

Records Management Retention and Disposal Summary



This short summary and timeline is provided to help highlight key milestones relating to health records and changes regarding the timeframes for the retention of and/or disposal of them. Belfast Health and Social Care Trust has robust policies and procedures in place for the management of medical records and their retention or disposal. These procedures conform to legislation or official Government Departmental directives, and these have developed and changed over time. Where records have been destroyed, this will have been done in line with a legislative or policy requirement at the time and for this reason some individual's medical records may be incomplete.

YEAR	LEGISLATION/ POLICY	WHAT THIS MEANS
1923	Public Records Act Northern Ireland	Key legislation with which to comply (see: http://www.legislation.gov.uk/apni/1923/20/introduction) No retention period indicated.
1925	Disposal of Documents Order (Northern Ireland)	Key legislation with which to comply (see: https://www.nidirect.gov.uk/sites/default/files/publications/1925-disposal-of-documents-order.pdf) No retention period indicated.
1962	Northern Ireland Hospital Authority Circular HMC 75/62	The circular set out the principles for the retention of hospital records. Part IV indicated that medical records including clinical notes, blood transfusion records, consent forms and 4-hourly temperature charts be kept for 6 years after conclusion of treatment. Where a patient died, records be kept for 3 years from the date of death.
1976	Limitation (Northern Ireland) Order 1976 and the Congenital Disabilities (Civil Liability) Act 1976	See https://api.parliament.uk/historic-hansard/lords/1976/jun/15/limitation-northern-ireland-order-1976 No retention period indicated.
1983	DHSSPS Circular HSS (OS3)1/83	This Circular amended the Northern Ireland Hospital Authority Circular HMC 75/62. It recommended new minimum periods of retention for health records (other than those held by the Central Services Agency) to take account of the provisions of the 1976 Act and 1976 Order (above). Retention periods: Obstetric records - 25 years; Records relating to children and young people including paediatric, vaccination and community health service records – until the patient's 25th birthday or 8 years after the last entry, if longer. Records relating to those coming under the Mental Health Act (Northern Ireland) 1961 - 20 years from the date, in the opinion of the doctor, a disorder has ceased or diminished to where no further care or treatment considered necessary. All these records needed only to be retained for a minimum of 8 years after the death of a patient (or, in the case of obstetric records, death of the child). All other personal health records to be retained 8 years after the conclusion of treatment. The Circular did not give new guidance on the destruction of records.
1996	HSSE(SC)3/96 Retention of Personal Health Records (for possible use in Litigation)	Recommended new minimum periods of retention for maternity records and X-ray films; allowed Boards /HSS Trusts to determine what should be regarded as a permanent health record and provided new guidance on the destruction of confidential health records. It did not apply to records held by Central Services Agency.

Records Management Retention and Disposal Summary



YEAR	LEGISLATION/ POLICY	WHAT THIS MEANS
2004	Good Management Good Records (GMGR)	<p>An overview of the key issues and solutions, and best practice for Health and Personal Social Services teams to follow when preparing a Records Management Strategy. It set out the minimum retention periods for Health and Personal Social Services records of all types, except for GP medical records, providing organisations with a model disposal schedule for files. It also included advice about the Freedom of Information Act 2000 and indicated which records were most likely to be appropriate for permanent preservation.</p> <p>Recommended minimum retention periods depending on category: Patient/Client Clinical/Medical Case Records (not covered in other categories) 8 years after conclusion of treatment Children and young people – until the patient's 25th birthday or 26th if young person was 17 at conclusion of treatment or 8 years after last entry, if longer, or 8 years after death if death occurred before 18th birthday.</p>
2011	Good Management Good Records (GMGR)	<p>The 2004 version of GMGR was reviewed and this 2011 standard now applies to all Health and Social Care records.</p> <p>Recommended minimum retention periods depending on category: Adult 8 years after conclusion of treatment or death Children and young people (Health Records) including school health records until the patient's 25th birthday or 26th if young person was 17 at conclusion of treatment or 8 years after last entry, if longer, or 8 years after death if death occurred before 18th birthday.</p> <p>See: https://www.health-ni.gov.uk/topics/good-management-good-records</p>
2015	Moratorium on destruction of all records	<p>All Trust records held have been subject to a moratorium on destruction since 2015 following an instruction from the Historical Institutional Abuse Inquiry (HIAI). There has been no destruction of records since 2015.</p>
July 2021	Good Management Good Records	<p>The 2011 version of GMGR was reviewed by HSC Organisations and this 2017 standard now applies to all Health and Social Care records. (GMGR 2017)</p> <p>GMGR Retention and disposal schedule covers all records created by the DoH and HSC organisations, as well as those working under contract to HSC.</p> <p>It should be noted that the revised GMGR was referred to the Minister for Communities, as Keeper of the Records, seeking approval for it to be laid before the Assembly as the Disposal Schedule for the records of the Department, Health and Social Care and Public Safety and those working under contract to them. However GMGR received only 4 of its legislative 10 days statutory sitting days before the collapse of the</p>

Records Management Retention and Disposal Summary



YEAR	LEGISLATION/ POLICY	WHAT THIS MEANS
July 2021 (cont.)	Good Management Good Records (cont.)	<p>Assembly in January 2017. Coupled to this and the pandemic situation, the requirement to have GMGR laid before the Assembly for 10 sitting days was only passed in July 2021. Consequently, the revised GMGR 2017 was formally launched by the Department of Health on 21 July 2021.</p> <p>See: gmgr-disposal-schedule.pdf (health-ni.gov.uk)</p>
		<p>If you have any queries relating to this information and/or medical records, please do not hesitate to contact the Medico-Legal Team.</p> <p>Tel: 028 9504 0726 Email: MedLegalServs@belfasttrust.hscni.net</p>