Declarations submitted by residents about their income and assets.

## **SECURITY OF DOCUMENTATION**

6. Documentation is maintained in an accessible but secure location with adequate access provided to officials who have the clearance level to access the relevant documentation. In the case of documents with sensitive personal data with higher clearance levels, access control protocols are fully adhered to, to ensure that only those that have the required security clearance can access to such documentation.
7. In the case of personal data, the GDPR also stipulates that only those required to process personal data should have access to personal records.
8. Personnel who are found to be in breach of these security protocols, and thus in breach of the GDPR, will be subject to disciplinary action.

## **MANUAL VS ELECTRONIC RECORDS**

9. In terms of retention periods, it needs to be pointed out that the same retention period will apply for both electronic and manual data.

## RETENTION PERIOD

10. Retention of different categories of documents is governed by different requirements and different legislation and regulations.

The following schedule outlines the retention requirements for the various categories of documentation within the Active Ageing and Community Care Department.

Category	Retention Period
<b>Personal Information</b>	
Employee Personal File	Up to the age of 75, files will then be destroyed
Application forms for enlistment, calls, positions etc	Retention period will follow PSD regulations
Application Forms for the filling of positions co-financed from EU Funds	Retention period will follow PSD regulations
Applications for training opportunities	Retention period will follow PSD regulations
Training Courses provided	Retention period will follow PSD regulations
<b>Attendance and Absence Records</b>	
Attendance Sheets	2 years, after which they will be destroyed
Vacation Leave Application Forms	4 years, after which they will be destroyed
Yearly Leave balances	Retention period will follow PSD regulations
<b>Disciplinary records</b>	
Admonishments	As stipulated in the Manual of Disciplinary Procedures
Disciplinary Charges	6 months
	12 months (8.1.3 Manual of Disciplinary Procedures)
<b>Medical Records</b>	
Sick Leave Certificates	1 year from examination date, then they will be destroyed
Sick Leave Records	Up to the age of 75, then they will be destroyed
Medical History	Retention period will follow PSD regulations
Medical Referrals	Retention period will follow PSD regulations
Medical History of Patients in homes and declarations of their income and assets.	Up to 10 years after date of death
<b>Financial Documentation</b>	
Tax and National Insurance Records	10 years, after which they will be destroyed
Procurement Records	10 years, after which they will be destroyed
Accounting Records	10 years, after which they will be destroyed
Inventory Records	10 years, after which they will be destroyed
Yearly Financial Statements	10 years, after which they will be destroyed
<b>EU Programmes</b>	
Documentation relating to projects	10 years, after which they will be destroyed

utilising EU Funding	
EU Funding applications	10 years, after which they will be destroyed

## **CONCLUSION**

This retention policy aims to achieve a good working balance between the retention of useful and meaningful information in line with the provisions of the relevant legislation and the disposal of data which is no longer required and is being archived unnecessarily. Data that needs to be destroyed after the noted timeframes will be disposed of in an efficient manner to ensure that such information will no longer be available within the Active Ageing and Community Care Department. Data Protection Controllers, Heads, and DPOs are aware of the noted retention periods and will instruct all relevant personnel to follow the indicated procedures accordingly.

It is to be noted that anonymised or statistical data do not fall within the parameters of this Retention Policy, since they do not constitute identifying personal data.