

# Social Care

## Retention Schedule

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## General: Adult & Children Services

### Asylum Seekers

Retain according to the appropriate service user need category: looked after child, child-in-need etc.

### Complaints & Representations

| Record Type                | Statutory Source | Keep For    | Operational Life or Storage Period Ceases | Notes   |
|----------------------------|------------------|-------------|---|---|
| Management summary records |                  | Permanently | After administrative use ends             | <ul style="list-style-type: none"><li>• RMS: common practice</li><li>• Transfer to long term storage</li></ul>                                  |
| Individual C&R records     |                  | 6 years     | After administrative use ends             | <ul style="list-style-type: none"><li>• Copy to be joined to service user record at the appropriate time in the investigation process</li></ul> |

### Data Protection – Subject Access Request

These can arise on closed cases and will open them and cancel any prior retention timescale records. Once the request has been completed and no further action is required (minimum 21 days after full and final response made), record must be retained for a minimum of 6 years (longer if other timescales apply). Records of the disclosure should be kept for 3 years after full disclosure or 10 years after redacted or part refused.

### Diaries

1. **Containing information about service users:** entries in the diary should be placed on the service user case record, which will be destroyed with the case record at the appropriate time. This should be done routinely, day to day. Destroy paper diaries as soon as they are finished with after information has been transferred to the service user case file. As part of the leavers process managers should ensure information in paper diaries is transferred to service user case file before the worker leaves. Electronic diaries will be effectively destroyed once the account is deleted and cannot be recovered.
2. **Containing information about the worker:** entries in the diary should be placed on the supervision notes concerning the worker. This should be done routinely, day to day. Destroy paper diaries as soon as they are finished with after information has been transferred to supervision file. As part of the leavers process managers should ensure information in paper diaries is transferred to the staff supervision file before the worker leaves. Electronic diaries will be effectively destroyed once the account is deleted and cannot be recovered.

## **FOI Access Request**

Once the request has been completed and no further action is required (minimum 21 days after full and final response made), record must be retained for a minimum of 2 years (longer if other timescales apply).

## **Emergency Duty Team (EDT)**

1. Summary information: lists, reports, minutes: retain 3 years then destroy
2. Individual service user records: copy to appropriate community team at the time; EDT to keep for 3 years then destroy.

## **Finance**

Timescales for finance-related records are detailed in Warwickshire County Council's Constitution, appendix F, which can be found on the Warwickshire website:

## **Supervision Notes**

3. Concerning the service user: place on service user case record. Will be destroyed with the case record at the appropriate time.
4. Concerning the worker: working with children, retain 25 years after employment terminated; working with adults, retain 10 years.

## **Transition / Adult & Children Services both involved**

1. Important to link relevant information together: transition from Children to Adult Services – link Child records to Adult records.
2. Retain records for the longer timescale.
3. If service user has different roles (e.g. service user in one context, carer/provider for another, it is appropriate to extract the records for one role and destroy them in line with the appropriate timescale, unless there is operational justification to keep them together.

## **Transport**

Keep for 3 years after lists no longer current then destroy.

## Adult Services

### Joint Records with Health

| Record Type   | Statutory Source | Keep For   | Operational Life or Storage Period Ceases   | Notes   |
|---|------------------|--|---|---|
| Mental Illness (Mental Health Act 1983: sectioned)            |                  | 20 yrs<br><br>Then<br>10 yrs<br><br><b>OR</b><br><br>8 yrs | From date doctor confirms no further action needed.<br><br>In summary format.<br><br><b>OR</b><br><br>After DoD if already closed<br><br><b>NB:</b> Joint mental health and social care trust: record kept in line with longer retention periods. | <ul style="list-style-type: none"> <li>DH 'Records Management: NHS Code of Practice' 2006 – Annex D1 Health Records Retention Schedule</li> </ul> |
| Mental Illness (Mental Health Act 1983: <u>not</u> sectioned) |                  | 10 yrs<br><br><b>OR</b><br><br>2 yrs                       | After date of last contact /DoD if person receiving service<br><br><b>OR</b><br><br>After DoD if already closed<br><br><b>NB:</b> Joint mental health and social care trust: record kept in line with longer retention periods.                   | <ul style="list-style-type: none"> <li>DH 'Records Management: NHS Code of Practice' 2006 – Annex D1 Health Records Retention Schedule</li> </ul> |

