



**DATA RETENTION  
AND  
RECORDS MANAGEMENT POLICY**

**DATA COMPLIANCE**

**Revision History:**

Date of this revision: 08 May 2023	Date of next review: May 2026
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Version Number/ Revision Number	Revision Date	Summary of Changes	Changes marked
1.0	08 May 2023	New Policy	N/A

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Version Number/ Revision Number	Consultation Date	Names of Parties in Consultation	Summary of Changes
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**Development and Approval Log:**

Responsible for:	Title
Policy Developer:	Information and Data Compliance Officer
Policy Owner:	Vice President for Finance and Corporate Governance
Recommended by:	Legislative
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**Approval:**

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1.0	TUS Governing Body	08 May 2023

This Policy was approved by TUS Governing Body on 08 May 2023. It shall be reviewed and, as necessary, amended by the University annually. All amendments shall be recorded on the revision history section above.

Date Approved: <b>08 May 2023</b>	Date Policy to take effect: <b>08 May 2023</b>	Date Policy to be Reviewed: <b>May 2024</b>

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## 1. POLICY INTRODUCTION

Records management refers to a set of activities required to systematically control the creation, maintenance, use, and disposal of, all formats of records. TUS is responsible for the processing of a significant volume of records across each of its Faculties, Schools and Functions and is committed to ensuring effective record management system administration in order to meet its legal obligations and ensure operational efficiency in optimising the use of space, minimising the cost of storage and implementing an appropriate records destruction policy.

A record is defined in the Freedom of Information Act, 2014 as follows:

- a) *“a book or other written or printed material in any form (including in any electronic device or in machine readable form),*
- b) *a map, plan or drawing,*
- c) *a disc, tape or other mechanical or electronic device in which data other than visual images are embodied so as to be capable, with or without the aid of some other mechanical or electronic equipment, of being reproduced from the disc, tape or other device,*
- d) *a film, disc, tape or other mechanical or electronic device in which visual images are embodied so as to be capable, with or without the aid of some other mechanical or electronic equipment, of being reproduced from the film, disc, tape or other device, and*
- e) *a copy or part of any thing which falls within paragraph (a), (b), (c) or (d)”*

All records created and received in the course of the official business of the organisation constitute the official records of TUS.

Records management involves determining:

- what records have to be retained in order to function and carry out our responsibilities;
- how long these records have to be retained, whether for administrative, financial or legal reasons;
- who in the organisation is responsible for which records; and
- the final disposition of these records, whether it be for destruction or retention in the Technological University’s archives.

Responsibilities relating to record management:

- It is the responsibility of each Faculty, School, and Function to ensure all records are processed in a manner compliant with the relevant data protection legislation and guidance.
- TUS has an Information and Data Compliance Office (IDCO) available to Faculties, Schools, and Functions to provide training, guidance and advice pertaining to this legislation.
- The IDCO will also assist Faculties, Schools, and Functions to remain compliant with this policy through review and audit processes.
- All Staff must appropriately protect and handle records in accordance with the record classification.

- Confidential Records require the greatest protection level (e.g. personal data, commercially sensitive data).

This Policy shall not be interpreted or construed as giving any individual rights greater than those which such person would be entitled to under applicable law and other binding agreements.

## 2. PURPOSE OF THIS POLICY

Article 5 (1) (e) of the GDPR requires that personal data is kept for no longer than is necessary for the purposes for which the personal data are processed. The purpose of this policy is to ensure that TUS applies retention periods, to the data and records under its control, that are consistent with legal requirements and that facilitate the management of TUS and the efficient use of public resources.

It sets out the procedures in relation to the management of:

- The records TUS generates and receives in the course of its business in an effective, legal and secure manner
- Records which are made available to the public and individuals in response to specific requests, and in line with the Model Publication Scheme as required under Section 8 of the Freedom of Information Act 2014.
- Records processed for the purpose of protecting against damage, loss or unauthorised access
- Records retained for appropriate periods of time in line with operational requirements and legal obligations under Data Protection and other relevant legal and regulatory obligations;
- Records required to maintain institutional memory

## 3. SCOPE

- Any person who is employed by TUS who receives, handles or processes data in the course of their employment.
- Any student of TUS who receives, handles, or processes data in the course of their studies for administrative, research or any other purpose.
- Third party companies (data processors) that receive, handle, or process data on behalf of TUS.
- This Policy applies to the management and retention of all records including personal data as defined in the Data Protection Acts, 1988 – 2018, and the Freedom of Information Act 2014.

