

Schedule of Records, their Treatment and Location

Record	Statutory retention period	Reference
Register of Members	Permanent	Article 54 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Members' share and loan registers	Permanent	Article 54 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Receipts for securities held, securities register and register of contracts of guarantee	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Members' share and loan registers	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Nominal ledger	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Register of nominations	Permanent	Article 17 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Register of bad debts written off	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Register of Officers' Loans	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Registered copy of Standard Rules and Amendments	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)

Register of Conflicts of Interest	<p>Permanent for the register itself An old entry may be removed from the register if more than six years have elapsed since the entry was made A third party may apply for an entry relating to them to be removed from the register, if it is incorrect</p>	The Limitation (Northern Ireland) Order 1989, Article 4
Annual Returns	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Title Deeds	Permanent	
Membership Application	Forms and records must be retained in individual member files and must be retained for 6 years after the relationship with the member has ended	The Limitation (Northern Ireland) Order 1989, Article 4
Member Identification	5 years after the relationship with the member has ended	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017), SI 2017/692, reg 40(1)–40(4) and 40(6)
Member Proof of Address	5 years after the relationship with the member has ended	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017), SI 2017/692, reg 40(1)–40(4) and 40(6)
Member TIN (where legal basis for collection)	Forms and records must be retained in individual member files and must be retained for 6 years after the relationship with the member has ended	The Limitation (Northern Ireland) Order 1989, Article 4
Member Nomination Forms	Forms and records must be retained in individual member files and must be retained for 6	The Limitation (Northern Ireland) Order 1989, Article 4

	years after the relationship with the member has ended	
Loan Application Forms	6 years from the discharge, final repayment, transfer or top up of the loan	The Limitation (Northern Ireland) Order 1989, Article 4
Documentation in relation to a loan application	6 years from the discharge, final repayment, transfer or top up of the loan	The Limitation (Northern Ireland) Order 1989, Article 4
Guarantor details	6 years from default of the borrower, date of demand, final discharge, transfer or repayment of the loan.	The Limitation (Northern Ireland) Order 1989, Article 4
Arrears letters		<p>Dependent on the circumstances and facts, e.g. if member comes out of arrears/legal action taken/loan written off etc. Legal action must be commenced within the relevant limitation period. If the limitation period has expired, then the defaulting member has a complete defence to the claim. It is for the defaulting member in that case to plead the defence of limitation (i.e. that the credit union is out of time to bring an action in court). Once the defaulting member has raised the defence of limitation, the burden is on the claimant (i.e. the credit union) to prove that time has not expired. If the loan was secured by a written promise to pay a specified sum at a specified time, such as a promissory note, the time is likely to run from the date of any written demand for repayment. This is the date that the credit union will have a cause of action. Article 57 of the Limitation (Northern Ireland) Order 1989 (as amended) (the 1989 Order) extends the limitation period in cases where the defaulting member makes some acknowledgment or payment in respect of the credit union's right of action. However, Article 59(4) of the 1989 Order states that once the relevant limitation period has expired, subsequent acknowledgement or part-payment does not extend the limitation period. Article 59(1) of the 189 Order provides that in order to be effective, an</p>

		acknowledgment must be made in writing and signed by the person making it (i.e. the defaulting member).
Lodgement Transactions	10 years from the date of the transaction ¹	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017), SI 2017/692, reg 40(1)–40(4) and 40(6)
Promissory Notes / Credit Agreements	6 years from the discharge, final repayment, transfer or top up of the loan	The Limitation (Northern Ireland) Order 1989, Article 4
Agreement variation documentation	6 years from the date of the transaction	The Limitation (Northern Ireland) Order 1989, Article 4
Withdrawal Forms	10 years from the date of the transaction ²	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017), SI 2017/692, reg 40(1)–40(4) and 40(6)
Insurance product sale documentation	6 years	The Limitation (Northern Ireland) Order 1989, Article 4

¹ Regulation 40(3)(b)(i) of the new Money Laundering Regulations 2017 requires records relating to any transaction occurring as part of a business relationship to be kept for a period of five years from the end of the business relationship with the customer/member. That is subject to the 10 year stop gap period under Regulation 40(4) (and the other exemptions laid out under Regulation 40(5)). The ILCU has sought to clarify this with the Financial Conduct Authority (FCA) Financial Crime team who have confirmed they are content that credit unions move from their old retention period relating to transactional records for five years from end of relationship subject to a new ten years from the date of the transaction. The AML policy has been updated to take account of this change.

