# UK GDPR Storage Limitation (Data Retention)

The College must not retain personal data for any longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with the College‘s Data Retention Schedule, which can be found on the College website.

***Why is storage limitation important?***

* It helps the College to comply with the data minimisation and accuracy principles.
* It reduces the risk of data being used in error.
* Ensuring data is erased or anonymised when it is no longer needed, will reduce the risk that it becomes irrelevant, excessive, inaccurate or out of date.
* Personal data held for too long will, by definition, be unnecessary and it is unlikely there would be a lawful basis for retention.
* From a practical perspective, it is inefficient to hold more personal data than you need, especially when storage space is limited.
* It may be more difficult for the College to respond to subject access requests if staff are holding old data for longer than is needed.
* Good practice around storage limitation - with clear policies on retention periods and erasure - is also likely to reduce the burden of dealing with queries about retention and individual requests for erasure.

Data Retention Guidelines

Personal data will need to be retained for longer in some cases than in others. How long the College retains different categories of personal data should be based on individual purposes. It is a legitimate interest of the College to retain data for archiving purposes. Therefore, before deletion of any personal data, staff should contact the College Archivist and the College Data Protection Lead to determine whether cause to retain the data exists. A judgement should be made about:

* the current and future value of the information;
* the costs, risks and liabilities associated with retaining the information; and
* the ease or difficulty of making sure it remains accurate and up to date.

The appropriate retention period is also likely to depend on the following:

***a. What the information is used for***

If it’s necessary to hold the data for one of the reasons set out above, then the College should retain it for as long as that reason applies. On the other hand, information with only a short-term value may have to be deleted within days.

Where personal data is held for more than one purpose, there is no need to delete the data while it is still needed for any of those purposes, BUT personal data should not be kept indefinitely “*just in case*”, or if there is only a small possibility that it will be used.

There may often be good grounds for keeping personal data for historical, statistical or research purposes. The Data Protection Act provides that personal data held for these purposes may be kept indefinitely, as long as it is not used in connection with decisions affecting particular individuals, or in a way that is likely to cause damage or distress. This does not mean that the information may be kept forever – it should be deleted when it is no longer needed for historical, statistical or research purposes.

***b. The surrounding circumstances***

If personal data has been recorded because of a relationship between the College and the individual, the College should consider whether it needs to keep the information once the relationship ends, e.g. a conference client.

The College may not need to delete all personal data when the relationship ends. It may need to keep some information so that it can confirm that the relationship existed – and that it has ended – as well as some of its details e.g. details of a past student’s attendance and course dates.

In some cases, the College may need to keep personal data so it can defend possible future legal claims. However, it could still delete information that could not possibly be relevant to such a claim. Unless there is some other reason for keeping it, personal data should be deleted when such a claim could no longer arise.

***c. Legal or regulatory requirements***

There are various legal requirements and professional guidelines about keeping certain kinds of records – such as information needed for income tax and audit purposes, or information on aspects of health and safety. If the College keeps personal data to comply with a requirement such as this, it will not be considered to have kept the information for longer than necessary.

***d. Agreed industry practices***

How long certain kinds of personal data should be kept may also be governed by specific sector requirements and agreed practices. Medical records, for example, may be kept for an agreed length of time based upon medical practice.

**Data Retention Schedule Review**

The College’s Data Retention Schedule will be kept under regular review and staff are asked to inform the Compliance Officer of any changes or additions to enable the Schedule to be updated.