## Social Care

| Record Type  | Statutory Source | Keep For                    | Operational Life or Storage Period Ceases   | Notes |
|--|------------------|-----------------------------|---|-------|
| Miscellaneous Enquiries: Initial Contacts (not taken any further)          |                  | 1 yr                        | After closure   |       |
| Disabled Parking Badges <u>only</u>  |                  | 2 yrs                       | After registration or entitlement lapses.   |       |
| Initial Assessments (not taken any further)                                |                  | 2 yrs<br><b>OR</b><br>6 yrs | From DoD<br><b>OR</b><br>From closure<br><i>whichever is the earlier</i>                      |       |
| Adult Service Users (excl. Safeguarding)                                   |                  | 2 yrs<br><b>OR</b><br>6 yrs | From DoD<br><b>OR</b><br>From date service provision ended<br><i>whichever is the earlier</i> |       |
| Carers Records   |                  | 2 yrs<br><b>OR</b><br>6 yrs | In line with the associated adult service user records  |       |
| Safeguarding: People who have been subject of a Safeguarding investigation |                  | 2 yrs<br><b>OR</b><br>8 yrs | From DoD<br><b>OR</b><br>From date service provision ended<br><i>whichever is the earlier</i> |       |

| Record Type  | Statutory Source | Keep For   | Operational Life or Storage Period Ceases  | Notes |
|--|------------------|--|--|-------|
| People deemed to present a risk to vulnerable adults |                  | 75 yrs<br><b>OR</b><br>6 yrs<br><b>OR</b><br>2 yrs | After date risk assessed<br><br><b>OR</b><br>After risk assessed to no longer exist<br><br><b>OR</b><br>After DoD<br><br><i>whichever is the earlier</i> |       |

### Domiciliary Care

| Record Type          | Statutory Source | Keep For   | Operational Life or Storage Period Ceases | Notes   |
|----------------------|------------------|--|---|---|
| Service user records |                  | • Return to main service user record when closed |   |   |
| Summary records      | DoH DP Guidance  | 3 yrs  | After date of last entry                  | <ul style="list-style-type: none"> <li>• Records, logs, registers, inspections, complaints</li> <li>• Duty rosters</li> <li>• Staff &amp; residents' meeting minutes</li> </ul> |

## Day Centres

| Record Type          | Statutory Source                       | Keep For   | Operational Life or Storage Period Ceases                              | Notes  |
|----------------------|--|--|--|--|
| Service user records |  | <ul style="list-style-type: none"> <li>• Return to main service user record when closed</li> </ul> |  |  |
| Summary records      | Registered Care Home reg's 1984, Reg 6 | 25 yrs   | After date of last entry<br><br>Then offer summary to County Archivist | <ul style="list-style-type: none"> <li>• Records, logs, inspections, complaints</li> <li>• Duty rosters</li> <li>• Staff &amp; residents' meeting minutes</li> </ul> |

## Nursing/Residential Homes

| Record Type  | Statutory Source   | Keep For                                  | Operational Life or Storage Period Ceases                                     | Notes   |
|--|--|---|---|---|
| Care & Nursing Homes (Registered)<br><br>Case files for individual service users (including medical records) | Care Homes Regulations, 2001 sec 17 & Mental Nursing Homes Reg's 1984; Reg's 7(6) & (10) | 1) 3 yrs<br><br><b>OR</b><br><br>2) 6 yrs | 1) After last entry<br><br>2) After person leaves or DoD if under MH Act 1983 |   |
| Procedures and guides  | Care Homes Regulations, 2001 sec 17  | 25yrs<br><br><b>OR</b><br><br>3yrs        | Then offer summary to County Records Office after being superceded            | <ul style="list-style-type: none"> <li>• Statement of purpose</li> <li>• Service users guide</li> <li>• Fire alarm procedures</li> <li>• Accident and missing person procedures</li> <li>• staff &amp; residents' meeting minutes</li> </ul>  |
| Incident records   | National Archives (various)  | 5 yrs                                     | From last action  | <ul style="list-style-type: none"> <li>• Accident records</li> <li>• Any incident detrimental to the health of welfare of a service user including outbreak of infectious diseases.</li> <li>• Records of any fires or occasions when the firm alarm was operated (except tests)</li> <li>• Records of theft or burglary</li> </ul> |