² As above

LP/LS claim documentation	6 years after the relationship with the member has ended. Please note that for LS, the credit union needs to be able to provide statements from the member's 55th birthday to date of death in support of an LS Claim under the terms of its life assurance policy with ECCU.	The Limitation (Northern Ireland) Order 1989, Article 4
Declaration of Health Forms	Until loan is repaid	
Minutes of monthly Board meetings	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Minutes of Annual General Meetings	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Minutes of Special General Meetings	Permanent	Rule 169 of the Standard Rules for Credit Unions (Northern Ireland) and Article 8 of the Credit Unions (Northern Ireland) Order 1985 (as amended)
Credit Committee minutes	Permanent	
Credit Control Committee minutes	Permanent	
Supervisory Committee minutes	Permanent	
Other Committee minutes	Some committee records are short lived and can be destroyed as soon as they have served their purpose. This could mean keeping drafts for a year, if you want to be able to return to the previous year during the current meeting cycle. These include	

	draft minutes, agendas and papers, announcements and notices of meetings, notification of acceptance or apologies, requests for and confirmation of meeting room bookings and catering.	
Terms of reference	Permanent	
Executive records, for example important letters from the board or management of the credit union	6 years	Such retention is necessary due to the need to have evidentiary material should litigation occur. It is for the credit union to decide what is important in this context.
Documents, which are related to a litigation matter	Contact Legal Adviser	Contact Legal Adviser
Expense Requisitions	6 years	The Limitation (Northern Ireland) Order 1989, Article 4
Bank Statements	6 years	The Limitation (Northern Ireland) Order 1989, Article 4
Books of account with respect to its transactions and its assets and liabilities	6 years	Every accounting record required to be kept under Rule 30 of the amended Standard Rules (Article 40 of The Credit Unions Northern Ireland Order 1985 (as amended)) must be retained for not less than six years from the date to which it relates – see also Rule 31 (Retention of Records) in this regard. The Limitation (Northern Ireland) Order 1989, Article 4
CCTV Recordings	28 days	Maximum: There is no specified period in the legislation, but the guidance of the Information Commissioner's Office confirms that images should not be kept for longer than strictly necessary to meet the organisation's purposes in recording them. On occasion, an organisation may need to retain images for a longer period where a law enforcement body is investigating a crime.
Training Records, CPD	6 years after employment or office ceases, unless document executed as a deed, in which case 12 years after employment ceases	The Limitation (Northern Ireland) Order 1989, Article 4

General Insurance documentation	Specific provisions may be applicable, depending on the nature of the insured risk. In any event, policies should be kept for as long as they are valid, and thereafter for a period sufficient to protect the company's legitimate interests in the event of any potential liability claim or litigation.	
Contracts	<ul style="list-style-type: none"> o Contracts are retained for a minimum period of six years from date of expiration or breach o Contracts under seal are retained for a minimum period of twelve years from date of expiration or breach 	The Limitation (Northern Ireland) Order 1989, Article 4 and Article 15
Visitor / Staff Log	No specific maximum retention period, general rules apply	Storage limitation. Personal data must not be kept in a form which permits identification of data subjects for longer than is necessary for the purposes for which the data is processed (Article 5(1) (e)). Personal data may be stored for longer periods provided it is processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes. This is subject to the implementation of appropriate data security measures designed to safeguard the rights and freedoms of data subjects
Declaration of Fidelity and Secrecy	Six years from employee or officer ceasing to be in position	The Limitation (Northern Ireland) Order 1989, Article 4
Consents- Direct Marketing consents/Schools Quiz/Art Competition	The current UK legislation and ICO guidance is silent on validity period for direct marketing consents. We await final implementation of the updated Privacy and Electronic	

	Communications Regulations later in 2018 before further guidance can be given. The current draft regulations have six months as the time period.	
Records Destruction Log	6 years after end of calendar year	
<p>Rejected job applicant records, including:</p> <ul style="list-style-type: none"> • contact details • application letters or forms <ul style="list-style-type: none"> • CVs • references • certificates of good conduct <ul style="list-style-type: none"> • interview notes • assessment and psychological test results 	6 months	<p>Paragraph 1.7 of the ICO's Employment Practices Code para 1.7 states that information should be held for 3 months.</p> <p>However, in Northern Ireland, the Equality Commission's guidance document <i>"A Unified Guide To Promoting Equal Opportunities In Employment"</i> states that Employers should establish standardised systems for recording shortlisting decisions and should retain all documentation for a period of at least twelve months.</p>
<p>application records of successful candidates, including:</p> <ul style="list-style-type: none"> • application letters or forms • copies of academic and other training received <ul style="list-style-type: none"> • references • correspondence concerning employment <ul style="list-style-type: none"> • CVs 	Six years after employment ceases	The Limitation (Northern Ireland) Order 1989, Article 4

