

Data Retention Policy

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Approved by	Directors Group
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Monitoring, Auditing and Reporting	<ol style="list-style-type: none">1. Reviewed by Data Protection People2. On internal audit programme

1. Scope and Aims

- 1.1. Hexagon Housing Association (Hexagon), in line with both legislation and best practice, aims to outline a consistent approach to data retention and disposal that respects the rights and freedoms of data subjects. This policy functions in conjunction with the Data Retention Schedule to define how Hexagon retains personal data for a defined period of time (the retention period) and what happens to it once that period expires.
- 1.2. The policy reflects the requirements of the UK GDPR which states “Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed”. The UK GDPR requires organisations to establish appropriate time limits for holding data. This policy will ensure compliance with the UK GDPR and data protection legislation.
- 1.3. The definitions within this policy are fully explained in the Data Protection Glossary (‘glossary’) in Appendix 1 and are consistent with Article 4 of the UK GDPR.
- 1.4. This policy applies to all personal data held and processed by Hexagon, regardless of its format, including all forms of digital data (including e-mail), all forms of paper documents and all forms of archived data.
- 1.5. All processing activities are listed in the Record of Processing Activities (ROPA).

2. Equality and Diversity

- 2.1. Hexagon will implement this policy in line with our obligations under the Equality Act 2010. We include specific information about our processing of special category data in our privacy information for individuals.
- 2.2. Hexagon will only process special category data where there is a lawful basis under Article 6 and Article 9 of the UK GDPR. Where required, we will also identify an appropriate Data Protection Act 2018 Schedule 1 condition.
- 2.3. We will ensure the processing of special category data is necessary for the purpose we have identified and that we are satisfied there is no other reasonable and less intrusive way to achieve that purpose.

3. Roles and Responsibilities

- 3.1. Process Owners are responsible for applying this policy in respect of the processing activities of which they are the owner. Process Owners determine the

retention period for personal data under their control, justification for the retention period, and any sources used to inform that decision.

- 3.2. Process Owners are responsible for ensuring that personal data held physically is retained and destroyed in compliance with this policy.
- 3.3. The Head of IT is responsible for ensuring that personal data held in digital form in centrally managed IT systems are retained and destroyed in compliance with this policy.
- 3.4. The Data Protection Officer (DPO) maintains a schedule of data retention periods in the Data Retention Schedule which defines approved retention periods and end of life treatment. The Data Retention Schedule defines the reasoning for data retention periods. These may be influenced by different factors, including: statutory, regulatory, financial, industry sector best-practice or business considerations.
- 3.5. The DPO approves all retention periods for personal data.

4. Data Retention Periods

- 4.1. Hexagon does not retain personal data for any longer than is necessary for the purposes for which that data is collected. Appropriate measures will be applied when that data reaches the end of its useful life (such as erasure or anonymisation).
- 4.2. Hexagon may store data for longer periods if the personal data is processed (see glossary for definition) solely for archiving purposes in the public interest, for research, or for statistical purposes. This is subject to the implementation of appropriate technical and organisational measures to safeguard the rights and freedoms of data subjects.
- 4.3. Retention periods for all information assets are made publicly known to the data subjects. Any changes to retention periods and/ or information assets results in an update to the published versions.

5. End-of-life Data

- 5.1. Personal data that has exceeded its retention period will be deleted or destroyed.
- 5.2. Personal data that has exceeded its retention period but is the subject of a Data Subject Rights request, an investigation by the supervisory authority or legal proceedings will be retained until that request, investigation or proceeding is concluded. The DPO will advise in such a situation.

6. Compliance Monitoring

6.1. Hexagon ensures compliance with this policy by monitoring and auditing to ensure that personal data is managed, retained and disposed of accordingly.

6.2. All retention periods (including any that are defined as indefinite retention) are reviewed annually and updated as appropriate under the guidance of the Process Owner and the DPO.

7. Legal Framework

7.1. UK GDPR

8. Related Hexagon policies, strategies and procedures

8.1. Data Protection Policy

8.2. Data Retention Schedule

8.3. Privacy Policy

9. Appendix 1: GLOSSARY OF TERMS

- 9.1. 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- 9.2. 'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 9.3. 'restriction of processing' means the marking of stored personal data with the aim of limiting their processing in the future;
- 9.4. 'profiling' means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;
- 9.5. 'pseudonymisation' means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person;
- 9.6. 'controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- 9.7. 'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- 9.8. 'recipient' means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of

a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

- 9.9. 'third party' means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- 9.10. 'consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- 9.11. 'personal data breach' means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- 9.12. 'data retention schedule' defines approved retention periods and end of life treatment. The Data retention Schedule defines the reasoning for data retention periods. These may be influenced by different factors, including: statutory, regulatory, financial, industry sector best -practice or business considerations.
- 9.13. "data retention period' the length of time personal data is held.
- 9.14. 'process owner' is responsible for ensuring that specific processing activities are handled and managed appropriately.