

Management Framework for Retention and Transfer Charity Records and Archives

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1 Introduction

Purpose

The Retention and Transfer Management Framework unites archival and records management approaches to records retention. The Framework provides model rules for retention of records throughout the whole records lifecycle.

Audience

Charities and voluntary organisations play a significant role within our society representing a variety of aspects of daily life. This Framework is designed to support recordkeeping for the charities and voluntary sector.

Archivists and Records Managers share a common interest in managing the records lifecycle. This model framework provides tools both professions can use to manage each stage of the lifecycle.

Glossary

- **Appraisal** – The selection of records for permanent preservation in accordance with an agreed set of criteria to assess their value. These criteria may be a series of primary values, such as their administrative, legal, or financial usefulness, or secondary values, such as their historical, informational, evidential, and research values
- **Appraisal Values** – The criteria assigned by an organisation to assess the value of a record for long-term or permanent preservation.
- **Archive** – (1) To permanently retain records that are of value for legal, constitutional or historical purposes.
 - (2) A place for keeping records permanently.
 - (3) The body of documents and records formed by an organisation in their course of their work selected for permanent preservation.
- **Collection** – A group of records and archives kept on the basis of a unifying characteristic - usually provenance.
- **Collection Policy** – A policy established by an archival institution concerning subject areas, time periods, and formats of materials to seek for transfer or donation.
- **Data Protection** – The law protecting the privacy of individuals by regulating access to personal information held on them by both private and public organisations. The current Legislation is the Data Protection Act 2018
- **Disposal** – The final action that puts into effect the results of an appraisal decision for a series of records. Transfer to an archive; and destruction are among possible disposal actions.
- **Functions** – The major responsibilities of an organisation that are managed to fulfil its goals. High level groupings of organisational activities. (Sometimes also referred to as Business functions)

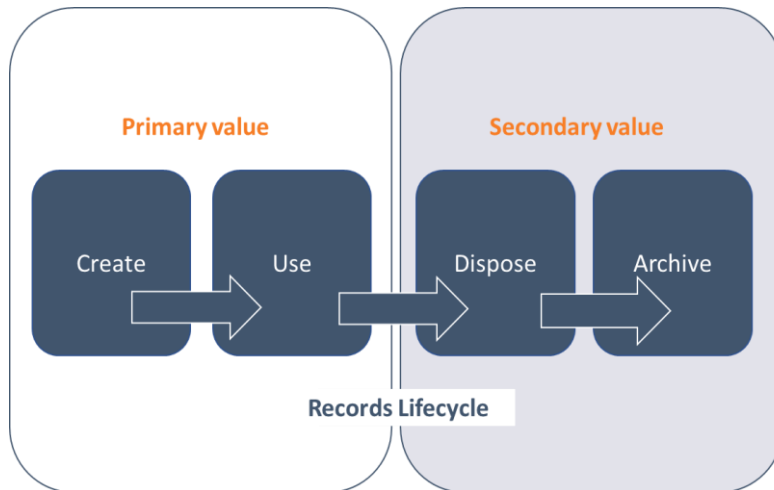
- **Functional analysis** – The appraisal of records in line with the functions of an organisation.
- **Records Lifecycle** – The distinct phases of a record's existence, from creation to final disposal
- **Primary Value** – The value of records derived from the original use a point of creation.
- **Retention Rules** – Lists of groups of records, arranged by the functions carried out by the creating organisation and how long these must be retained. Sometimes called **Retention Schedules**.
- **Secondary Value** – The usefulness or significance of records based on purposes other than that for which they were originally created.
- **Selection Criteria** – The criteria selected by an organisation to identify materials to be preserved because of their enduring value, especially those materials to be physically transferred to an archive.
- **Significance** – The meaning and values of a record or collection, or what makes it important. Significance is the historic, aesthetic, scientific and social values that an item has for past, present and future generations.
- **Third Party Deposit** – The process by which an organisation arranges for its records to be stored with an external repository.
- **Transfer** – The act of transferring a record either to an internal archive, or an external repository.
- **Value** – The ongoing usefulness or significance of records, based on the administrative, legal, fiscal, evidential, or historical information they contain, justifying their continued preservation.

