

**POLICY REGULATING THE RETENTION
OF DOCUMENTATION IN THE MALTA
SOCIAL WORK PROFESSION BOARD**

Malta Social Work Profession Board

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1. SCOPE

1.1 This Policy is aimed at regulating the retention, maintenance and disposal of documentation, both personal and other, within the Malta Social Work Profession Board (SWPB), as provided for in the Social Work Profession Act, Cap. 468 of the Laws of Malta, and in consonance with the principles of the General Data Protection Regulation (GDPR) and related legislation, and other legal provisions in Maltese Law.

2. BACKGROUND

2.1 The GDPR puts forward the principle that personal data and sensitive personal data should not be retained for periods that are longer than necessary. In this context, the Malta Social Work Profession Board will be putting forward a retention policy for all data and documentation that it collects and processes, with the purpose of ensuring compliance to the Regulation and to ensure that no resources are utilised in the processing and archiving of data and information which is no longer of relevance.

3. OBJECTIVES

3.1 This policy aims to achieve the following objectives:

- a. Regulate the retention of and disposal of the various types of documentation within the Malta Social Work Profession Board, while adhering to the Data Protection principle that personal data should not be retained for a longer period than necessary;
- b. Dispose of unnecessary documentation that is no longer relevant and is taking up useful storage space;
- c. Promote the digitisation of documentation as may be reasonably possible in order to minimize the use of storage space required to store the required documentation, as well as to promote a sustainable use of paper and printing consumables.

4. ADMINISTRATION

4.1 Documentation is held and recorded by the Malta Social Work Profession Board. This Policy is therefore applicable to all of the above. It will be the responsibility of the Malta Social Work Profession Board and its Data Controller, the Chairperson, to ensure that all provisions of this Policy are adhered to.

5. DOCUMENTATION HELD WITHIN MALTA SOCIAL WORK PROFESSION BOARD

5.1 As part of its operating requirements the Malta Social Work Profession Board, requests, holds and maintains a wide range of documentation which may include personal data. The various types of documentation utilised by Malta Social Work Profession Board may be categorised as follows:

- a. Personal Data of Malta Social Work Profession Board members, and social work warrant applications;
- b. Attendance and absence records;
- c. Minutes of Board Meetings and Subcommittee meetings
- d. Discipline related Records;
- e. Financial records including payslips, tax and national insurance contributions, procurement documentation etc;
- f. General Correspondence & Enquiries
- g. Exempted Documents and Records

6. SECURITY OF DOCUMENTATION

6.1 Documentation is maintained in an accessible but secure location with adequate access provided to officials who have the clearance level to access the relevant documentation. In the case of the more sensitive documentation with higher clearance levels, access control protocols are fully adhered to, to ensure that only those that have the required security clearance have the right and means to access the documentation.

6.2 In the case of personal data, the GDPR also stipulates that only those with the requirement to process this information should be allowed access to personal records.

6.3 Personnel who are found to be in breach of these security protocols, and to the GDPR, will be subject to disciplinary action.

7. MANUAL VS ELECTRONIC RECORDS

7.1 In terms of retention periods, it needs to be pointed out that the same retention period will apply for both electronic and manual data.



8. EXEMPTIONS

8.1 The Malta Social Work Profession Board is regulated by the Social Work Profession Act (Cap 468 of the Laws of Malta), which is being referred to regarding the following exemptions. These documents and records are exempted from retention timeframes.

- a. Official Register of Warranted Social Workers, as per Art. 5. (1) (d)
- b. Official Register of all Unwarranted Social Workers, as per Art. 5. (1) (e)
- c. Official Register of all Partnerships of Social Workers, as per Art. 5. (1) (f)
- d. Information about Associations representing Social Workers in Malta, as per Art. 5. (1) (g)
- e. Register of persons disqualified from applying or retaining Social Work warrant, as per Art. 8
- f. Register of persons found responsible of professional misconduct, gross negligence and/or incompetence, as per Article 9.
- g. Inquiries undertaken by the Malta Social Work Profession Board, as per Article 9. Personal Data in these inquiries shall be changed with a code, which is accessible to Chairperson and Secretary of the Malta Social Work Profession Board.
- h. Register of Social Work Warrant Applications which do not satisfy warranting eligibility, requirements and/or criteria, outlining the information respective to decision of refusal by the Malta Social Work Profession Board, as per Art. 6.

9. RETENTION PERIOD

9.1 Retention of different categories of documents is governed by different requirements and different legislation and regulations.

9.2 The following schedule outlines the retention requirements for the various categories of documentation within the Malta Social Work Profession Board.

