

Data & Record Retention Policy

Positive Smiles C.I.C.

Document control

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1.2	Annual Review & Policy amended	03/12/2020	03/12/2021	Shabir Siddiq
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1.6	Annual Review Changed to Academic Year Start	01/08/2023	31/07/2024	Shabir Siddiq
1.7	Annual Review and name change	01/08/2024	31/07/2025	Shabir Siddiq
1.8	Annual Review & header logo change	01/08/2025	31/07/2026	Shabir Siddiq
1.9	Annual review, Positive Smiles rebrand and realignment to adult services	01/08/2026	31/07/2027	Shabir Siddiq

INTRODUCTION

Positive Smiles is obliged as an organisation to protect the integrity and confidentiality of personal data held by us about participants, stakeholders and employees. Individual employees also have that obligation. You must avoid unauthorised disclosure of data whether it is oral, printed, computer based or handwritten.

This policy has been written to provide the necessary information to Positive Smiles employees detailing their duties under the Data Protection Act 2018 (Part 2, Chapter 2, General Processing) GDPR and Record Retention procedures. This policy has also been written to set out the standards expected by Positive Smiles employees in relation to the processing of personal data and safeguarding individuals' "rights and freedoms". Positive Smiles is fully committed to abiding by the Data Protection Act 2018 and GDPR and in particular, is committed to the observation, wherever possible, of the highest standard of conduct.

PERSONAL DATA

"Personal data" means data consisting of information relating to a living individual who can be identified from that information including any expression of opinion about the individual. In practice, this means any data recorded on our computers relating to a living person.

Personal data must be obtained and processed fairly and lawfully; be held only for the purposes for which it is specifically registered; be used only for those purposes registered and only be disclosed to those people described in the register entry; be adequate, relevant and not excessive in relation to those purposes; be accurate and, where necessary, kept up to date; not be kept for longer than is necessary.

An individual is entitled to be informed whether personal data is held of which they are the subject; to access any such data; when appropriate, to have such data corrected or erased.

PARTICIPANT DATA

This section refers to data held about our participants and includes the recording, processing and security of personal and sensitive information relating to them.

While it is our responsibility to ensure that personal data held about a participant is up to date, accurate and taken for lawful purposes, it is your duty to ensure that the information is correctly taken from the participant and accurately entered on to our records.

It is our responsibility to ensure that the database and systems are backed up on a regular basis and to ensure that there is no loss or destruction of personal data. If you are aware of any errors or have

any concerns regarding personal data, you report these immediately to the Data Protection Lead.

Appropriate security measures must be taken against unauthorised access to or alteration, disclosure, or destruction of personal data; accidental loss or destruction of personal data. When answering telephone calls: identify the caller; never disclose personal data or policy details to the general public; ask questions so that you can be reasonably assured that the caller is genuine; establish what information is required - ask yourself: whether the caller is entitled to the information; whether this is a normal business enquiry; whether the caller could have access to the data anyway; be cautious if the caller is not the data subject; never discuss / disclose sensitive information, for example: medical / disability details; employment history; convictions; high value personal belongings; sensitive information, unless you are absolutely certain of the identity of the caller and that he/she is entitled to be told the information; if no proof is given or if you are in doubt as to whether the caller is entitled to the information, insist on them making their request in writing.

Failure to comply with the above could be treated as misconduct. It is also a criminal offence to hold, use or disclose personal data which needs to be, but which is not registered or to use it for a purpose other than that registered - this offence applies both to us and to the employee concerned.

RETENTION

Data and records should not be kept for longer than is necessary. This principle finds statutory form in the Data Protection Act 2018, which requires that personal data processed for any purpose "shall not be kept for longer than is necessary for that purpose".

No data file or record should be retained for more than six years after it is closed unless a good reason for longer retention can be demonstrated. It is to be emphasised that the period of six years is a maximum period. It may well be appropriate having regard to the nature of the record to opt for a shorter period.

DESTRUCTION & DISPOSAL

Destruction date: 6 years from the date participation ended, or later if a funder's contract requires it (31/12/2030 for ESF-funded provision).

To ensure compliance with the Data Protection Act 2018, no information, in any format, destroyed from any Positive Smiles location may expose confidential details of our employees, participants or stakeholders.

All office quality white or coloured paper should be placed in Positive Smiles provided confidential waste bins if the content is in any way sensitive.

All other paper can be disposed of in the boxes or bins provided in Positive Smiles offices for environmentally friendly disposal of white non-confidential and non-sensitive paper waste.

The procedure for the destruction of Confidential or Sensitive Waste on electronic media such as tape, disk, hard drives, CD-ROM, DVD and ZIP drive is as follows:

Media that is being destroyed because they are showing signs of damage or are obsolete will be physically destroyed by being cut into pieces or other ways prior to disposal.

Destruction of back-up copies of such data will also be dealt with in the same manner.

Signed by the Director



01/08/2026