2 How to use this framework

Retention values and the records lifecycle

Records are created and retained to provide evidence of actions. Values inform why we keep records and for how long. This Framework is based on core values which inform how long records should be retained; governance and business value, accountability and transparency, rights and entitlements, and impact and significance. These values apply across the entire lifecycle of the records and inform the management and collection of records and archives.

Records Managers and Archivists have different responsibilities within the recordkeeping lifecycle. Records Managers are concerned with the earlier stages of the records lifecycle and the primary value records have. These values inform the development of record management tools, specifically retention schedules.

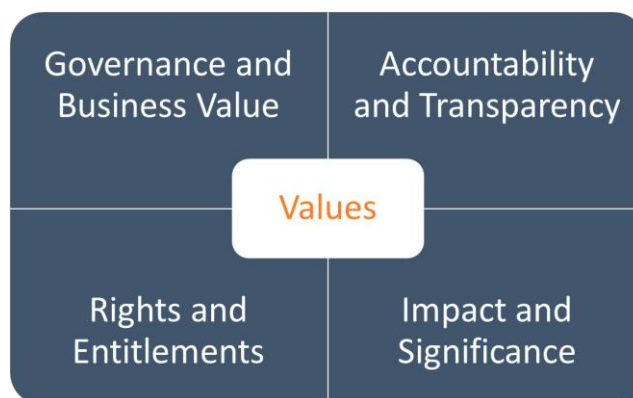


Archivists are concerned with the latter stages of the lifecycle taking into consideration both the primary and secondary values of records. These values inform the development of archive management tools, specifically selection criteria.

This Framework considers the values of records at all stages of the records lifecycle. The Framework provides Model Retention Rules which may be used by records managers, and selection criteria which may be used by archivists.

Model Framework structure

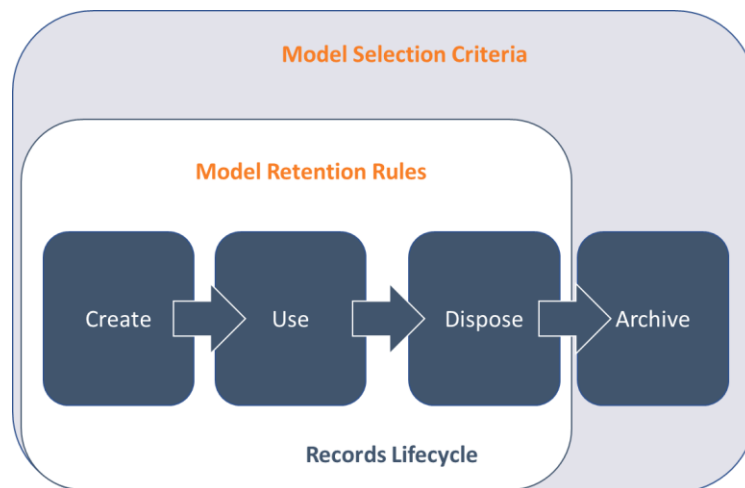
Records are valuable as they provide evidence of business activities. Different values inform how long records are to be retained. This is called the appraisal value. This Framework uses standard appraisal values to inform retention periods for records throughout their lifecycle. These values provide the high-level structure for model rules and criteria used in this Framework.



The Model Retention Rules and Model Selection Criteria may be used as standalone tools. Each may be incorporated into existing retention policies and collection policies.

The Model Retention Rules and Model Selection Criteria may be used together to provide rules to manage retention for the full lifecycle.

- Model Retention Rules – retention rules by function; and
- Model Selection Criteria – criteria for selection of groups of records based on their function and significance.



3 Model Retention Rules

The Framework includes Model Retention Rules developed in the context of the charities sector, with emphasis on business functions common to charities. The Model Retention Rules take into consideration the following factors to assign retention periods for records groups:

- Legislation governing charities and voluntary organisations;
- Reporting requirements from Charities Commission and other regulators;
- Best business practice identified within sector; and
- Responsible management of personal data.