| Record Type  | Statutory Source  | Keep For | Operational Life or Storage Period Ceases | Notes   |
|--|---|----------|---|---|
| Accounting / financial records<br>(e.g. delivery notes)  | See WCC Constitution Part 3 Section 6.5 in introduction | Various  |   | <ul style="list-style-type: none"> <li>• Audit requirements</li> </ul>  |
| Records of complaints received and actions taken   | Directorate procedure                                   | 6 yrs    | After last action                         |   |
| Records of time taken by staff to answer client buzzers<br>(where a record is produced)<br><br>Staff handover sheets | Service procedure                                       | 1 yr     | From date of entry                        | <ul style="list-style-type: none"> <li>• Procedural updates to staff also minuted.</li> </ul>   |
| Other records<br>(see comments column)   | Care Homes Regulations, 2001 sec 17                     | 3 yrs    |   | <ul style="list-style-type: none"> <li>• Reports made under regulation 26(4)(c) reviewing the quality of care</li> <li>• Duty rosters of workers, and alterations (weekly / monthly)</li> <li>• Records of food provided for service users including special diets</li> <li>• Records of fire drills, tests of equipment and any action taken to remedy defects</li> <li>• Records of visitors</li> </ul> |

## Children's Services

| Record Type   | Statutory Source  | Keep For                            | Operational Life or Storage Period Ceases   | Notes  |
|---|---|-------------------------------------|---|--|
| Ineligible Initial Contacts / Initial Assessments (not taken any further)           |   | 2 yrs<br><br><b>OR</b><br><br>6 yrs | From DoD<br><br><b>OR</b><br><br>From date service provision ended<br><br><i>whichever is the earlier</i>   |  |
| Adoption:<br>Children adopted before 30th December 2005                             | Adoption Agencies Reg's 1983 S14(3)   | 75 yrs                              | From date of adoption order<br><br><b>OR</b><br><br>From date adoption allowances cease<br><br><b>OR</b><br><br>On expiry of time for appeal post-Court hearing where the Dept has acted as, or on behalf of, a GaL/RO<br><br><i>whichever is the later</i> | <ul style="list-style-type: none"> <li>Records stored by Adoption &amp; Fostering Services</li> </ul>  |
| Adoption:<br>Children adopted <u>on or after</u> 30 <sup>th</sup> December 2005     | Disclosure of Adoption Information (Post Commencement Adoptions) Regulations 2005 | 100 yrs                             | As above  | <ul style="list-style-type: none"> <li>Records stored by Adoption &amp; Fostering Services</li> </ul>  |
| Adoption:<br>Children adopted but community team involved for post-adoption support | As above, depending on when adopted   | 75 or 100 yrs                       | When community team's support work completed  | <ul style="list-style-type: none"> <li>Transfer/link to main adoption record</li> <li>Could retain all for 100 yrs as simpler administratively?</li> </ul> |

