



## Assocjazzjoni Kunsilli Lokali

### **POLICY REGULATING THE RETENTION OF DOCUMENTATION IN LOCAL COUNCILS' ASSOCIATION (LCA)**

#### **SCOPE**

1. This Policy is aimed at regulating the retention, maintenance and disposal of documentation, both personal and other, within the **LCA**, as provided for in the **Data Protection Act**, and in accordance 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 **LCA** 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 **LCA**, 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 documentation, as well as to promote a sustainable use of paper and printing consumables.

#### **ADMINISTRATION**

4. Documentation is held and recorded by **LCA**. This Policy is therefore applicable to all such documentation. It will be the responsibility of the relevant **LCA** and its Data Controller, the Executive Secretary to ensure that all provisions of this Policy are adhered to.



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### DOCUMENTATION HELD WITHIN **LCA**

5. As part of its operating requirements the **LCA**, requests, keeps and maintains a wide range of documentation including personal data. The various types of documentation utilised by **LCA** may be categorised as follows:
- a. Personal Data of **LCA** Executive Committee Members, Employees and Trainees;
  - b. Personal Data of Local Councils and Regional Committees members and employees
  - c. Personal Data of Local Councils' workers who are part of a scheme
  - d. Attendance and absence records;
  - e. Discipline related Records;
  - f. Financial records including payslips, tax and national insurance contributions, procurement documentation,
  - g. Documents relating to EU Funding programmes;
  - h. Medical records;
  - i. Documents related to Tenders
  - j. Documents and Photographic records of events, seminars and conferences hosted by the LCA
  - k. Other Records such as Documents used during LCA meetings

### 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 have 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.



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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 **LCA**.

<b>Category</b>	<b>Retention Period</b>
<b>Personal Information</b>	
Employees Personal Files	10 years from date of termination of employment
Application forms for enlistment, calls, positions etc	10 years from the date of termination of employment for the appointed person. 1 year subsequent to the validity period of the relevant call for applications
Application Forms for the filling of positions co-financed from EU Funds	As specified by the EU funds programme but not less than 10 years from the date of termination of employment
Applications for training opportunities	1 year from conclusion of selection process
Training Courses provided	10 years from the date of termination of employment
<b>Attendance and Absence Records</b>	
Attendance Sheets	2 years
Vacation Leave Application Forms	2 years
Yearly Leave balances	2 years
<b>Disciplinary records</b>	
Admonishments	6 months
Disciplinary Charges	After conclusion of case: if found guilty, 10 years from termination of employment and record shown permanently in Personal Record Sheet. If found not guilty records to be retained for two months after conclusion of case. If case is inconclusive and the employees has terminate demplyment, documents are retained until the employee concerened reaches retirement age.
<b>Medical Records</b>	
Sick Leave Certificates	1 year from issue of certifacte
Sick Leave Records	10 years from date of termination of employment
Medical History	10 years from date of termination of employment
Medical Referrals	10 years from date of termination of employment
<b>Financial Documentation</b>	
Tax and National Insurance Records	10 years
Procurement Records	10 years
Accounting Records	10 years
Inventory Records	10 years
Yearly Financial Statements	10 years



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<b>EU Programmes</b>	
Documentation relating to projects utilising EU Funding	As specified by the EU funds programme but not less than 10 years
EU Funding applications	As specified by the EU funds programme but not less than 10 years
<b>Other Administrative Records</b>	
Insurance Policy Details and Registrations	10 years
Circulars & Directives	10 years
Registrations for Seminars, Events and Conferences	10 years
General Correspondance and other correspondance	10 years
Complaints	10 years
MoUs, Collective Agreements, Contract Agreements	10 years from termination of the agreement/ contract
Quotations	10 years
Executive Committee Meeting Minutes	10 years
Other Meeting Minutes	10 years
Tender Documents	10 years from termination of the contract for service/works

**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 **LCA**. 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.