Note: Charities and Voluntary Organisations that are likely to hold records pertaining to children must take into account the current embargo on destruction of these records. Please see the [Special Notice](#) for more detail.

The Model Retention Rules are developed to address common functions within charities. Advice on generic functions such as finance and HR is available from a number of sources. For general advice on records management and retention the following guidance may be used:

- TNA Records management retention scheduling https://www.nationalarchives.gov.uk/documents/information-management/sched_info_management.pdf
- Voluntary Sector Archive Records Improvement Toolkit <http://toolkit.voluntarysectorarchives.org.uk/0jwnjcn60x/introduction/>
- IRMS Third Sector Toolkit <https://irms.org.uk/page/ThirdSectorToolkit> (members only)
- NCVO Knowhow Keeping Records, Data Protection and IT <https://knowhow.ncvo.org.uk/your-team/hr/employing-people-essentials/keeping-records-data-protection-and-it>
- Buzzacotts <https://d3ayyz93zozlya.cloudfront.net/uploaded-files/gathercontent/Retention-of-Account-Updated-2016-2017.pdf>

1. Governance and Business Value

Description: Records pertaining to the governance of the organisation, and records of commercial or informational value to the organisation.

Functions:

- Governance
- Finance
- Campaigns and Advocacy

Functions	Record types	Record description	Retention	Reason/further guidance
1.1 Governance	Governing/ Constitutional Documents	Certificates of Incorporation Constitution, Trust Deed, Memorandum and Articles of Association, Royal Charter, Charity Commission schemes/orders	Permanent	Charities Act 2011, Companies Act 2006
	Board meetings	Board meetings, AGMs, Special Committee meetings	Permanent	Companies Act 2006
	Trustee appointments	Appointment notices, election results, signed contracts, trustee declarations	Permanent	Charities Act 2011, Companies Act 2006
	Statutory Registers	Registers of directors and voting members, directors' residential addresses, charges, secretaries, debentures. For members of charity with non-voting rights or no material influence on governance see Membership	Permanent	Charities Act 2011, Companies Act 2006,
	Merged charities	Merger registration documentation, registers of mergers, vesting declarations	Permanent	Charities Act 2011
	Joint working agreements	Partnership agreements, memoranda of understanding, Service Level Agreements,	6 years from conclusion of relationship	Limitation Act 1980

		contracts, joint venture agreements, legal partnership documents e.g. limited liability partnerships		
	Policy and Strategy documents	Business Plans, organisation charts, strategies, policies, procedures, standards	7 years from superseded	Recommended practice
1.2 Finance	Annual Reports	Annual reports and audit reports of the organisation	Permanent	Charities Act 2011
	Annual Accounts	Receipts and payments, accruals	7 years from end of financial year	Charities Act 2011
	Tax exemptions /tax relief	Tax relief offered to charities for income generated for charitable purposes see also Gift Aid	7 years from end of financial year	Taxes Management Act 1970
	Tax	Corporation, VAT, Computations and returns.	7 years from end of financial year	Taxes Management Act 1970, Value Added Tax Act 1994, Value Added Tax Regulations 1995 and Finance Act 1998.
1.3 Campaigns and advocacy	Advocacy Campaigns	Campaign plans, outputs, reports	7 years from completion of campaign	Recommended practice
	Brand, Identity, Reputation	Branding details, histories, anniversaries, reputation management	7 years from superseded	Recommended practice
	Press and monitoring	Press releases, clippings etc	7 years from publication	Recommended practice
	Publications	Newsletters, magazines, newsletters	7 years from publication	Recommended practice

2. Accountability and Transparency

Description: Records pertaining to the accountability and transparency of organisation to governing bodies, beneficiaries, donors and other stakeholders.

