

DATA RETENTION POLICY

1. INTRODUCTION

- (a) This Policy sets out how London Luton Airport Limited ("we", "our", "us", "Luton Rising") retain the personal data of all individuals we come into contact with in accordance with the UK General Data Protection Regulation (**UK GDPR**) and the Data Protection Act 2018.
- (b) This Policy sets out our responsibilities and activities in regard to best practice in the management of our records.

2. SCOPE

- (a) This Policy applies to all employees, workers, consultants, agents and contractors working on our behalf and to all personal and special category data held by us. This Policy supplements our policies relating to data protection and information security.
- (b) All individual business areas are responsible for ensuring all personnel comply with this Policy and need to implement appropriate practices, processes, controls and training to ensure that compliance.
- (c) The Data Protection Officer (**DPO**) is responsible for overseeing this Policy and, as applicable, developing any related policies and procedures. The DPO can be contacted by emailing DataProtection@lutonrising.org.uk.
- (d) Please contact the DPO with any questions about the operation of this Policy or the UK GDPR or if you have any concerns that this Policy is not being or has not been followed.

3. LEGAL CONTEXT

- (a) The Data Protection Act 2018 and the UK GDPR regulate the processing of personal data. The Fifth Data Protection Principle of the UK GDPR requires that personal data should not be kept for any longer than necessary. It is important to remember that the Data Protection Act 2018 and the UK GDPR do not override any statutory retention periods and in some circumstances you may commit a criminal offence if you destroy documents before the end of a statutory retention period.
- (b) If you are unsure, consult with the Data Protection Officer before destroying any document.

4. RECOMMENDED RETENTION PERIODS

(a) Governance Documents

Document	Statutory Retention Period	Recommended Retention Period	Comments
Certificate of Incorporation	Permanently		Implied by s.15 Companies Act 2006
Certificate of change of company name	Permanently		Implied by s.80 Companies Act 2006
Memorandum and articles of association (original)		Permanently	Best practice
Articles of association (current)		Permanently	Best practice
Board member documents		6 years after board membership ceases	Companies Act 2006 recommendation

(b) Meetings

Document	Statutory retention period	Recommended retention period	Comments
Notice of meetings		6 years	In case of challenge to validity of meetings or resolutions
Board and committee minutes		Permanently	Signed originals must be kept
Board resolutions		Permanently	Signed originals must be kept
Members resolutions passed other than at general meetings; minutes of general meetings, details of decisions provided by a sole director.	10 years from date of resolution, decision or meeting		Sections 355 and s358, CA 2006

(c) Registrations and Statutory Returns

Document	Statutory retention period	Recommended retention period	Comments
Audited company returns and financial statements		Permanently	Best practice
Declarations of interest		6 years	Limitation for legal proceedings
Register of directors and secretaries		Permanently	Section 162 of the CA 2006 requires the register to be kept but legislation is not explicit about retention periods. General practice is to retain details of current and former directors, together with date of ceasing to be a director.
Register of seals		Permanently	
Register of members	10 years		s.121 Companies Act 2006

(d) Insurance

Document	Statutory retention period	Recommended retention period	Comments
Current and former policies		Permanently	Best practice

Annual insurance schedule		6 years	Best practice
Claims and related settlement		3 years	Best practice
Indemnities and guarantees		6 / 12 years after expiry	6 years is the limitation period for legal proceedings unless it relates to land which is 12 years
Group health policies		12 years after cessation of benefit	Best practice
Employer's liability insurance certificate		40 years	Best practice in the event of needing to defend industrial disease claims

(e) Finance, Accounting and Tax Records

Document	Statutory Retention Period	Recommended Retention Period	Comments
Balance sheets and supporting documents		6 – 10 years	Best practice
Loan account control reports		6 years	Best practice
Signed copy of report and accounts		Permanently	Best practice
Budgets and internal financial reports		2 years	Best practice
Tax returns and records		10 years	s.20 Taxes Management Act 1970
VAT records	6 years		Customs & Excise requirement for VAT registered bodies
Order and delivery notes	6 years		Customs & Excise requirement for VAT registered bodies
Copy invoices	6 years		Customs & Excise requirement for VAT registered bodies
Credit and debit notes	6 years		Customs & Excise requirement for VAT registered bodies

Cash records and till rolls	6 years		Customs & Excise requirement for VAT registered bodies
Journal transfer documents	6 years		Customs & Excise requirement for VAT registered bodies
Creditors, debtors & cash income control accounts	6 years		Customs & Excise requirement for VAT registered bodies
VAT related correspondence	6 years		Customs & Excise requirement for VAT registered bodies