SWPB Unit	Category	Records Type	Description	Retention Period	Remarks	Action determined by the National Archivist
Finance	Financial Records	Invoices and Receipts	Invoices and Receipts of goods purchased by SWPB.	Ten (10) years	1. To allow justifiable timeframe for any arising financial and audit reports of any grants and credits. 2. Timeframe stipulated in accordance to the Companies Act, Cap 386 Laws of Malta.	Not required for permanent preservation by the National Archives
Human Resources	Personal Information	Personal Data of Malta Social Work Profession Board members	Information Details, in paper and digital format, about appointed SWPB Members.	Five (5) years (effective from termination of appointment)	1. To allow SWPB to maintain the respective documentation to adhere to Cap 468, Article 4. (3) & (4).	Not required for permanent preservation by the National Archives.

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Human Resources	Attendance and Absences Records	Attendance Sheets for Board Meetings	Records of attendance, in paper and digital format, gathered by SWPB Secretary.	Five (5) years (effective from termination of appointment)	1. To allow SWPB to maintain the respective documentation to adhere to Cap 468. Article 4. (3) & (4).	Not required for permanent preservation by the National Archives.
Office of the Chairperson	General Correspondence & Enquiries	Correspondence	Internal and External Correspondence of Chairperson of the Social Work Profession Board.	Two (2) years	1. To facilitate sequential analysis. 2. To allow practicable timeframe to settle any pending issues and/or disputes.	Not required for permanent preservation by the National Archives.
Office of the Chairperson	Minutes of Board & Subcommittee Meetings	Documented Minutes of SWPB Meetings held.	SWPB Meetings minutes are completed by SWPB Secretary and retained in paper and digital format.	Fifteen (15) years. After this 15 year period, a process of anonymization of enlisted persons who were not SWPB board members shall be effective.	1. To allow continuity in Board's and Subcommittees workflow. 2. To allow review of law, policies and interpretation of decision making processes and case history. 3. To allow justifiable timeframe to review rationale of decision making processes.	Anonymised records to be retained indefinitely by the originating office.

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					4. The process of anonymization allows SWPB to retain meetings minutes indefinitely. The identity of the Board Members shall be retained in view of their professional capacity as SWPB members.	
Office of the Chairperson	Social Work Applications	Completed Application Forms of Unwarranted Social Workers applying for SWPB recommendation to become Warranted Social Workers.	The format of the application is always the same, in paper format, with some variations along the years due to SWPB reviews and amendments.	Four (4) years	1. Awarding of Social Work Warrant is a biennial event. This would allow availability of applications and recommendations of the last two (2) warranting ceremonies.	A random sample of five (5) forms is to be retained and transferred to the National Archives for permanent preservation.
Office of the Chairperson	Disciplinary records	Admonishments & Written Warnings	Records in paper and digital format of inquiries into any allegation of professional misconduct, gross negligence or incompetence by a social	One (1) year. After one (1) year from the issuing of admonishment and/or written warning, a process of anonymization	1. A process of anonymisation through removal of personal identifiers shall be implemented. 2. To allow justifiable timeframe to review rationale of decision making processes.	Anonymised records to be retained indefinitely by the originating office.

A. Samuels

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Office of the Chairperson	Disciplinary Records	Disciplinary Charges	worker, in adherence to Cap 468, Art. 5. (1) (j).	shall be implemented.	as guided by Human Resources Corporate Procedures (2015).	
		Disciplinary Charges	Records in paper and digital format of inquiries into any allegation of professional misconduct, gross negligence or incompetence by a social worker, in adherence to Cap 468, Art. 5. (1) (j).	Five (5) years. After one (1) year from the issuing of admonishment and/or written warning, a process of anonymization shall be implemented.	1. A process of anonymization through removal of personal identifiers shall be implemented. 2. To allow justifiable timeframe to review rationale of decision making processes. 3. This allows SWPB to attend to legal obligations as stated in Cap 468 of the Laws of Malta, Art. 8 and Art. 9.	Anonymised records to be retained indefinitely by the originating office.

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10. CONCLUSION

10.1 This retention policy aims to achieve a good working balance between the retention of useful and meaningful information in line with the provisions of the relevant legislation and the disposal of data which is no longer required and is being archived unnecessarily. Data that needs to be destroyed after the noted timeframes will be disposed of in an efficient manner to ensure that such information will no longer be available within the Malta Social Work Profession Board. Data Protection Controllers, Heads, and DPOs are expected to be aware of the noted retention periods and instruct all relevant personnel to follow the indicated procedures accordingly.

10.2 It is to be noted that anonymised or statistical data do not fall within the parameters of this Retention Policy, since they do not constitute identifying personal data.

11. References

1. *Social Work Profession Act* (2016) – Cap. 468 of the Laws of Malta
2. *Data Protection Act* (2012) – Cap. 586 of the Laws of Malta
3. *Freedom of Information Act* (2012) – Cap 496 of the Laws of Malta
4. *Public Administration Act* (2019) – Cap 497 of the Laws of Malta
5. *Companies Act* – Cap 386 of the Laws of Malta
6. *Data Protection – Human Resources and Corporate Procedures (2015)* – Ministry for Social Dialogue, Consumer Affairs and Civil Liberties: Data Protection Unit
7. *National Audit Office Retention Schedule (2019)*