Functions:

- Safeguarding
- Serious incidents
- Fundraising and donations
- Volunteers and collections
- Financial accountability

Functions	Record types	Record description	Retention	Reason/further guidance
2.1 Safeguarding	Safeguarding management	Safeguarding policy and procedure, training and monitoring, codes of conduct	7 years from superseded	Recommended practice
	Safeguarding children and adults at risk	Disclosure and barring certificates	6 months from issue of certificate	Recommended practice - https://www.gov.uk/government/publications/handling-of-dbs-certificate-information/handling-of-dbs-certificate-information
	Incidents and allegations	Incidents and allegations relating to children, or adults at risk	6 years from incident report or allegation then review	Files should be reviewed to ascertain risk associated with incident and decide whether longer retention period is required
	Overseas risk management	Risk assessments, overseas incident reports, country profiles, emergency relief plans	7 years from file closure	Recommended practice

	Third party due diligence	Due diligence documentation, due diligence of donations and benefits, Know Your Donor checks etc	7 years from end of relationship or date of last transaction	https://www.gov.uk/guidance/money-laundering-regulations-your-responsibilities
2.2 Serious incidents	Serious incident reporting	Serious incident reports, serious incident policy and training, escalation protocols, periodic reporting	6 years from date of incident report then review	Files should be reviewed to ascertain risk associated with incident and consider whether a longer retention period is required
2.3 Fundraising and donations	Fundraising income	Fundraising from shop sales, sales of merchandise, raffles and lotteries, fees for fundraising events, subscriptions with significant benefits	7 years from end of financial year	Charities Act 2002, Taxes Management Act 1970 See the Fundraising Code of Conduct for more detail https://www.fundraisingregulator.org.uk/code/key-principles
	Membership records	Register of supporters, subscribers, friends or members. For members of charity with voting rights see Statutory Registers	7 years from conclusion of relationship	Taxes Management Act 1970
	Grants (received)	Funding grants received from third parties	7 years from end of grant period	Taxes Management Act 1970
	Donation Records	Donor files, in kind donations (including correspondence, offers, registers etc)	7 years from end of financial year	Taxes Management Act 1970
	Gift aid	Declaration records	7 years from end of financial year	Taxes Management Act 1970, The Donations to Charity (Gift Aid Declarations) Regulations https://www.gov.uk/government/pu

				blications/charities-detailed-guidance-notes/chapter-3-gift-aid
	Gifts	Gift register	7 years from end of financial year	Taxes Management Act 1970
	Deeds of Covenant.	Deeds of covenant	6 years from date of last payment	Limitations Act 1980 See also Gift Aid
	Legacies, Wills, Bequests,	Legacies, wills, bequests	6 years from closure of estate	Limitations Act 1980
2.4 Volunteers and collections	Volunteer management	Volunteer registers, volunteer files including contact details, insurance coverage, risk assessments, occupational health, complaints and problem behaviour, allegations	6 years from termination of voluntary relationship	Limitation Act 1980. These files may be held in a similar manner to, or in conjunction HR personnel file.
	Unsuccessful volunteer recruits	Registration papers, vetting, forms	6 months from decision	Recommended practice. See also recommended retention of DBS certification.
	Volunteer collections and payments	Receipts of collections, timesheets, receipts, disbursements, expenses	7 years from collection	Taxes Management Act 1970
	Volunteer collection management	Volunteer collection policies, procedures, training materials	7 years from superseded	Taxes Management Act 1970
2.5 Financial accountability	Annual returns	Statement of annual income	7 years from end of financial year	Recommended practice
	Trustee payments	Charity Commission authorised payments to trustees	7 years from end of financial year	Limitation Act 1980
	Conflict of Interest management	Conflict of Interest Register	7 years from resolution of identified conflict	Limitation Act 1980

3. Rights and Responsibilities

Description: Records identifying or upholding rights and entitlements of individuals or institutions.

