

Ministry for Health
Environmental Health
Data Protection and Retention Policy

SCOPE

1. This Policy is aimed at regulating the retention, maintenance and disposal of documentation, both personal and other, within the Environmental Health as provided for in the terms of requirements emanating from legal provisions in such other acts as the Public Administration Act chapter 595 and in accordance with the principles of data protection legislation, and the National Archives Act chapter 477.

BACKGROUND

2. The General Data Protection Regulation (GDPR) (EU) 2016/679 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 Environmental Health will be putting forward a retention policy for all records and data collected and processed, with the purpose of ensuring compliance to the Regulation and to ensure that no resources are utilised in the processing and archiving of data which is no longer of relevance.

OBJECTIVES

3. This policy aims to achieve the following objectives:
 - a. Regulate the retention of and disposal of the various types of records within the Environmental Health Directorate while adhering to the Data Protection principle that personal data should not be retained for a longer period than necessary; as per Article 5 (e) in the GDPR.
 - b. Dispose of unnecessary documentation that is no longer relevant and is taking up useful storage space; as per Article 17 of the GDPR.
 - c. Promote the digitisation of documentation as may be reasonably possible in order to minimize the use of storage space required to store documentation, as well as to promote a sustainable use of paper and printing consumables.

THE DATA SUBJECT RIGHTS

4. The data subject is entitled to know, free of charge, what type of information the Environmental Health Directorate holds and processes about him/her and why, who has access to it, how it is held and kept up to date, for how long it is kept, and what the Unit is doing to comply with data protection legislation.

The GDPR establishes a formal procedure for dealing with data subject access requests. All data subjects have the right to access any personal information kept about them by the Environmental Health, either on computer or in manual files. Requests for access to personal information by data subjects are to be made in writing using the [Request for Access to Personal Data By Data Subjects](#), and sent to the Data Protection Officer of the Environmental Health Directorate The

data subject identification details such as ID number, name and surname have to be submitted with the request for access. In case we encounter identification difficulties, the data subject may be required to present an identification document.

ADMINISTRATION

5. Documentation is held and recorded by the Environmental Health Directorate. This policy is therefore applicable to all such documentation. It will be the responsibility of the relevant Environmental Health Directorate and its Data Controller, to ensure that all provisions of this Policy are adhered to.

DOCUMENTATION HELD WITHIN THE ENVIRONMENTAL HEALTH

6. As part of its operating requirements the Environmental Health Directorate, requests, keeps and maintains a wide range of documentation including personal data. The various types of documentation utilised by the Environmental Health may be categorised as follows:
 - Registration of cooling towers
 - Audit inspections inside Hotels, Boutique Hotels, Institutions and Apartments
 - Registration of swimming pools, Spas and special pools
 - Schools inspection related to environmental issues
 - Registration of private water supplies
 - Registration of food premises
 - Schools inspection related to food related issues
 - Registration of a cesspit or to sanction a cesspit
 - Undertakings performed under the Food Safety Act
 - Undertakings performed under the Public Health Act
 - Investigation of food poisonings
 - Applying for a gravesite
 - Planning Authority applications
 - Notification from the Rapid Alert System for Food and Feed
 - Notification of a case of legionella
 - Abatement Notices
 - Seizure of food items
 - Seizure of items such as tattoo equipment, etc.
 - Nuisance reports
 - Personal data & photos of staff at regions/units/sections
 - Request for a pressure test
 - Approval from Senior Environmental Health Practitioner
 - Works confirmation form
 - Zika risk assessment checklist

