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Policy on the Destruction of Records		

Policy on the Destruction of Records.	
Developed by: Director of Nursing Office and Clinical Nurse Managers	Date Developed: Revised February 2011 Revised August 2014, August 2017, August 2020, September 2023
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Policy on Record Destruction

Policy scope, overview and aims

The HSE recognises the importance of destroying selected financial records and other records effectively in order to ensure compliance with its various legal obligations and to protect the security of the information in its possession.

Specific legal obligations

The effective destruction of records is an important part of the HSE's approach towards protecting the security of the information in its possession. In particular, there are two specific legal obligations that must be adhered to – • The provisions and principles of the Data Protection Act, 1988 & 2003,200 require the HSE to ensure that any record containing personal data, such as an individual's name, address, or information relating to personal health, or financial or legal matters, is managed in a way that prevents the inadvertent disclosure or loss of information. In effect, this requires the HSE to destroy personal data under secure and confidential conditions.

The provisions of the Freedom of Information Act, 1997 & 2003 require effective destruction of a record at the end of its lifecycle in accordance with the established record retention schedule, to be able to guarantee that responses to requests for information made under the Act are lawful.

Manual Records: Destruction Process

It is the individual responsibility of all staff to ensure information they are handling is destroyed effectively, securely and in accordance with this regulation. Manual records that have reached the end of their lifecycle, either in accordance with the relevant Records Retention Schedule or as usual paper waste, are divided into the following two categories, and are destroyed in accordance with the instructions relating to each category.

1. Paper Recycle Bins

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For non-confidential records and/or data, and those containing no personal information, bins are provided for recycling purposes. All recycle bins are emptied whenever necessary by support staff in each department or section. As paper collected in the bins is only ever recycled and never shredded, it is the responsibility of all those placing material in the bins to check that it has been identified correctly for recycling.

Shredding

Any record containing the data described below is treated as highly confidential material

- data relating to confidential financial activities of the HSE;
- data relating to policy decisions/future activities of the HSE;
- payroll and pension data;
- sensitive personal data, as defined by the Data Protection Act, 1988 and 2003, covering racial or ethnic origin, political opinions, religious beliefs, Trade Union activities, physical or mental health, sexual life, or details of criminal offences;
 - higher level personal data, such as information relating to staff disciplinary proceedings or harassment;
- records containing “private” personal data, such as information relating to an individual’s personal circumstances, personal finances, or a personal reference;
- records of a commercially sensitive nature, such as contracts, tenders purchasing and maintenance records, or legal documents;
- records concerning intellectual property rights, such as unpublished research data, draft papers, and manuscripts;
- records containing personal or sensitive data about research subjects.

A “highly confidential” record should be shredded confidentially by a designated member of staff from the Section. The date of destruction and the manner in which the records were destroyed should also be recorded. In terms of the means of destruction this should be carried out by shredding, pulping or incineration.

Electronic or machine-readable records: Destruction Process

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Electronic or machine-readable records containing confidential information require a two-step process for assured, confidential destruction. Deletion of the contents of digital files and emptying of the desktop "trash" or "waste basket" is the first step. It must be kept in mind that reconstruction and restoration of "deleted" files are quite possible in the hands of computer specialists. With regard to records stored on a "hard drive," it is recommended that commercially available software applications be utilised to remove all data from the storage device. When properly applied, these tools prevent the reconstruction of any data formerly stored on the hard drive. With regard to floppy disks and back-up tapes, it is recommended that these storage devices be physically destroyed.

These recommended methods of confidential destruction shall be arranged through the HSE ICT Directorate and the relevant qualified IT specialist assigned to the task.

The Person with Ultimate Responsibility for Destruction of any record in this Service is the Administrator. The Administrator must be contacted before any record is destroyed.