

Q: Who can I contact if I have a query?

A: If you have any questions regarding the policy, they should be directed to nrrp@hse.ie

Q: Where can I find the HSE National Records Retention Policy online?

A: The policy can be found here <https://healthservice.hse.ie/staff/procedures-guidelines/record-retention-policy/>

Q: Why we must have retention policy?

A: As records may contain personal data, this requirement places a responsibility on the HSE to be clear about the length of time data record personal data will be kept and the reasons why the information is being retained. To comply with this rule the HSE must have a policy on retention periods for records that are retained. There are also legal requirements (Child Care Act, Employment law, Accounting regulations etc.) which sets out a legal timeframe to retain documents for specific time periods. Please refer to section 5 of policy for more in depth explanation.

Q: How are/were retention periods in the policy determined?

A: In terms of the retention periods, they are typically driven by either legal requirement (e.g. employment law), operational or clinical needs. Clinical representatives from the Chief Clinical Office advised on the clinical records for inclusion and respective retention periods. In the case of Clinical Records for both children and adults, retention periods were determined through a detailed review undertaken in 2022 of clinical record retention periods by a number of clinical experts from the HSE Clinical Advisory Committee (CAC). The 2013 document had a wide variety of retention periods which were confusing and difficult to maintain and enforce.

Q: How can we make adjustments to the current HSE records retention policy?

A: Consultation activities will be undertaken in line with the policy review plan and to invite relevant teams to submit any proposed changes, additions to and suggestions for the revised policy.

Q: Is there any records, this policy is not applicable to?

A: The scope of the policy is to primary processing of identifiable data, this covers both clinical and non-clinical records held by the HSE. This document is not intended to deal with secondary processing of records for research purposes (with the exception being records used for clinical audit).

The term "Secondary purpose" means the use of patient data other than for the direct care of the patient, e.g.: Records processed for research purposes.

Q: What is 'ROPA', is this a mandatory requirement?

A: Record of processing activities (ROPA). The HSE is legally required under Article 30 GDPR to retain a record of processing activities (ROPA) under its responsibility. It demonstrates how we comply with data protection regulations amend incorrect data or track all third party disclosures. For further information <https://healthservice.hse.ie/staff/procedures-guidelines/data-protection/record-of-processing-activities-ropa/>

Q: Why is 'ROPA' relevant to record retention?

A: Logging all your personal data processing in your Record of Processing Activities (ROPA) will help you to fully understand what personal data you process and the purposes for which that data is used. Once you have the information you need, it is much easier to categorise your data, decide on the retention period.

Q: Records are classified in the policy, what is the reason for this?

A: Classification of records within the policy is guided by HSE Information Classification & Handling Policy, available here <https://www2.healthservice.hse.ie/organisation/national-pppgs/information-classification-and-handling-policy/>.

Q: How long should I keep our records?

A: Retention period is dependent on the category and type of records. Once you have identified and categorised your data, you need to define appropriate data retention periods.

Q: I can't see record categories applicable to my records, what retention period should I apply?

A: Please note that the record types listed in the policy might not be exhaustive. If your record does not relate to any of the types and category listed in the policy, consider the following points:

- Legislation and the HSE's operational requirements should typically dictate retention periods for various categories and types of records.
- Where there is no statutory requirement or where a record needs to be held for longer than its retention period or into perpetuity, reasonable steps should be taken such as consultation with internal data owners and / or relevant function heads to ask questions about retaining your records as long as it is necessary for the purposes it is needed.
- It is recognised that your area/division may use data for multiple purposes, you need to take account of each specific purpose for processing, and the legal or operational basis for that processing, when considering an appropriate retention period.
- Decisions made on retention periods and the logic behind it should be documented, reviewed and approved by the "Data Owner".

Q: Should I also retain hard copies if the records have been digitised?

A: There should be no requirement to retain hard copy documents, if all of the details from the hard copies are digitised and verification process was undertaken to ensure that the digital copy is an exact replica of the original in advance of the destruction of the physical record.

Q: Can a record be held longer than its retention period?

A: Yes there are exceptions as explained within Section 5 of the policy and dependant on case by case basis. These exceptions should be applied with care, documented and reviewed by the data owner.

Q: What are the actions I need to do, when the retention period is reached?

A: Section 9.0 of the policy includes helpful key points when considering to delete or to destroy data.