- Internal requisitions
- Call for inspection of complaints at office, forms
- Office refrigerator temperature records
- Documents pertaining to food and water sampling
- Documents pertaining to Rapid Alert System Food and Feed
- Emergency Prohibition Orders
- Public Health Emergencies
- Monthly Status Reports
- Contraventions
- Document for importation and distribution as required by specific legislation
- Document for importation and distribution EU
- Document for importation of pharmaceuticals and food supplements for retail personal use
- Food inspections forms
- Forms pertaining to Human Resources procedures
- Documentation of the ingredient list and toxicological data covering tobacco products
- Documentation for approving food business operations
- Application forms for obtaining a health approval
- Food inspections form
- Documents of inspection concerning onsite visits
- Reports and approvals issued for licensing bodies/applicants
- Consultation reports issued to applicants
- Application form for the registration of food handlers
- Re-issuing of a lost food handlers card
- Application form for the registration of food premises
- Application for the deregistration of food premises
- Application form for registration of trader
- Permit to enter cemetery
- Application form to affix Lapida in cemetery
- Application for a grave
- Declaration for works on monuments
- Dikjarazjoni għad-dfin
- Dikjarazjoni għat-tindif ta' qabar
- Acknowledgements referred to all applications

SECURITY OF DOCUMENTATION

7. 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 documents with sensitive personal data with higher clearance levels, access control protocols are fully adhered to, to ensure that only those that have the required security clearance have access to such documentation.
8. In the case of personal data, the GDPR also stipulates that only those required to process personal data should have access to personal records.
9. Personnel who are found to be in breach of these security protocols, and thus in breach of the GDPR, will be subject to disciplinary action as per Article 33 clause (5) of the GDPR.

MANUAL VS ELECTRONIC RECORDS

10. In terms of retention periods, it needs to be pointed out that the retention period will apply for electronic and manual data, as prescribed in the retention schedule.

RETENTION PERIOD

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

The following schedule outlines the retention requirements for the various categories of documentation within the Environmental Health Directorate.

Key	Unit/Dept	Category	Record Type	Description	Retention Period	Remarks	Action to be determined by the National Archivist (when the retention period expires)
1	Department of Health Regulation	Environmental Health Directorate	Green File intended for the registration of cooling towers.	This green file is referenced as (Cooling Tower Ref CT and No). Inserted in this file there are the Application for the Registration of Cooling Tower System Evaporative Condensers, Legionella checklist form.	Five (5) years after closure of the establishment and if there are court proceedings with respect to the premises after 5 years from sentence.	With the original application on the Application for the Registration of Cooling Tower System and Evaporative Condensers Reference A E003 (EN & MT versions) a DH (Department of Health) file (grey) is opened. This is an official document required to be filled so that a person registers his/her Cooling Towers by virtue of Regulations. Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
2	Department of Health Regulation	Environmental Health Directorate	Green File intended for audit inspections inside Hotels, Boutique Hotels, Institutions and Apartments.	This green file is referenced as (Ref. H (Hotel) and No., BH (Boutique Hotel) and No., INS (Institution) and No., AP (Apartments) and No.) inserted in this file there are the Legionella checklist, Swimming Pools checklist (if a swimming is available) and a copy of the application on the registration for a Private Water Supplier (if a Reverse Osmosis is available on site).	Five (5) years after closure of the establishment and if there are court proceedings with respect to the premises after five (5) years from sentence.	Inside this file there is inserted the Legionella inspection checklist ; If inside a hotel there is also a swimming pool there will be inserted in this file the application A E002 (EN & MT versions) on the registration of a Swimming Pool as per Regulations. This official document is required to be filled so that a person registers his/her swimming pool by virtue of the Swimming Pool Regulations.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
3	Department of Health Regulation	Environmental Health Directorate	Green File intended for the registration of swimming pools, SPAs and Special Pools only	This green file is referenced as (Ref. MISC and No.) Inserted in this file there are the Application form for the Registration of Swimming Pools, SPAs and Special Pools and swimming pool etc checklist form	Five (5) years after closure of the pool and if there are court proceedings with respect to the pool/premises after five (5) years from sentence.	Inside this file there is inserted the application A E002 (EN & MT versions) on the registration of a Swimming Pool as per Regulations. This official document is required to be filled so that a person registers his/her swimming pool by virtue of the Swimming Pool Regulations. Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.