<ul style="list-style-type: none"> • interview notes and evaluation forms • assessment and psychological test papers and results 		
<p>Employment contracts, including:</p> <ul style="list-style-type: none"> • personnel and training records • written particulars of employment • changes to terms and conditions 	<p>Six years after employment ceases, unless document executed as a deed, in which case 12 years after employment ceases</p>	<p>The Limitation (Northern Ireland) Order 1989, Article 4</p>
<p>Identification documents of foreign nationals (including right to work)</p>	<p>Not less than two years from date of termination of employment</p>	<p>Immigration (Restrictions on Employment) Order SI 2007/3290, art 6(1)(b)</p>
<p>Records concerning a temporary worker</p>	<p>Six years after employment ceases</p>	<p>The Limitation (Northern Ireland) Order 1989, Article 9</p>
<p>Employee performance and conduct records, including:</p> <ul style="list-style-type: none"> probationary period reviews review meeting and assessment interviews appraisals and evaluations promotions and demotions <p>For relevant organisations only all information relevant to an assessment of the individual's fitness and propriety under the Senior Managers and Certification (SM&CR) regime or Senior Insurance Managers regime (SIMR)]</p>	<p>Six years after employment ceases</p> <p>Information regarding a relevant individual's gross misconduct must be retained for at least a period of six years from it occurring. See Accountability Regime section</p>	<p>The Limitation (Northern Ireland) Order 1989, Article 9 and Regulatory references under the Accountability Regime</p>

Records relating to and/or showing compliance with Working Time Regulations 1998 including: registration of work and rest periods working time opt-out forms	Two years from the date on which the record was made	Working Time Regulations 1998, SI 1998/1833, reg 9
Redundancy records	Six years from date of redundancy	The Limitation (Northern Ireland) Order 1989, Article 4
Annual leave records	Six years after the end of each tax year	The Limitation (Northern Ireland) Order 1989, Article 4
Parental leave records	Six years after the end of each tax year	The Limitation (Northern Ireland) Order 1989, Article 4
Sickness records	Six years after the end of each tax year	The Limitation (Northern Ireland) Order 1989, Article 4
Records of return to work meetings following sickness, maternity etc	Six years the end of each tax year	The Limitation (Northern Ireland) Order 1989, Article 4
Records for the purposes of tax returns including wage or salary records, records of overtime, bonuses and expenses	Six years	Taxes Management Act, 1970 s 12B and Finance Act 1998, Schedule 18, para 21
Pay As You Earn (PAYE) records, including: Calculations of the PAYE income of employees and relevant payments	Three years	Income Tax (Pay As You Earn) Regulations 2003, SI 2003/2682, reg 97
Income tax and NI returns, income tax records and correspondence with HMRC	Three years after the end of the financial year to which they relate	Income Tax (Employments) Regulations 1993, SI 1993/744, reg 55
Records demonstrating compliance with national minimum wage requirements	Three years beginning with the day upon which the pay reference period immediately following that to which they relate ends	National Minimum Wage Regulations 2015, SI 2015/621, reg 59

Details of benefits in kind, income tax records (P45, P60, P58, P48 etc), annual return of taxable pay and tax paid	Six years (but general time limit under the TMA 1970 is reducing to four years from 1 April 2012)	Taxes Management Act 1970
Employee income tax and national insurance returns and associated HMRC correspondence	Three years from end of tax year to which they relate	Income Tax (Pay as You Earn) Regulations 2003, SI 2003/2682, reg 97
Statutory sick pay (SSP) records	Three years after the end of the tax year to which they relate	The requirement to maintain SSP records for three years after the end of the tax year to which they relate was revoked in 2014, but an employer may still be required by HMRC to produce such records as are in his possession or power which contain, or may contain, information relevant to satisfy HMRC that statutory sick pay has been and is being paid. The Statutory Sick Pay (General) Regulations 1982, SI 1982/894, reg 13(A)
Wage or salary records (including overtime, bonuses and expenses)	Six years	Taxes Management Act 1970, s 43
Records relating to hours worked and payments made to workers	Three years	National Wage Act 1998, s 9 and The National Wage Regulations 1999, reg 38
Statutory maternity, paternity and shared parental pay records, calculations, certificates or other evidence	Three years after the end of the tax year in which the period of statutory pay ends	Statutory Maternity Pay (General) Regulations 1986, SI 1986/1960, reg 26
Business data and documents concerning pension schemes and related subjects (ensuring from obligation to retain records relating to an approved pension scheme or a statutory pension scheme, including accounts and actuarial valuation reports relating to the scheme. Administration regarding pension scheme (by pension administrator and pension association)	Six years from the end of the year in which the accounts were signed	Regulation 15 Retirement Benefits Schemes (Information Powers) Regulations 1995

