CLAIMSPORTAL

Data retention policy

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1. Background

Principle five of the Data Protection Act 1998 states "personal information must not be kept for longer than is necessary". In order to comply with this act, Claims Portal Limited (CPL) will routinely archive and destroy any information that is no longer required.

This policy details the high level retention periods for each stage of the claim process through the Portal.

Once the retention policy has been established and a claim has been flagged for disposal, in accordance with the Data Protection Act 1998, the information and documents are disposed of securely and can no longer be accessed.

1.1. Claims outside the claims process

For the purpose of this policy, a claim is deemed outside the claims process if it has either been drafted but not sent to a compensator / insurer or it has started the Claims Portal workflow and has left as a result of a positive action by a user or as a result of a time out.

The following retention periods will apply to claims that are deemed outside of the claims process:

- Draft Claim Notification Forms (CNFs in a status of Claim Data Input Edit) will be deleted if they have not been actioned for 90 calendar days.

- Claim Notification Forms that have been rejected by a Compensator (CNFs in a status of Claim Rejected To CR) will be deleted if they have not been actioned for 60 calendar days.

- Claim Notification Forms that have been taken out of the process by selecting Fraud (CNFs in a status of Fraud Stated) will be deleted if they have not been actioned for 30 calendar days.

- Claims that are marked as settled are deleted after 30 calendar days.

- Any claims that have left the claims process by reason of a time out, a liability decision, use of the exit function, repudiation of a Stage 2 Settlement Pack or agreement of a Court Proceedings Pack are deleted after 30 calendar days

1.2. Claims within the claims process – limitation expiry

For the purpose of this policy, a claim is deemed within the claims process if it has been sent to a compensator / insurer and remains within the Claims Portal workflow awaiting action by a user.

The following retention periods will apply to claims within the process

1.2.1. Non child claims

Subject to Part 8 proceedings, RTA, EL and PL claims not involving children will be retained for 3 years and 1 month from the date of the accident date.

Subject to Part 8 proceedings, ELD claims not involving children will be retained for 3 years and 1 month from the date of the claim form notification.

1.2.2. Child claims

All claim types involving children will be retained for 3 years and 1 month from the child's 18th birthday.

1.2.3. Part 8 Proceedings

A check to see if Part 8 has been applied for will be made and if the claim is not flagged as having applied for Part 8 proceedings, the claim will be deleted.

Claims for which Part 8 has been applied for will be retained indefinitely. After 12 months, the user will be prompted to confirm whether the claim is still active. If the user does not provide a response to the prompt after 12 months, the user will be prompted on a monthly basis.

1.3. Claims within the claims process – Inactive Claims

If there has been no activity on a claim for a period of 12 months, the Portal user will be prompted to confirm whether the claim is still active. If the user does not provide a response to the 12 month prompt, the user will be prompted on a monthly basis to confirm if the claim is still active.

Once a user responds to the prompt the 12 month period of inactivity is reset.

The 12 month prompt will continue subject to in section 1.2.1 above.

1.4. Inactive accounts

An account will be classified as inactive if there has been no user log in to the account for a period of 12 months. Once classified as inactive the following activity will take place;

- If there are active administrators within the account – the administrator(s) will be contacted and advised of the intention to close the account with the instruction to log in if they wish to retain the account. If there is no log in by an active administrator after 3 months the account will be deactivated.
- If the administrators to the account are all inactive – the account will be deactivated without notification.
- Deactivated accounts will be deleted after 3 months.
- All claims within deactivated accounts will be deleted.

1.5. Accounts where the User Agreement has not been accepted

Users are unable to process claims until a registered administrator has ticked to confirm that they have accepted the User Agreement.

The User Agreement must be accepted within 12 months of the creation of the account. After 12 months the inactive accounts procedure will apply.

1.6. Notifications

Notifications are the messages generated by the Portal along the lifecycle of a claim as a consequence of certain events. For example, when the Compensator clicks the "Accept" button after receiving a claim notification form, the system generates a notification to the Claimant Representative that says: "Claim 123 accepted by Compensator".

Good housekeeping of the Portal requires old notifications to be deleted on a daily basis and we encourage users to remove old notifications.

Due to the number of claims on the Portal and the volume of new Notifications, the Portal will automatically remove notifications after 15 calendar days.

1.7. Policy compliance

1.7.1. Compliance measurement

Claims Portal will verify compliance to this policy through various methods, including but not limited to system reports and both internal and external audits.

1.7.2. Exceptions

Any exception to the policy must be approved by Claims Portal Governance Committee in advance.

1.7.3. Non-compliance

User organisations found to have violated this policy may be subject to suspension and or termination as detailed in the Claims Portal User Agreement.