Document Retention Policy and Guidelines

Document Control

Version History

This table records the status and version history of this document.

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This table records the quality reviewers of this document.

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# Introduction

Npower Group plc, Innogy Renewables UK Limited and Innogy Business Services UK Limited (“the Companies”)have developed a policy to provide an overview of the law and best practice relating to the retention and storage of key business documentation. It suggests minimum retention periods for different types of documents based on good commercial practice and, where applicable, the minimum retention periods required by law.

In adopting the guidelines, the Companies have taken the decision to adopt best practice in all areas of document retention. Therefore, while this may include references to documents not applicable to our business at this time, it is designed to cover all areas to allow the guidelines to meet any changes to our business that could occur in the future.

# Document Retention Schedules

**Our document retention guidelines are listed in the below nine detailed schedules, which** make recommendations for the retention of specific documents. Each of the schedules combines law and principle with procedure and best practice. They each cover a wide range of regulatory areas – including company law, accounting and tax and health and safety, and summarise retention recommendations for a wide range of key business documents. A summary of the nine schedules is outlined below:

## Companies Act Records

This relates to the need to keep formal documents for registered companies, be they active or dormant. It includes the need to keep statutory registers, returns and other formal company documents.



## Share Registration and Dividends

The section relates to management of shareholder records for a company. It covers areas such as shareholder registers, share issue and transfer documentation, together with dividend and interest payment records.



## Meetings and Minutes

Companies are required to keep minutes of general meetings and of meetings of Directors, including any meeting of a committee of Directors. The Companies Act also requires that minutes be kept of all managers’ meetings. This section outlines the requirement to keep formal records of meetings and also extends to the need to keep copies of Agendas for meetings and papers presented.



## Accounting and Tax Records

There are formal requirements to keep accounting records under both Company law and for Tax purposes. This section therefore covers all accounting records, including Accounts, budgets, VAT, Corporation Tax and PAYE records. In addition, it also contains information on storage of charitable and political donations and Banking records.



## Employment and Pension Records

Retention requirements for payroll records are governed principally by accounting and tax rules. This section deals with the need to hold employment records of various types including pension scheme records.



## Health and Safety and Medical Records

Health and Safety regulations contain a number of specific requirements to retain records, some for relatively long periods. Failure to hold valid documents may attract the penalties of prosecution, improvement or prohibition notices. This section therefore covers a multitude of areas as required under the various health and safety regulations, including the reporting of incidents, accidents and injuries.



## Contracts, Sales, Marketing, Insurance, Engineering and Technical Standards

The two main factors in determining the retention periods for contracts are the limitation period and the possibility that the contract is a supporting document for tax reasons. This section also covers requirements to retain documentation in connection with sales and marketing activity, together with insurance records.



## Property Records

Property records will often need to be retained for much longer than other types of records. They may be needed to prove title, rights and obligations, planning consents, or compliance with building regulations etc. This section splits out the need to keep Property records such as legal documents, project documents, and formal reports. It also includes information for the retention of Intellectual property records and other Property assets such as asset registers and vehicle documents.



## Information Management

Information management deals with the management of recorded information across the whole business, regardless of format, location or originator. Although records of Information management activities need to be kept whether they relate to a paper-based, microfilm or electronic systems, the specific requirements for electronic records, as outlined in the supporting schedules, will tend to dictate the retention requirements in this area. This section includes the requirements for Information management policies and procedures, system records, and storage. It also covers requirements under the Data Protection Act 1998 and the forthcoming GDPR (which becomes enforceable from 25 May 2018), and the Freedom of Information Act.



## Financial Services

Previous copies of this policy contained a Financial Services schedule. This is no longer relevant to the innogy SE group in the UK, so the schedule has been removed.

# Limitation Periods

In addition to the ten main schedules, individuals should also be aware of the need to retain documents under the Limitation Act 1980. Limitation periods relate to the need to retain documents following a claim or court action made by/against the Company. Normally Limitation periods run from the date of the event giving rise to the cause of action. A further schedule outlining the Limitation periods in England and Wales is shown as a separate schedule. Limitation periods for Scotland are slightly different – for further information you should contact the Legal department.



Examples of how to find the retention period for a document using the schedules



# The Retention Guidelines

The guidelines detail the documents that must be retained for statutory or commercial reasons and state the minimum period of retention however there may be other documents that are not detailed that are also kept for business or technical reasons. You must review all documents and records you hold in archive and have these destroyed if they no longer need to be retained according to the guidelines. This will help to reduce the costs for the company’s off-site storage facilities.

Particular attention should be made to the requirements of the Data Protection Act 1998 and the forthcoming GDPR (which becomes enforceable from 25 May 2018), whereby records that contain any personal data should not be kept for any longer than is necessary for the purpose for which they were created. For further information you should read the Company’s Data Protection Act Policy, a copy of which is available on the Data Protection intranet site. If you are in any doubt about its application you should contact the Data Protection team.

# Electronic Storage

These guidelines are designed to ensure that all information considered to be records should become part of a managed and controlled set of records. The lifecycle of these records is determined by retention schedules irrespective of the media on which they are held. The corporate policy includes the management of electronic records amongst which emails and their attachments are a part.

Individual staff have the same responsibilities for managing email records as they have, when managing the records on any other media. Every member of staff is responsible, in the course of their activities, for:

* Identifying and capturing emails and their attachments which are appropriate for retention as electronic records, because of their business function or content.
* Initiating the categorisation and filing of appropriate email records to the archive by the relevant method.
* Managing email and email records in a manner that ensures their integrity and guards against their inappropriate loss or destruction, and co-operating where necessary with an audit trail mechanism.
* Accessing and retrieving relevant emails when requested.

# Retention Responsibility

While the responsibility for document retention still rests with the individual Department Manager, adherence to the guidelines should help to ensure legal compliance throughout the company and an appropriate level of consistency.

Where documents are not listed, the Department Manager should, of course, continue to use their discretion in determining the retention period. For further guidance see the contacts section below.

A record should be completed and maintained of agreed retention periods applicable to your department. Schedules should include details of Data Owner, record description, data items included, retention period, storage means and justification for detailed period.

# Archiving

## Process

Details of the archiving process together with useful documents, can be found be visiting the [Archiving Intranet page](http://intranet.npower.com/property_sustainability/?area=archiving_homepage.htm).

## Useful Contacts

For queries in connection with data protection please email [data.protection@npower.com](mailto:data.protection@npower.com)

For queries in connection to FileTrak and archiving please call RESTORE on 01285 760857 or email [requestssouthwest@restore.co.uk](mailto:requestssouthwest@restore.co.uk)

Please note, the FileTrak system is used by **all** parts of the RWE group.

For all other archiving queries please call Steve Pepper, RWE Administrator, between the hours of 12:30 and 16:30 on 07989 494860 or email [steve.pepper@rwenpower.com](mailto:steve.pepper@rwenpower.com) .

# Appendix A – IPL Agreement

This document explains the reasons behind the jointly owned box share processes we have with International Power (now GDF Suez).

It’s a lengthy legal document but, in short means that any documents created and archived before the agreed date of 17/03/2000 are deemed jointly owned by the successor companies.

For more detailed information please read the agreement.