Functions:

- Beneficiary management
- Property management
- Artefact/object management
- Data protection rights

Functions	Record types	Record description	Retention	Reason/further guidance
3.1 Beneficiary management	Case management	Content and type of case file will depend on purpose and functions of the charitable organisation. To review case files appropriately the organisation will need to provide a clear description of case files particular to the organisation and take into consideration beneficiary rights, entitlements, as well as the potential to provide information about personal history to individuals	6 years from date of discharge then review	Recommended practice. Case records should be kept for at least 6 years before they are reviewed to understand whether they continue to support rights and entitlements of beneficiaries or are material to the assessment of risk relating to the beneficiary.
	Grants (awarded)	Grant applications, copies of award letters	7 years from end of financial year	Limitation Act 1980
	Beneficiary records	Records of payments/awards to charitable beneficiaries, may include registers, credit notes, receipts etc	7 years from end of financial year	Recommended practice. Where beneficiary records are kept within case files, case file retention rules should be applied.
	Managing residency	Residents files	6 years from date of discharge or death	Recommended practice. See also Case Management

3.2 Property management	Deeds of title	Deeds, plans, titles	12 years after disposal of estate	Limitations Act 1980
	Leases	Rents, leases etc	6 years from expiry of lease	Limitations Act 1980
3.3 Artefact/object files	Bills of sale, valuations, letters of authentication, reports	Records identifying the history or provenance of objects and artefacts. This may include correspondence or reports pertaining to history of artefact or explanation of care, preservation and custody.	6 years after disposal of artefact	Limitations Act 1980
3.4 Data Protection rights	Data subject rights request records	Subject access requests, request management records, consent management records, legitimate interest tests and outcomes	7 years from date of request	Recommended practice

4. Impact and Significance

Description: Records demonstrating the impact of the organisation and of significance to the organisation and its stakeholders.

Functions:

- Working papers

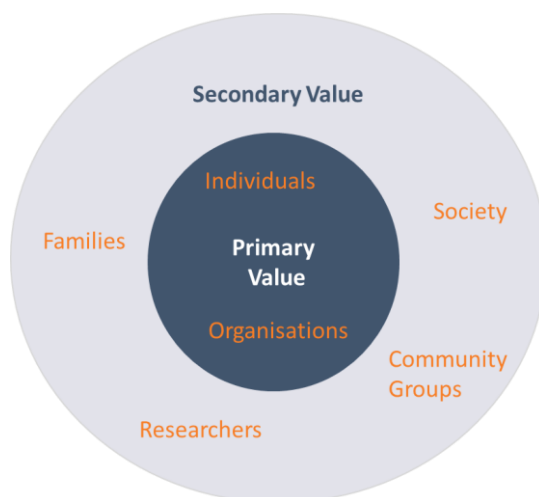
Functions	Record types	Record description	Retention	Reason/further guidance
4.1	Working papers	Records gathered to substantiate case studies, including interview notes, transcriptions, statistics	1 year after publication of impact study	Data Protection Act 2018. May be retained longer personal data gathered for the development of case or impact studies is anonymised.

4 Model Selection Criteria

This Framework provides Model Selection Criteria for records to be retained as archives. Archivists take a broader perspective when assessing the value of records. Appraisal values can change and accumulate over time. This means that records may have a primary appraisal value at the point of creation and gain additional secondary value over time.

The primary value is closely associated with the original functional use of the record. Over time records may gain a secondary value beyond the original function. For example, records may be of research, evidential or genealogical value.

Archivists must consider both the primary and secondary value of records when developing selection criteria. Archivists must also consider a broader range of stakeholders who derive value from records selected for long-term preservation. These stakeholders may sit outside the original creating organisation.



Appraisal of primary and secondary values requires a combination of approaches:

- **Functional analysis**

Records management provides analysis of functions of importance to organisations and individuals. Records management retention rules provide a foundation for archival appraisal decisions. The values and functions identified within records retention rules will inform archival selection criteria.

- **Significance assessment**

Archival appraisal considers the significance of records to a broader group of people outside the organisation. In addition to functional analysis of records, appraisal requires an assessment of the significance of records. Assessing records in the context of their significance to the goals and purpose of the organisation ensures that people, places and events important to the organisation are taken into consideration during the appraisal process.