(f) Other Banking Records

Document	Statutory retention period	Recommended retention period	Comments
Cheques		6 years	Limitation for legal proceedings
Paying in counterfoils		6 years	Limitation for legal proceedings
Bank statements and reconciliations		6 years	Limitation for legal proceedings
Instructions to bank		6 years	Limitation for legal proceedings

(g) Contracts and Agreements

Document	Statutory Retention Period	Recommended Retention Period	Comments
Contracts under seal and/or executed as a deed		12 years after completion (including any defects liability period)	Limitation for legal proceedings
Contracts for the supply of goods or services, including professional services		6 years after completion (including any defects liability period)	Limitation for legal proceedings
Documentation relating to the small one-off purchases of goods and services, where there is no continuing maintenance or similar requirement		3 years	Best practice
Loan agreements		12 years after last payment	Best practice

Licensing agreements		6 years after expiry	Limitation for legal proceedings
Rental and hire purchase agreements		6 years after expiry	Limitation for legal proceedings
Indemnities and guarantees		6 years after expiry	Limitation for legal proceedings
Documents relating to a successful tender		6 years after the end of the contract	Best practice
Documents relating to unsuccessful tenders		2 years after notification	Best practice
Forms of tender		6 years	Best practice

(h) Property Records

Document	Statutory Retention Period	Recommended Retention Period	Comments
Leases and deeds of ownership		15 years following expiry	Best practice
Wayleaves, licences and easements		12 years following rights given or received have ceased	Limitation for legal proceedings
Abstracts of title		12 years after interest ceases	Limitation for legal proceedings
Planning and building control permissions		12 years	Limitation for legal proceedings
Searches		12 years after interest ceases	Limitation for legal proceedings
Property maintenance records		6 years	Limitation for legal proceedings
Reports and professional opinions		6 years	Limitation for legal proceedings
Invoices		12 years	Limitation for legal proceedings
CCTV recordings		31 days for routine recordings	Best practice
Visitor logs		6 months	Best practice

(i) Vehicles

Document	Statutory retention period	Recommended retention period	Comments
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Mileage records		2 years after disposal	Best practice
Maintenance records, MOT tests		2 years after disposal	Best practice
Copy registrations		2 years after disposal	Best practice

(j) Employees: Tax and Social Security

Document	Statutory Retention Period	Recommended Retention Period	Comments
Record of taxable payments	6 years		Taxes Management Act 1970
Record of tax deducted or refunded	6 years		Taxes Management Act 1970
Record of earnings on which standard NIC payable	6 years		Taxes Management Act 1970
Record of employer's and employee's NIC	6 years		Taxes Management Act 1970
NIC contracted-out arrangements	6 years		Taxes Management Act 1970
Copies of notices to employee (e.g. P45, P60)	6 years		Taxes Management Act 1970
Inland Revenue notice of code changes, pay and tax details	6 years plus current year		Taxes Management Act 1970
Expense claims		6 years	Best practice
Record of sickness payments	3 years following the year to which they relate	6 years	Statutory Sick Pay Regulations 1982
Record of maternity payments	3 years following the year to which they relate	6 years	Statutory Maternity Pay Regulations 1986
Income tax PAYE and NI returns	3 years following the year to which they relate	6 years	Income Tax (Employment) Regulations 1993

(k) Employees: Recruitment

Document	Statutory retention period	Recommended retention period	Comments
Pre-employment vetting and DBS checks		Immediate disposal once vetted (ICO Employer's Code of Practice)	Keep for a maximum of 6 months (Home Office DBS Guidance)
Right to work documentation		3 years post-employment	Employer's Guide to Right to Work Checks Home Office Guidance
References provided by former employers		6 years post-employment	Limitation for legal proceedings.
Short lists, interview notes and related application forms for unsuccessful applicants		Maximum 1 year	Discrimination claims can be brought up to 3 months following unsuccessful appointment.
Application forms for non-shortlisted candidates		6 months following unsuccessful shortlisting	Discrimination claims can be brought up to 3 months following unsuccessful appointment.

