

WEST LIMERICK INDEPENDENT LIVING CLG

Data Retention, Rectification and Erasure Policy

Policy Reference	WLILP7D
Category	Operational Policies — Data Protection (4 of 4)
Version	2.0 (updated against current HSE guidance)
Status	APPROVED — by the Board of Directors on 9 October 2026
Supersedes	WLILP27 - Data Retention Rectification Erase Policy 2024
Series	Fourth of four data protection policies — see WLILP7A - Data Protection Policy for overarching principles and the Data Protection Officer's role.
Policy Owner	Board of Directors, West Limerick Independent Living CLG
Applies To	All WLIL data, on any system or medium, regardless of location
Related Policies	WLILP7A - Data Protection Policy; WLILP7B - Data Breach Response Policy; WLILP7C - Data Access (Subject Access Request) Policy
Review Cycle	Annually, or sooner if legislation or HSE guidance changes

1. Overview

The need to retain data varies with the type of data involved. Some data can be deleted immediately; some must be retained until the reasonable potential for future need no longer exists. Because this can be subjective, a retention policy ensures WLIL's guidelines are applied consistently across the organisation.

2. Purpose

This policy specifies WLIL's guidelines for retaining different types of data.

3. Scope

This policy covers all WLIL data stored on WLIL-owned, WLIL-leased, or otherwise WLIL-provided systems and media, regardless of location. Where this policy differs from an applicable legal or regulatory retention requirement, the legal requirement takes precedence.

4. Reasons for Data Retention

WLIL does not adopt a "save everything" approach, which is neither practical nor cost-effective. Some data must nonetheless be retained to protect WLIL's interests, preserve evidence, and conform to good practice, including for:

- litigation
- accident investigation
- security incident investigation

- regulatory requirements

5. Data Duplication

Data is often stored in more than one place — for example on a local device, a central file server, and a backup system. When identifying and classifying WLIL's data, it is important to understand where duplicate copies exist, so this policy is applied consistently to all copies.

6. Health and Social Care Records — Important Update

The HSE issued a new National Records Retention Policy, effective 1 December 2025, replacing its 2013 predecessor. This policy's service-user retention figure (Section 7) has not yet been checked against the new national schedule, and should be before this policy is finalised.

HSE health and social care record retention schedules have historically differentiated by record type, rather than applying one flat period, and have applied significantly longer retention where a service user was a minor at the time of the record — commonly running until a set age (such as 25) or a fixed number of years after the last entry, whichever is later, rather than a flat period tied to when the person stopped using the service. Given WLIL's service population may include people who received support as minors, WLIL's Quality and Safety Team should confirm the correct current figures against the HSE's 2025 policy, rather than this document assuming the previous flat 6-year rule is still appropriate for every case.

7. Retention Requirements

Personal Records

Record Type	Minimum Retention Period
Personal service user data	As long as the individual is a client, plus 6 years — subject to the review against current HSE guidance in Section 6, especially for anyone who was a minor at the time of service
Personal employee data	Duration of employment, plus 6 years after the last day of contractual employment. Employee contracts: 6 years after last day of employment
Recruitment details	Unsolicited applications/CVs: 1 year. Documentation relating to an advertised position and the decision-making process: 2 years
Health and Safety records	7 years for records of major accidents and dangerous occurrences
Accident reports	Ongoing — keep records of reported accidents, investigations and follow-up. The statute of limitations for personal injury proceedings against an employer is normally 2 years
Safety training documentation	Ongoing — keep all safety training current, recorded and filed
Training documentation	Ongoing — keep records of training given, including instruction on role performance and on policies, procedures and regulations
Records of leave	3 years
Maternity / Adoptive Leave records	Keep all related documents and correspondence. Claims can be made within 6 months of the employer being informed of a dispute, extendable to 12 months in exceptional circumstances

Record Type	Minimum Retention Period
Parental Leave / Force Majeure Leave records	Records of leave taken: 8 years. Copies of notices required under the Parental Leave Acts 1998 and 2006: 3 years
Carer's Leave records	Records of leave taken: 8 years. Copies of notices required under the Carer's Leave Act 2001: 3 years
Operational data	Most WLIL data falls in this category: 5 years
Confidential data	7 years

Financial Records

Record Type	Minimum Retention Period
Accounts payable — invoices and vouchers	6 years
Tax and VAT records	6 years
Tax Clearance Certificates	Until superseded, or 6 years from last customer interaction
Debtors, income listings, income control accounts, receipts reconciliation	6 years
Paid cheques, bank reconciliations	6 years
Bank statements	Indefinitely
Annual financial statements	Indefinitely, in original form
Final budgetary reports	Indefinitely