Model Selection Criteria

1. Governance and Business Value

Value description
Records pertaining to the governance of the organisation, and records of commercial or informational value to the organisation.
Why keep these records?
<p><i>Governance</i> Demonstrating good governance is essential to organisations in the charity sector. Governance documents not only provide direction and purpose for charities, but they also provide evidence required to obtain or maintain charitable status. Governance documents capture the establishment of an organisation, the key purpose and goals, important decisions, and document the activities of trustees, board member and other member of influence.</p> <p><i>Business value</i> Records of business value are essential for the operation of the business. These records capture operational decisions made and support continuity of organisation activities. Records associated with operational business value should be retained for as long as there is a business need for these. (It should not be assumed that records of business value are only needed in the short term. In some cases records may have enduring business value and need to be retained long term.)</p>
Generic Records Selection Criteria for Governance and Business Value
Records relating to the governance of the organisation (e.g. Board papers, agendas, minutes etc) Records relating to the creation, merger or dissolution of charitable organisations Records that document the purpose and goals of the charitable organisation

2. Accountability and Transparency

Value description
Records pertaining to the accountability and transparency of charities to governing bodies, beneficiaries, donors and other stakeholders.
Why keep these records?
<p>Organisations conferred with charitable status are accountable to regulators and stakeholders for several key activities. Safeguarding is an important element of accountability and transparency. Safeguarding addresses a number of potential risks including:</p> <ul style="list-style-type: none">• ensuring steps are taken to manage risk for children and vulnerable adults;• conducting due diligence checks for donors and beneficiaries;• assessing and managing risk for individuals working or volunteering for the organisation (particularly in a global context); and• ensuring that fundraising is carried out responsibly. <p>Records resulting from accountability and transparency related functions generally have a short-term retention value. However, with increased scrutiny from regulators, and higher public expectations, charities need to consider how they evidence accountability and transparency long term. Charities also need to consider how they might be accountable to individuals in the long term.</p> <p>Charities and voluntary organisations that are likely to hold records pertaining to children must take into account the current embargo on destruction of these records. Please see the Special Notice for more detail.</p>
Generic Records Selection Criteria for Accountability and Transparency
High level records of financial accountability (for example annual reports, audits) High level records outlining safeguarding measures and results Records of investigations, serious incidents, and inquiries, particularly where there is a public interest

3. Rights and Entitlements

Value description
Records identifying or upholding rights and entitlements of individuals or institutions.
Why keep these records?
<p><i>Individual Rights</i></p> <p>Charities and voluntary organisations hold records which uphold or protect the rights of individuals, groups or corporate bodies. This may include documentation providing evidence of existence of individuals or groups and may affect the ability to make claims based on rights or entitlements. These records need to be maintained for the time period for which the right or entitlement needs to be proven.</p> <p>A proportion of charities will retain records relating to individuals, potentially in the form of case files or beneficiary files. These files may contain personal and special category (sensitive) data. Consideration for the rights of the individual must be made when deciding how long to keep these types of records. Where the Rights and Entitlements appraisal criteria are applied organisations need to be very clear about:</p> <ul style="list-style-type: none">• what rights are protected or upheld;• how the records protect or uphold rights; and• for what period the rights or entitlements apply to the individual. <p>Charities and Voluntary Organisations that are likely to hold records pertaining to children must take into account the current embargo on destruction of these records. Please see the <u>Special Notice</u> for more detail.</p> <p>For more guidance on appraising case files please refer to: http://www.nationalarchives.gov.uk/documents/information-management/osp48.pdf</p> <p><i>Property rights</i></p> <p>Management of property and estates is a common organisational function – although there are some additional considerations in a charitable context. Some charities may own at least one if not several properties and need to retain records such as leases, deeds, bequests and estate management documents.</p> <p>Charitable organisations may also manage objects or artefacts, for instance works of art, scientific specimens, tools, machines or models. Asset registers document the financial value of objects and artefacts. Records authenticating and contextualising artefacts and objects support the understanding of the intrinsic value.</p>
Generic Records Selection Criteria for Rights and Entitlements:
Records which uphold the rights of individuals long term. Records which prove identity in connection with rights and entitlements. Records where proof of ancestry confers certain entitlements to descendants.

4. Impact and Significance

Value description

Records demonstrating the impact of the organisation, and of long-term significance to the organisation and its stakeholders.

Why keep these records?

Impact

The impact that charitable organisations have on their beneficiaries, donors, staff, volunteers and the broader community is a significant measure within the sector. There is a growing expectation that charities demonstrate impact, using key indicators and measures which connect back to the charitable purpose.