| Record Type  | Statutory Source  | Keep For  | Operational Life or Storage Period Ceases  | Notes  |
|--|---|---|--|--|
| Adoption:<br>Support to adopted adults, birth parents/family | As above, depending on when adopted   | 75 or 100 yrs   | When community team's support work completed   | <ul style="list-style-type: none"> <li>Transfer/link to main adoption record</li> </ul>  |
| Adopters:<br>Agency and step parent                          | Adoption Agencies Reg's 2005 + Disclosure of Adoption Information Regulations 2005  | 100 yrs   | As above   |  |
| Adopters:<br>Not proceeded with                              | common practice   | 25 yrs  | From date application withdrawn or refused   |  |
| Adoption Allowance File                                      | Adoption Allowances Reg's 1991  | 75 yrs  | From start of allowance  | <ul style="list-style-type: none"> <li>When closed, add to main adopters' file</li> </ul>  |
| Child Witness Video Recording                                | Code of Practice for Video Recorded Interviews with Child Witnesses for Criminal Proceedings 1991 (§ 3.14). Criminal Justice Act 1991 | ➔   | As necessary   | <ul style="list-style-type: none"> <li>Must be kept for as long as needed for trial/appeal purposes; decision to destroy must be jointly taken by Dir CYP&amp;F &amp; senior police officer concerned</li> </ul>   |
| Children In Need:<br>Including child with disabilities       |   | Till age 21 yrs<br><br><b>OR</b><br><br>2 yrs<br><br><b>OR</b><br><br>6 yrs | Of youngest child in family<br><br><b>OR</b><br><br>From child's DoD or date child leaves county<br><br><b>OR</b><br><br>From date service provision ends<br><br><i>whichever is the earlier</i> | <ul style="list-style-type: none"> <li>If children with disabilities go on to receive adult services, their child records are part of their adult services record and should be preserved in accordance with adult services timescales: 30yrs from Date of Birth of service user for SEN files.</li> </ul> |

| Record Type   | Statutory Source | Keep For  | Operational Life or Storage Period Ceases  | Notes   |
|---|------------------|---|--|---|
| Child Protection:<br>CPU/IRO records of individual children                                 |                  | 5 yrs   | After CP plan ends or decision not to have CP plan   | <ul style="list-style-type: none"> <li>Destroy duplicate records. Attach unique records to main child record</li> </ul> |
| Child Protection:<br>Child subject of CP plan   |                  | 35 yrs  | After closure  |   |
| Child Protection:<br>CP investigation/core assessment/CPCC but not subject of CP plan       |                  | 35 yrs  | After closure  |   |
| Child Protection:<br>CP enquiries re. whether there is a CP plan/advice not leading to CPCC |                  | Till age 21 yrs<br><br><b>OR</b><br><br>2 yrs<br><br><b>OR</b><br><br>6 yrs | Of youngest child in family<br><br><b>OR</b><br><br>from child's DoD or date child leaves county<br><br><b>OR</b><br><br>From date service provision ends<br><br><i>whichever is the earlier</i> |   |
| Child Protection:<br>people deemed to present a risk to children                            |                  | 75 yrs<br><br><b>OR</b><br><br>6 yrs<br><br><b>OR</b><br><br>2 yrs          | From date risk assessed<br><br><b>OR</b><br><br>After risk assessed to no longer exist<br><br><b>OR</b><br><br>After DoD   |   |

## Children Looked After

| Record Type  | Statutory Source   | Keep For                              | Operational Life or Storage Period Ceases   | Notes   |
|--|--|---------------------------------------|---|---|
| Children Looked After by WCC, <u>or</u> OLAs <u>and</u> supervised by WCC                                | Arrangements for Placement of Children (General) Regulations 1991, Reg 10(s)   | 75 yrs<br><br><b>OR</b><br><br>15 yrs | From child's DOB<br><br><b>OR</b><br><br>From DoD if child dies before reaching 18 yrs<br><br><i>whichever is the earlier</i> |   |
| Children Looked After by OLAs, notified to WCC, but not supervised by WCC                                | Children Act 1989, Arrangements for Placement of children Reg's 1991, Reg 10(s)                                      | 23 yrs<br><br><b>OR</b><br><br>5 yrs  | From DoB<br><br><b>OR</b><br><br>From DoD if child dies before reaching 18 yrs<br><br><i>whichever is the earlier</i>         |   |
| Children Looked After by OLAs, notified to WCC, not supervised by WCC, but Warks give after care service | Children (Leaving Care) Act 2000.<br>Children Act 1989, Arrangements for Placement of children Reg's 1991, Reg 10(s) | 75 yrs<br><br><b>OR</b><br><br>15 yrs | From DoB<br><br>From DoD, if child dies before 18 yrs<br><br><i>whichever is the earlier</i>                                  | <ul style="list-style-type: none"> <li>• Can be converted from paper record 5 yrs after closure</li> </ul>          |
| Children Looked After (records with foster carers, rescare, placement agencies)                          | Arrangements for Placement of Children (General) Regulations 1991  | 75 yrs<br><br><b>OR</b><br><br>15 yrs | From child's DOB<br><br><b>OR</b><br><br>From DoD if child dies before reaching 18 yrs<br><br><i>whichever is the earlier</i> | <ul style="list-style-type: none"> <li>• Reg's require vol orgs to do same re every child placed by them</li> </ul> |
| Children Looked After: registers/summary information   |  | 70 yrs                                | After administrative use ends then offer to County Records.   |   |