Fixed Assets and Insurance

Record Type	Minimum Retention Period
Deeds, titles, sale/purchase records of property	Indefinitely, in original form
Lease agreements	6 years after expiration
Assets register	Indefinitely, in original form
Insurance policies and claims, accident reports	Indefinitely

Other Records

Record Type	Minimum Retention Period
Inventory, depreciation schedules, audit reports, cancelled cheques, travel claims, receipt books, purchase orders, voucher books, delivery dockets, purchase requisitions	6 years
Monthly income and expenditure reports	3 years
Department of Health circulars and correspondence	Indefinitely
Invitation to tender documents	2 years after award of contract
Supplier proposals	1 year after award of contract

Record Type	Minimum Retention Period
Tender reports	4 years
Contract/contract management files	2 years after expiry of contract

Payroll

Record Type	Minimum Retention Period
Listings and payslips	Indefinitely
Hours of work, leave and rest-break records	3 years
Authorisations to deduct from pay	6 years after the employee ceases to be paid
Employment permit records for Non-EEA nationals	5 years, or the duration of employment

8. Retention of Encrypted Data

Data will not be kept longer than necessary. Unrequired data will be deleted as soon as practicable. Some records relating to former service users or employees may be kept for an extended period for legal reasons, or to support references or pensions. Paper documents will be shredded or pulped, and electronic media securely wiped or destroyed, once data no longer needs to be retained.

Where retained data is encrypted, the encryption keys must be securely stored and retained for as long as the data they decrypt is retained.

9. Data Destruction

When a retention period expires, WLIL must actively destroy the data covered by this policy. If a staff member believes certain data should not be destroyed, they should raise this with their supervisor so an exception can be considered; because such decisions carry long-term legal implications, exceptions may only be approved by a member of WLIL's management team.

Staff must not destroy data in violation of this policy, and must never destroy data in an attempt to cover up a breach of law or WLIL policy.

10. Applicability of Other Policies

This document is part of WLIL's cohesive set of data protection policies; other policies, including WLILP7A, WLILP7B and WLILP7C, may also apply to topics covered here.

11. Enforcement

This policy is enforced by the General Manager and/or the Board. Violations may result in disciplinary action, up to and including termination of employment. Where illegal activity or theft of WLIL property (physical or intellectual) is suspected, WLIL may report this to the applicable authorities.

12. Rectification of Data

Individuals are entitled to have inaccurate or incomplete personal data rectified. Requests for rectification will be actioned within one month of the request being made, provided there is reasonable evidence supporting the

need for rectification; this may be extended by a further two months where the request is complex. Where personal data has been disclosed to third parties, WLIL will inform them of the rectification, where possible, and will tell the individual which third parties were informed, where appropriate.

Where no action is taken on a rectification request, WLIL will explain why, and inform the individual of their right to complain to the supervisory authority and to a judicial remedy.

13. Erasure of Data

Individuals have the right to request erasure of their personal data where there is no compelling reason for its continued processing, including where:

- the data is no longer necessary for the purpose it was originally collected or processed for
- the individual withdraws consent, and there is no other legal basis for processing
- the individual objects to the processing and there is no overriding legitimate interest
- the data was unlawfully processed
- erasure is required to comply with a legal obligation

WLIL may refuse an erasure request where the data is being processed:

- to exercise the right of freedom of expression and information
- to comply with a legal obligation, or to perform a task in the public interest or in the exercise of official authority
- for public health purposes in the public interest
- for archiving in the public interest, or for scientific, historical or statistical research purposes
- for the exercise or defence of legal claims

Where data has been disclosed to third parties, they will be informed of the erasure unless this is impossible or involves disproportionate effort. Where personal data has been made public online, WLIL will inform other organisations processing that data to erase links to, and copies of, it.

14. Definitions

Backup: copying data to a second location, solely for the purpose of safekeeping

Encryption: encoding data with an algorithm so it is unintelligible and secure without the corresponding key, used to protect data in transit or storage

Encryption key: an alphanumeric series of characters that enables data to be encrypted and decrypted

Employment-law retention periods reflect the relevant Irish statutes (including the Parental Leave Acts 1998 and 2006 and the Carer's Leave Act 2001) and are checked as accurate as of drafting. The service-user retention period in Section 7 requires confirmation against the HSE's National Records Retention Policy (effective 1 December 2025) before this policy is finalised, particularly for records relating to anyone who was a minor at the time of service.

Approval

Approved by the Board of West Limerick Independent Living CLG on 9 October 2026.

Signed on behalf of the Board, on its instruction, by the General Manager:

Margaret O'Connor

Margaret O'Brien O'Connor, General Manager

Date signed: *09-10-2026*