



## **DOCUMENT RETENTION/ DESTRUCTION POLICY**

### **ARTICLE I: PURPOSE**

The purposes of this document retention policy are for the Climate Foundation (the “Organization”) to enhance compliance with the Sarbanes-Oxley Act (USA) and to promote the proper treatment of corporate records of the Organization.

### **ARTICLE II: POLICY**

#### **Section 1.**

General Guidelines.

The Climate Foundation has a general policy of retaining data for 7 years, in electronic format in the cloud with appropriate security protocols in place. The security protocols will be reviewed every few years and reported in the Organization’s Annual report.

From time to time, the Climate Foundation may establish retention or destruction policies or schedules for specific categories of records in order to ensure legal compliance, and also to accomplish other objectives, such as preserving intellectual property and cost management. Several categories of documents that warrant special consideration are identified below. While minimum retention periods are established, the retention of the documents identified below and of documents not included in the identified categories should be determined primarily by the application of the general guidelines affecting document retention, as well as the exception for litigation relevant documents and any other pertinent factors.

## Section 2.

Exception for Litigation Relevant Documents.

The Organization expects all Team members, Advisory Board, Directors, contractors, subcontractors, volunteers and employees ("Team") to comply fully with any published records retention or destruction policies and schedules, provided that the Team should note the following general exception to any stated destruction schedule:

If you believe, or the Organization informs you, that Organization records are relevant to litigation, or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records. That exception supersedes any previously or subsequently established destruction schedule for those records.

## Section 3.

Minimum Retention Periods for Specific Categories.

(a) Organizational Documents.

- Organizational records include the Organization's articles of incorporation, by-laws and IRS Form 1023, Application for Exemption. Organizational records **will be retained permanently**. IRS regulations require that the Form 1023 be available for public inspection upon request.

(b) Tax Records.

- Tax records include, but may not be limited to, documents concerning payroll, expenses, proof of contributions made by donors, accounting procedures, and other documents concerning the Organization's revenues.
- Tax records will be retained for at least seven years from the date of filing the applicable return.

(c) Employment Records/Personnel Records.

- State and federal statutes require the Organization to keep certain recruitment, employment and personnel information. The Organization will also keep personnel files that reflect performance reviews and any complaints brought against the Organization or individual employees under applicable state and federal statutes.
- The Organization will keep in the employee's personnel file all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel.
- PDF's of Employment applications will be retained.
- Other employment and personnel records will be retained.

(d) Board and Board Committee Materials.

- Meeting minutes will be retained in perpetuity in the Organization's minute book.
- A clean copy of all other Board and Board Committee materials should be kept for no less than three years by the Organization.

(e) Press Releases/Public Filings.

- The Organization should retain permanent copies of all press releases and publicly filed documents under the theory that the Organization should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the Organization.

(f) Legal Files.

- Legal counsel should be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a minimum period of seven years.

(g) Marketing and Sales Documents.

- The Organization should keep final copies of marketing and sales documents for at least a period of 7 years.

(h) Development/Intellectual Property and Trade Secrets.

- Development documents are often subject to intellectual property protection in their final form (e.g., patents and copyrights). The documents detailing the development process are often also of value to the Organization and are protected as a trade secret where the Organization: (i) derives independent economic value from the secrecy of the information; and (ii) has taken affirmative steps to keep the information confidential.
- The Organization should keep all documents designated as containing trade secret information or are related to intellectual property development for at least the life of the patent, intellectual property or trade secret.

(i) Contracts.

- Final, execution copies of all contracts entered into by the Organization should be retained. The Organization should retain copies of the final contracts for at least three years beyond the life of the agreement, and longer in the case of publicly filed contracts.

(j) Correspondence. Unless correspondence falls under another category listed elsewhere in this policy, all correspondence should be saved indefinitely.

(k) Banking and Accounting.

- Accounts payable ledgers and schedules should be kept for seven years.

- Bank reconciliations, bank statements, deposit slips and checks (unless for important payments and purchases) should be kept for three years.
- Any inventories of products, materials, and supplies and any invoices should be kept for seven years.

(l) Insurance. Expired insurance policies, insurance records, accident reports, claims, etc. should be kept permanently.

(m) Audit Records. External audit reports should be kept permanently. Internal audit reports should be kept for three years.

**Section 4.**

Electronic Mail. All email needs to be saved for a period of at least 7 years and will remain in Climate Foundation's email accounts. Email should not be deleted for a period of at least 7 years.

DOCUMENTS	POLICY	LEGISLATED
Annual Reports to Industrial Relations Commission	Permanent	7 years
Rules	Permanent	7 years
Permanent Union Committee Meeting and Finance Committee Minutes	Permanent	7 years
Depreciation Schedules	Permanent	7 years
General Ledgers	Permanent	7 years
Business Expense Records	At least 7 years	7 years
Journal Entries	At least 7 years	7 years
Invoices	At least 7 years	7 years
Sales Records	7 years	7 years
Petty Cash Vouchers	7 years	7 years
Cash Receipts	7 years	7 years
Credit Card Receipts	7 years	7 years

## Bank Records

DOCUMENTS	POLICY	LEGISLATED
Check Registers	7 years	7 years
Bank Deposit Slips	7 years	7 years
Bank Statements and Reconciliation	7 years	7 years
Electronic Fund Transfer Documents	7 years	7 years

## Payroll and Employment Tax Records

DOCUMENT/ REPORT	POLICIES	LEGISLATED
Payroll Registers	7 years after termination	7 years
Earnings Records	7 years	7 years
Garnishment Records	7 years	7 years
Payroll Tax returns	7 years	7 years

Document/ Report Climate Foundation Policy Legislated Annual Reports to Industrial Relations Commission

### 3. Electronic Documents and Records

3.1 Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be either saved as a copy in the relevant electronic file; or moved to an "archive" computer file folder. Backup and recovery methods will be tested on an annual basis.

#### **4. Emergency Planning**

4.1 The Climate Foundation's records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping the Organisation operating in an emergency will be duplicated and maintained on the cloud.

#### **5. Document Destruction**

5.1 The Climate Foundation's Compliance Circle is responsible for the ongoing process of identifying the records which have met the required retention period and overseeing their destruction. The Compliance Circle will ensure that records will be assessed at least annually, and schedule relevant documents in all formats for destruction. Destruction of financial and personnel-related documents will be accomplished by deleting and shredding.

5.2 Document destruction will be suspended immediately upon notification of an official investigation or when a lawsuit is filed. Destruction will be reinstated upon conclusion of the investigation.

#### **6. Compliance**

6.1 Failure on the part of employees or contract staff to follow this policy can result in possible civil and criminal sanctions against the Climate Foundation and its employees and possible disciplinary action against responsible individuals. The Finance Circle will review these procedures in accordance with the scheduled review dates or when the Climate Foundation becomes aware of any legislative changes to ensure compliance with new or revised regulations.

#### **7. Variations to the Policy**

7.1 This Policy may be varied from time to time and an updated version will be posted on the Climate Foundation's websites. Please check our websites regularly to ensure that you have the most recent version of the Policy