(I) Employees: Personnel Files

Document	Statutory retention period	Recommended retention period	Comments
Terms and conditions of service		6 years post-employment	Limitation for legal proceedings
Remuneration Package		6 years post-employment	Limitation for legal proceedings
Former employees' personnel files		6 years post-employment	Limitation for legal proceedings
Individual training records		6 years post-employment	Limitation for legal proceedings
Sickness records		6 years from the date of sickness	Limitation for legal proceedings
Training records		6 years post-employment	Limitation for legal proceedings
Trade Union Agreements		10 years after ceasing to be effective	Best practice

Employer/employee committee minutes		Permanently	Best practice
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(m) Pension Records

Document	Statutory retention period	Recommended retention period	Comments
Name and address of scheme or provider of the automatic enrolment scheme used to comply with the employer's duties.	6 years		Employers' Duties (Registration and Compliance) Regulations 2010 (SI 2010/5) (Employers' Duties Regulations 2010) (regulations 5, 6 and 8)
Employer pension scheme reference	6 years		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)
Evidence scheme complies with auto-enrolment statutory quality tests	6 years		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)
Name, NI number, date of birth and automatic enrolment date of all jobholders auto-enrolled (and corresponding details for non-eligible jobholders and entitled workers who have opted in or joined)	6 years		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)
Evidence of jobholders' earnings and contributions	6 years		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)
Contributions payable by employer in respect of jobholders and dates on which employer contributions were paid to scheme	6 years		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)
If auto-enrolment postponement period used, records of workers who were given notice of postponement including full name, NI number and date	6 years		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)

postponement notice was given			
Auto-enrolment opt-in notices, joining notices and opt-out notices (original format)	6 years (4 years for opt-out notices)		Employers' Duties Regulations 2010 (regulations 5, 6 and 8)
If employer is (or was) sponsoring employer of an occupational pension scheme, any document relating to monies received by or owing to the scheme, investments or assets held by the scheme, payments made by the scheme, contracts to purchase a lifetime annuity in respect of scheme member and documents relating to the administration of the scheme	For the tax year to which they relate and the following 6 years	Registered Pension Schemes (Provision of Information) Regulations 2006 (SI 2006/567) (regulation 18)	
Information relating to applications for ill health early retirement benefits, including medical reports		While entitlement continues and for period of 15 years after benefits stop being paid	Limitation period
Death benefit nomination and revocation forms		While entitlement continues and for period of 15 years after the death of member and their beneficiaries	Limitation period

(n) IT Records

Document	Statutory retention period	Recommended retention period	Comments
General information about internally developed IT infrastructure, software and systems for internal use		5 years from decommissioning of system	Best practice
General information about externally developed IT infrastructure, software and systems for internal or external use		7 years from decommissioning of system	Limitation period
Systems monitoring, (for example, to detect and prevent failures)		Current year plus 1 year	Best practice

vulnerabilities and external threats)			
Business continuity and information security plans		3 years from when the plan is superseded	Best practice
Contracts and agreements (software licences, support agreements, hardware agreements etc.)		7 years from expiry of the agreement	Limitation period

(o) Marketing Records

Document	Statutory retention period	Recommended retention period	Comments
Marketing database records (e.g. lead generation, meeting feedback, contact data etc.)		2 years from last contact	Best practice
Opt-out/suppression lists		Indefinite	Best practice
Evidence of consent to marketing		Until opt-out	Best practice
Market research, marketing campaigns		2 years from completion	Best practice
Press releases		5 years from publication	Best practice
Customer complaints handling		6 years from settlement or closure	Limitation period
Website analytics		2 years	Best practice

(p) DCO Records

Document	Statutory retention period	Recommended retention period	Comments
Database of consultation participants		Until the outcome of the development consent process, including any appeals procedure, is completed	Best practice
Database of persons with an interest in land subject to the consultation		Until the outcome of the development consent process, including any appeals procedure, is completed	Best practice
Consultation responses and feedback		Until the outcome of the development consent process, including any appeals procedure, is completed	Best practice

Correspondence relating to the consultation		Until the outcome of the development consent process, including any appeals procedure, is completed	Best practice
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(q) DART Records

Document	Statutory retention period	Recommended retention period	Comments
CCTV recordings		31 days for routine recordings	Best practice
Visitor logs		6 months	Best practice
Car registration details		6 months	Best practice
Customer complaints handling		6 years from settlement or closure	Limitation period

(r) Procurement Records

Document	Statutory retention period	Recommended retention period	Comments
Unsuccessful tenders		2 years	Best practice
Successful tenders		Contract period plus 6 years (12 years for contracts executed as a deed)	Limitation period
Contractual documents		Contract period plus 6 years (12 years for contracts executed as a deed)	Limitation period

(s) Legal Records

Document	Statutory retention period	Recommended retention period	Comments
Legal advice and opinions (non-litigation)		6 years after life of the service or matter the advice relates to	Limitation period
Legal advice and other records relating to specific litigation or claim		6 years from settlement or withdrawal of claim	Limitation period
Data subject rights requests		6 years	Limitation period

5. CHANGES TO THIS POLICY

We keep this Policy under regular review and will be reviewed every 2 years, unless there is a change in the law which requires this Policy to be reviewed earlier.