## 4. ROLES AND RESPONSIBILITIES

Records held within each Faculty, School, and Function will have clearly identified owners which will generally be the manager of the functional area within TUS. These data owners will be responsible for ensuring compliance with this policy in respect of the records within their remit.

The Information and Data Compliance office (IDCO) will assist record owners in the identification of records and the appropriate retention periods. The Information and Data Compliance office will liaise with each Faculty, School and Function within TUS in order to develop and keep a full schedule of records and the appropriate retention periods, including the reason for the retention period.

## 5. POLICY STATEMENT

### 5.1 Records Management

Each Faculty, School, and Function must ensure that all retained information, within their area of responsibility is:

- Identified, recorded and assessed to ensure that it is appropriately managed throughout the retention and disposal life-cycle;
- Recorded on the record of processing for personal data;
- Subject to appropriate and durable records storage/retrieval mechanisms to prevent damage, degradation or unauthorised alteration and capable of being retrieved in a timely manner;
- Classified appropriately and subject to sensible and consistent naming of documents/files/folders;
- Subject to appropriate access controls;
- Backed up on a regular basis.

### 5.2 Retention Period

The retention period is the length of time that the record is required to be kept for TUS purposes or under a legal or regulatory obligation. The Information and Data Compliance office liaise with each Faculty, School, and Function in order to maintain an appropriate retention schedule. The retention schedule should be cognisant of other areas' dependence on any retained information. The retention schedule should be regularly reviewed.

If any record is related to an unresolved complaint, dispute or litigation involving TUS, that record should not be destroyed regardless of the provisions of the retention schedule.

### 5.3 Record Retention Schedule

The IDCO of TUS will liaise with relevant staff in each Faculty, School, and Function in order to set out in a schedule the retention period for a range of records held. This schedule will be reviewed on an annual basis as part of the records of processing activities review. The Retention Schedule will be accessible to all staff via the TUS Staff Portal. Faculty, School, and Function Managers are required to ensure awareness and implementation of the retention schedule within their respective areas.

### 5.4 Disclosure of Records

TUS is subject to the Data Protection Acts 2008 – 2018 (DPA Act) and the Freedom of Information Act 2014 (FOI Act). Under this legislation, TUS is required to make personal data and other records available to requesters. Under the FOI Act, access to certain 'exempt' records can be refused. These exempt records include where the records are the personal data of another individual, or where the records are commercially sensitive.

### 5.5 Destruction and Disposal

Records whose retention periods have expired should be destroyed promptly and securely by each Faculty, School, and Function, in a secure manner as follows:

- Hard copy files: to be destroyed by confidential shredding using a TUS approved service provider, or directly on site using an approved TUS shredder;
- Electronic files: to be purged or deleted or anonymised from all relevant systems (including cloud storage) on which such data is stored;

- Guidance should be sought from the relevant system expert on the effective deletion of records from each system.
- Data stored in other media: to be deleted or destroyed or anonymised in a safe and confidential manner.

## 6. POLICY COMPLIANCE AND REVIEW

### 6.1 Compliance

Breaches of this policy may result in TUS being in contravention of data protection legislation, and other laws, infringing individuals' rights and/or may cause reputational damage to the organisation.

### 6.2 Compliance Exceptions

Any exception to the Policy shall be reported to the Data Protection Officer in advance.

### 6.3 Non-Compliance

Failure to comply with this policy may lead to disciplinary action in accordance with TUS disciplinary procedures. Non-compliance shall be reported to the Information and Data Compliance Officer at [datacompliance@tus.ie](mailto:datacompliance@tus.ie).

### 6.4 Review

This policy will be subject to review every three years from the date of policy approval. Changes to requirements or legislative changes may require a review outside of this time frame.

### 6.5 Related Policies and Documents

- TUS Data Protection Policy
- TUS Data Retention Schedule