4	Department of Health Regulation	Environmental Health Directorate	Green File intended for schools inspections related to Environmental Issues	This green file regarding Schools there is inserted the School Inspection checklist	Five (5) years after closure of the school and if there are court proceedings with respect to the premises/school after five (5) years from sentence.	Inside this green file there is inserted the School Inspection checklist Ref. F E002 etc Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
5	Department of Health Regulation	Environmental Health Directorate	Peach file intended for the registration of Private Water Suppliers	This peach file is referenced as Private Water Supplier (PWS Ref. No.) Inside this file there is the Application form for the Registration of Private Water Supplies.	Five (5) years after the closure of the activity and if there are court proceedings with respect to the premises after five (5) years from sentence.	With the original application for a Private Water Supply Ref. A E001 (EN & MT versions) a DH file is opened. This is an official document required to be filled in order for the person registers his/her Private Water supply by virtue of Regulations. Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
6	Department of Health Regulation	Environmental Health Directorate	Peach file intended for the registration of Food Premises.	Inside this file there is the Application form for the registration of a Food Premises, if premises changes ownership an application form for deregistration of food premises is also inserted; Food inspection checklist; Risk Assessment report addressed to the responsible person of the food premises outlining the deficiencies found during the inspection; Hazardous Analysis Critical Points (HACCP) Audit records if the food premises requires HACCP audits.	Five (5) years after closure of the establishment	Inside this file there is inserted the application on the registration of food premises Ref A F 006 (MT & EN Version); the form on the deregistration of food premises Ref A F007 (MT & EN version) if the establishment closes or changes ownership; the food inspection checklist Ref F F025 (MT & EN version) and a full report of findings with respect to Risk Assessment inspection and if there is a Hazard Analysis Critical Control Point audit and what needs to be done so that the hazard is minimised and checked at particular times. HACCP is a provision at Law. (Food Safety Act chapter 449). This is a physical file one for each food premises which comprises records pertaining for that particular premises from when it is registered till it is closed. Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.

7	Department of Health Regulation	Environmental Health Directorate	Peach file intended for Schools inspections related to Food related issues.	Inside this file there is inserted the Food inspection checklist; the Checklist in terms of the Healthy Lifestyle Promotion and Care on Non-Communicable Diseases Act; Checklist of Permissible and Prohibited Foods and Drinks in Schools.	Five (5) years after closure of the school and if there are court proceedings with respect to the premises/school after five (5) years from sentence.	Inside the peach file for school inspections related to food there is inserted the food inspection checklist Ref. F F 025 if there is a tuckshop or a canteen inside the school; the checklist in terms of the Healthy lifestyle Promotion and Care on Non-Communicable disease Ref F F048 is inserted ; the checklist of Permissible and Prohibited Foods and Drink Ref. F F 047 is also inserted. The last two forms Ref. F F047 and F F048 are always inserted. Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
8	Department of Health Regulation	Environmental Health Directorate (EHD)	DH file intended for the registration of a cesspit or to sanction a cesspit, this is a request for SPH Licencing .	Inside this file there is inserted the application for a licence from the Superintendent of Public Health. Such requests including particulars and for what the person is applying and the premises involved are included in one document for further investigation, processing and eventually issuing of a particular licence, as the case may be.	Indefinite or until the cesspit no longer exists. EHD will oblige itself to inform Registry when and if they know of such removal of cesspit so that DH file may be destroyed within a laps of five (5) years.	When the Department of Health (DH) file is opened, the form with Ref Was DH100 then DEH22, now A G015 (EN & MT versions) is inserted . This form is no longer being used for food related issues. It is used at regional level when there is an application of a cesspit, and in this case a DH file is opened. These DH file are created through the registry of the Ministry for Health and are given the sequence number DH 38/YYYY/No, when the full processing is performed these files are put away as is the norm. Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.