<p>Fair employment monitoring information and returns (for those credit unions with more than 10 full time employees)</p>	<p>3 years after an employee leave employment. Monitoring information and returns to be retained for a period of 3 years after the application and return of information is made</p>	<p>Article 52 of the Fair Employment and Treatment (Northern Ireland) Order 1998 requires registered employers to prepare for each year and serve on the Commission a monitoring return which contains such information about the employees of the employer and those applying for employment in the concern as</p> <p>The Fair Employment (Monitoring) Regulations (Northern Ireland) 1999 set out in Schedule 1 the prescribed information. Regulation 17 obliges an employer to keep written information relating to monitoring for a period of 3 years after an employee leaves employment. Regulation 18 relates to applicant monitoring information and obliges the employer to retain that information for a period of 3 years after the application is made.</p>
<p>Senior Management Function including assessment forms, fitness and propriety assessments, training and conduct (on appointment and ongoing)</p>	<p>Six years from the individual ceasing to perform that function</p>	<p>SYSC 3.2.1 A firm should have appropriate systems and controls in place to fulfil the firm's regulatory and statutory obligations with respect to adequacy, access, periods of retention and security of records. The general principle is that records should be retained for as long as is relevant for the purposes for which they are made and the Limitation (Northern Ireland) Order 1989, Article 4</p>
<p>Credit Union Non-Executive Director including assessment forms, fitness and propriety assessments, training and conduct (on appointment and ongoing)</p>	<p>Six years from the individual ceasing to perform that function</p>	<p>SYSC 3.2.1 A firm should have appropriate systems and controls in place to fulfil the firm's regulatory and statutory obligations with respect to adequacy, access, periods of retention and security of records. The general principle is that records should be retained for as long as is relevant for the purposes for which they are made and the Limitation (Northern Ireland) Order 1989, Article 4</p>

<p>Certification Function including assessment forms, fitness and propriety assessments, training and conduct (on appointment and ongoing)</p>	<p>Six years from the individual ceasing to perform that function</p>	<p>SYSC 3.2.1 A firm should have appropriate systems and controls in place to fulfil the firm's regulatory and statutory obligations with respect to adequacy, access, periods of retention and security of records. The general principle is that records should be retained for as long as is relevant for the purposes for which they are made and the Limitation (Northern Ireland) Order 1989, Article 4</p>
<p>Breaches of conduct rules</p>	<p>Six years from employee or officer ceasing to be in position</p>	<p>SYSC 22.2.1 and SYSC 3.2.1 A firm should have appropriate systems and controls in place to fulfil the firm's regulatory and statutory obligations with respect to adequacy, access, periods of retention and security of records. The general principle is that records should be retained for as long as is relevant for the purposes for which they are made and the Limitation (Northern Ireland) Order 1989, Article 4</p>
<p>Past versions of a credit union's maps of responsibility</p>	<p>SYSC 4.5.21G does not itself impose requirements but says that past versions are an important part of its records. Recommended period of six years from data of superseding map</p>	<p>SYSC 3.2.1 A firm should have appropriate systems and controls in place to fulfil the firm's regulatory and statutory obligations with respect to adequacy, access, periods of retention and security of records. The general principle is that records should be retained for as long as is relevant for the purposes for which they are made. SYSC Schedule 1.2G and The Limitation (Northern Ireland) Order 1989, Article 4</p>

<p>Criminal records information:</p> <ul style="list-style-type: none">• criminal records requirement assessments for a particular post• criminal records information form	<p>Criminal records requirement assessments for a particular post—12 months after the assessment was last used</p> <p>All other information in this category—as soon as practicable after the check has been completed and the outcome recorded (i.e. whether satisfactory or not) unless, in exceptional circumstances, [the data protection officer OR [insert job title or department]] assesses that it is clearly relevant to the ongoing employment relationship [text, e.g. to allow for consideration and resolution of any disputes or complaints] in which case, six months</p> <p>If [the data protection officer OR [insert job title or department]] considers it necessary to keep the information for longer than six months, the DBS should be consulted</p>	<p>Police Act 1997 (as amended) governs use of Access NI checks and hardcopy records must be shredded within six months under AccessNI Code of Practice ICO Employment Practices Code Nov 2011, part 1.7.4</p>
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<p>Records of reportable injuries, diseases or dangerous occurrences, reportable incidents, reportable diagnoses and injury arising out of accident at work (including credit union's accident book)</p>	<p>Three years from date of the entry</p>	<p>The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013), SI 2013/1471, reg 12 and The Limitation (Northern Ireland) Order 1989 Article 7 (For a child or young person, the limitation period runs from the time he/she attains the age of 18 years and may be extended where material facts are not known). The limitation period of three years from the date of personal injury or death, or date of knowledge of a claim applies only to actions that include a claim for damages in respect of personal injuries</p>
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