Significance

To understand the value of groups of records, charities must evaluate their significance in relation to the values, goals and people of the organisation. To understand the significance of records particular to your organisation you need to identify the charitable purpose of your organisation. The charitable purpose will inform the goals and values of an organisation.

The **Significance Assessment** below helps you to identify and select records of significance to your organisation.

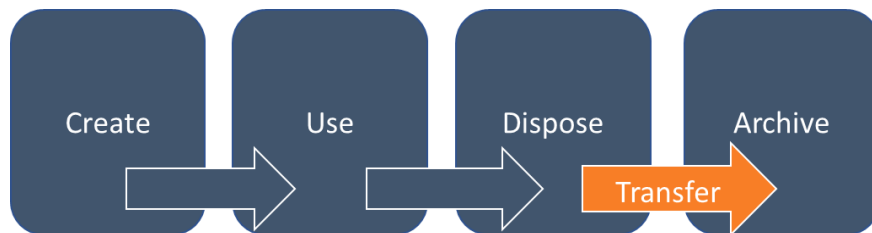
Significance Assessment

Use the following questions as guidance to determine whether records should be selected because of their significance.

How are the records significant?
The records pertain to the establishment of the organisation or provide evidence of governance of the organisation over time.
The records provide an overview of core functions of the organisation.
The records capture the experiences and narratives of the people and their association with the organisation.
The records pertain to events and phenomena of importance to the organisation, or events of significance to the wider community. The records that reflect high level changes over time.
The records pertain to specific places, buildings or localities, including environmental aspects of place.
What characteristics do the records take?
Where did the records come from, who / what institution gave them? Are there any requirements of deposit? (e.g. retention or access)
Are the records a rare or unique example, or do they provide insight to a rare or unique aspect of the organisation?
Are the records in good condition? Are they accessible or usable? Is there enough context for these to make sense?
Are the records in a format that you have facilities to manage? Are technological tools required to view or access the records? Is the format obsolete? Can the content be converted to another more accessible format?
Do the records hold unique, aesthetic, historic or noteworthy physical form? Is the physical form required for the interpretation or authentication of the content? Does the record set a precedent or provide an early example of a type?

5 Transfer

Transfer is the action of moving records from active use to the archive as a natural part of the records lifecycle. Transfer may be internal or external. Internal transfer occurs within an organisation, being the point in the lifecycle when a record moves from records repositories or individual custody to the archive. External transfer occurs when an organisation transfers records to a third party.



Internal transfer

Traditional methods of transfer can be disrupted due to changes in the way records are now managed. Many records can sit outside of records and archives systems because of changes in technology and practice. Now records are often in the custody of individual users, rather than in official systems. In order to mitigate this, archivists need to be more aware of, and involved with, ensuring good records management practice is in place.

Convergence of records and archives management disciplines means a more integrated approach to transfer must be considered. For successful internal transfer, records and archives managers should consider the following approaches:

- integrated or linked retention schedules and collection policies
- partnerships between records managers and archivists in retention and appraisal decision-making
- use of records status in systems and processes to identify lifecycle stages
- capture of metadata and supporting information to preserve context of records
- use of common rules in business systems and processes
- integration of business, records and archival systems to ensure archival capture
- proactive engagement to gain buy-in, improve understanding of functions and significance and establish custody arrangements

External transfer

External transfer, transferring collections in whole or in part to a third party, may be considered by some organisations in the following circumstances:

- where an organisation has no suitable facilities or resources to store, manage or provide adequate access to records
- where the format of the collection requires specialist knowledge, equipment or expertise (such as film, audio visual etc)
- where the records are more suited to another collecting body, such as library special collections for publications or museums for artefacts

- where the theme or content of the collection is better aligned to the collecting policy and criteria of another organisation.
- to facilitate research and other forms of engagement and access

Transfer arrangements with third parties should be considered as carefully as any charitable partnership. When considering transfers to a third-party charities should consider the following:

External transfer checklist	Y/N
What is the purpose of the receiving organisation and what are their values? How do these values inform their collection policies?	
What conditions of transfer are put in place by the receiving organisations? What listing standards or access arrangements are in place and are these compatible with current policy and needs?	
What forms of agreements are in place governing the transfer and how formal are these? What clauses are in place to protect the rights of the depositing organisation?	
What are the rights and entitlements for the depositing organisation in terms of custody, access, governance? Will the depositing organisation be able to monitor and control elements such as access to the collection?	
How permanent is the transfer? Is there a limited time period for transfer? Is repatriation of collections at the end of the arrangement a consideration?	
In data protection terms, how will the roles of data controller and data processor be assigned and to whom?	
Do stakeholders need to be consulted about the transfer?	
How frequently are transfers made? One off or on a regular basis?	
How are records physically prepared for transfer? Who is responsible for the physical transfer arrangements?	

For further guidance on how to set up agreements with transfer partners, see the TNA guidance on Loan Agreements

- TNA Loan Agreements Guidance
<http://www.nationalarchives.gov.uk/documents/archives/loanagreement.pdf>

Finding transfer partners

When considering record groups for transfer, it is useful to identify those with compatible collection strategies. Many organisations cannot accept all items for deposit, so it is therefore useful to understand areas of collection. The following resources can help you to locate partners with shared collection interests or themes:

- Charity Archivists and Records Managers Group (CHARM) <https://charm-online.org.uk/>
- The Archives and Records Association (ARA) <https://www.archives.org.uk/>
- The British Records Association (BRA) <https://www.britishrecordsassociation.org.uk/>
- To keep abreast with the collecting activities of other organisations, The National Archives' Annual Accessions Survey provides insight here: <http://www.nationalarchives.gov.uk/archives-sector/projects-and-programmes/accessions/results-from-previous-surveys/>
- For Archives based in London Aim25 provides similar insights into collection contents and trends <https://www.aim25.com/>

6 Special Notice

Documents relevant to the Independent Inquiry into Child Sexual Abuse (IICSA)

Under section 35 of the Inquiries Act 2005, it is an offence for any person knowingly to destroy or alter a document relevant to the Inquiry's terms of reference. The retention instruction is available on the Inquiry's website here: <https://www.iicsa.org.uk/>

Any institution which is considering the Inquiry's retention instruction in line with DPA 2018/GDPR obligations is advised to adopt a risk-based approach to identifying categories of material which may no longer need to be retained. Records clearly outside the terms of reference can be considered for destruction. Any decisions to dispose of particular categories of documents should be made at a senior level and in the knowledge that the provisions of s35 of the Inquiries Act 2005 continue to apply.

Where there is data pertaining to children held by a charity, the following functions and record types must be considered as part of a review to identify records subject to the embargo:

Function	Examples of record types
Safeguarding children and adults at risk	Disclosure and barring certificates
Incidents and allegations	Incidents and allegations relating to children, or adults at risk
Serious incident reporting	Serious incident reports, serious incident policy and training, escalation protocols, periodic reporting
Volunteer management	Volunteer registers, volunteer files including contact details, insurance coverage, risk assessments, occupational health, complaints and problem behaviour, allegations
Unsuccessful volunteer recruits	Registration papers, vetting forms
Overseas risk management	Risk assessment, overseas incident reports, codes of conduct, country profile, emergency relief plans
Case management	Content and type of case file will depend on purpose and functions of the charitable organisation. To review case files appropriately the organisation will need to provide a clear description of case files particular to the organisation and take into consideration beneficiary rights, entitlements, as well as the potential to provide information about personal history to individuals

Beneficiary records	Records of payments/awards to charitable beneficiaries, may include registers, credit notes, receipts etc
Managing residency	Residents files

This is not a comprehensive list of all functions and records which come under embargo. Charities will need to assess functions and record groups to identify records which may be affected. For more information on the embargo please refer to:

<https://www.iicsa.org.uk/news/chair-of-the-inquiry-issues-guidance-on-destruction-of-documents>

Once the embargo of records relating to children is lifted, charities will have to consider what retention rules should be applied. The Framework only provides guidance in lieu of further advice from the IICSA.