| Record Type  | Statutory Source  | Keep For  | Operational Life or Storage Period Ceases   | Notes  |
|--|---|---|---|--|
| Children Looked After: IRO records of individual children      |   | 3 yrs   | After child ceases to be looked after   | <ul style="list-style-type: none"> <li>Destroy duplicate records. Attach unique records to main child record</li> </ul>      |
| Children on Supervision Orders:<br><u>never</u> Looked After   |   | 21 yrs<br><br><b>OR</b><br><br>2 yrs  | From child's DOB<br><br><b>OR</b><br><br>From DoD if child dies before reaching 18 yrs<br><br><i>whichever is the earlier</i> | <ul style="list-style-type: none"> <li>SOs, through-care, post custody supervision</li> </ul>                                |
| Children: direct work records                                  | Depends on whether C-in-N, CP or CLA: see above   | <ul style="list-style-type: none"> <li>When direct work ends, transfer/link to main child record</li> </ul> |   |  |
| Custodianship & Residence Orders:<br><u>never</u> Looked After |   | 18 yrs<br><br><b>OR</b><br><br>2 yrs  | From DoB<br><br><b>OR</b><br><br>After last contact, whichever is the later   |  |
| Children Privately Fostered                                    | Guidance & Reg's re Children Act 1989, Vol 8, Private Fostering & Misc. Part 1.10.5 ...good practice to use same as for LA Placed children. | 75 yrs<br><br><b>OR</b><br><br>15 yrs   | From child's DOB<br><br><b>OR</b><br><br>From DoD if child dies before reaching 18 yrs<br><br><i>whichever is the earlier</i> | <ul style="list-style-type: none"> <li>Also carers' records incorporated into child's record when placement ended</li> </ul> |
| Common Assessment Framework (children subject to assessment)   |   | 25 years  | From child's DoB  |  |

| Record Type  | Statutory Source                    | Keep For   | Operational Life or Storage Period Ceases   | Notes |
|--|-------------------------------------|--|---|-------|
| Foster Carers (approved)<br>Plus Supportive Lodgings |                                     | 25 yrs<br><b>OR</b><br>2 yrs                       | From date approval ended or <b>OR</b> after DoD if earlier                            |       |
| Foster Carers (unapproved)                           | Fostering Services Regulations 2002 | 3 yrs<br><b>OR</b><br>2 yrs<br><b>OR</b><br>75 yrs | From refusal/withdrawal<br><b>OR</b><br>After DoD if earlier<br><br>If concerns exist |       |
| Foster Carer: initial enquiries taken no further     | Fostering Services Regulations 2002 | 3 yrs<br><b>OR</b><br>2 yrs                        | From date of last contact<br><b>OR</b><br>After DoD if earlier                        |       |
| Missing & Found OLA Persons                          |                                     | 3 yrs<br><b>OR</b><br>Immediately                  | After notification received<br><b>OR</b><br>After OLA notify us missing person found  |       |
| Parent Support Advisors Files                        |                                     | 25 years   | From child's DoB  |       |
| Risky Adult Checks + OFSTED Checks                   |                                     | 1 yr   | After check carried out   |       |