



Data Retention Policy

RETENTION POLICY IN COMPLIANCE THE GDPR

SOCIAL JUSTICE IRELAND

Social Justice Ireland Data Retention Policy

Social Justice Ireland is committed to its obligations under the General Data Protection Regulation (GDPR). This Data Retention Policy sets out *Social Justice Ireland's* position in respect of the principle that data not be retained for longer than reasonably necessary. The below schedules set out the statutory data retention / record keeping periods to which *Social Justice Ireland* must comply. In order to ensure that we are capable of supporting data access requests or fulfilling other statutory obligations, it is *Social Justice Ireland's* policy to retain data for an additional 12 months after the expiry of the statutory record-keeping period.

Employment / HR Records

Record	Statutory Period	Legislative / Regulatory Basis	Retention Period
Employees' terms and conditions of employment.	Duration of employment + any retention period set by organisation for DP purposes.	Terms of Employment (Information) Act, 1994	Duration of employment + 6 years.
Payslips, contracts, other relevant information.	3 years.	s.22 National Minimum Wage Act, 2000	4 years.
Records of weekly working hours, the name and address of employee, the employee's PPS numbers and a statement of their duties.	3 years.	s.25 Organisation of Working Time Act, 1997 Organisation of Working Time (Records, Prescribed Form and Exemptions) Regulations, 2001	4 years.
Records relating to collective redundancies.	3 years.	s.18 Protection of Employment Acts, 1977-2007	4 years.
Records re parental or force majeure leave.	8 years.	s.27 Parental Leave Acts, 1998-2006	9 years.
Tax records.	6 years.	Companies Acts Taxes Consolidation Act, 1997	7 years.
Claims for breach of contract	6 years from date of termination of employment (at least).	Statute of Limitations, 1957	7 years.

Health and Safety / Personal Injury Records

Record	Statutory Period	Legislative Basis	Retention Period
Accidents at work (whether at the actual place of work or another location on behalf of an employer)	10 years.	s.60 Safety, Health and Welfare at Work (General Applications) Regulations, 1993	11 years.
Personal injury claims.	2 years from date of claim arising (i.e. the damage may have been done in year one, but not realised until year 4 – the claim can be brought within 2 years of the date of realisation).	s.7 Civil Liabilities and Courts Act, 2004	3 years.

Vulnerable Adults Records

Record	Statutory Period	Legislative Basis	Retention Period
Records re concerns, allegations or disclosures of child protection or vulnerable adults issues.	In perpetuity.	Pobal Guidelines on Child Protection and Vulnerable Adults.	In perpetuity.

Charities Regulation

Record	Statutory Period	Legislative Basis	Retention Period
Books of accounts of charitable organisations, not incorporated under the Companies Acts.	6 years.	s.47 Charities Act, 2009	7 years.

Funding / Grants

Record	Statutory Period	Legislative Basis	Retention Period
Requirements under a funding contract.	3-5 years, depending on organisation.	National Retention Policy for Local Authority Records.	6 years if not stated in the contract.

	May want to retain for longer, depending on terms of funding contract.		
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Miscellaneous

Record	Statutory Period	Legislative Basis	Retention Period
General contracts – for breach of contracts claims.	6 years.	Statute of Limitations, 1957.	7 years
Deeds executed under seal.	12 years.	Statute of Limitations, 1957.	13 years.

Exceptional Cases – Objective Justification

There may be times when *Social Justice Ireland* needs to retain personal data for a longer period than either the time set out in law or the retention period set out above. Where this is the case, there will always be an objectively justifiable reason for keeping the data outside the normal period. This justification will be documented and held with the data concerned. In accordance with the principle of ‘data minimisation’, only the records needed will be retained and any and all ancillary data will be disposed of in accordance with *Social Justice Ireland’s* Data Protection Guidelines and in taking all reasonable precautions in compliance with our GDPR obligations.