9	Department of Health Regulation	Environmental Health Directorate	DH file intended for Undertakings performed under the Food Safety Act.	Inside this file there is inserted the form on Undertakings. This undertaking (agreement) is performed in virtue of the Food Safety Act chapter 449, an official document through which the Department agrees by law with a person on what he needs to perform within a particular time frame. When such an agreement is signed by both parties one agrees to perform the tasks while the Directorate agrees not to issue a citation for that agreed time period.	Five (5) years – P & E- after closing of undertakings. EHD will oblige itself to inform Registry when and if they know of such conclusion, so that DH file may be destroyed within a laps of five (5) years.	DH file is opened for every undertaking through DOCREG. Inside this file there is inserted the form on Undertaking Ref F F018 English version F 019. An undertaking register is kept indefinitely as per Food Safety Act, this is kept electronically as an excel file; After expiry of the undertaking the form F 024 on the Closure of Undertakings is also inserted. These files are given the number DH 55/YYYY/Number. If case is referred to Court the retention policy of five (5) years will start from the date of sentence.	Not required for permanent preservation by the National Archives.
10	Department of Health Regulation	Environmental Health Directorate	DH file intended for Undertakings performed under the Public Health Act.	Inside this file there is inserted the form on Undertakings. This undertaking (agreement) is performed in virtue of the Public Health Act chapter 465, an official document through which the Department agrees by law with a person on what he needs to perform within a particular time frame. When such an agreement is signed by both parties one agrees to perform the tasks while the Directorate agrees not to issue a citation for that agreed time period.	Five (5) years – P & E- after closing of undertakings. EHD will oblige itself to inform Registry when and if they know of such conclusion, so that DH file may be destroyed within a lapse of five (5) years.	DH file is opened for every undertaking through DOCREG. Inside this file there is inserted the form on Undertaking. An undertaking register is kept indefinitely as per Public Health Act, this is kept electronically as an excel file; After expiry of the undertaking the form on the Closure of Undertakings is also inserted. These files are given the number DH 69/YYYY/Number. Destroy under confidential and certify conditions. Destroy under confidential and certify conditions. If case is referred to Court the retention policy of five (5) years will start from the date of sentence.	Not required for permanent preservation by the National Archives.
11	Department of Health Regulation	Environmental Health Directorate	DH file intended for the investigation of Food Poisonings.	Inside this file there is inserted the Food-borne Illness Registration Form F F021. This file is opened each time the Directorate is informed about a Food borne illness. A report of findings during a food poisoning investigation to ascertain how such a food poisoning has happened.	Five (5) years after the outbreak. EHD will oblige itself to inform Registry when and if they know of such conclusion, so that DH file may be destroyed within a laps of five (5) years.	These DH file are files opened through the registry of the Ministry for Health or through the DOCREG and have the sequence number of DH file 40/YYYY/No Destroy under confidential and certify conditions. If case is referred to Court the retention policy of five (5) years will start from the date of sentence.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.

12	Department of Health Regulation	Environmental Health Directorate	DH file intended for applying for a gravesite.	Inside this file there is inserted the form for the application of a grave - A G004 (EN & MT on one form).	Indefinite as these files cannot be destroyed in view of ownership of graves.	These DH file are files opened through the registry of the Ministry for Health and are given the sequence number DH file 39/YYYY/No.	To be retained indefinitely by the origination office.
13	Department of Health Regulation	Environmental Health Directorate	DH file intended for the processing of Planning Authority applications.	This file comprises of all the documents referred through the Planning Authority mainly through the e-application system.	Indefinite- The Environmental Health Directorate created the conditions within the same file.	These DH file are files opened through the registry of the Ministry for Health and are given the sequence number DH file 54/YYYY/No Destroy under confidential and certify conditions.	To be retained indefinitely by the origination office.
14	Department of Health Regulation	Environmental Health Directorate	DH file intended when a notification from the Rapid Alert System for Food and Feed (RASFF) is received. The form on the notification of a Rapid Alert is inserted together with other documents received via RASFF.	Inside this file there is inserted the Form A1 F F007.	Ten (10) years and if legal action is initiated to be kept for 10 years after court sentence.	These DH file are files opened through the registry of the Ministry for Health and are given the sequence number DH file 9/YYYY/No Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
15	Department of Health Regulation	Environmental Health Directorate	DH file is created when a notification of a case of Legionella is received.	The file comprises of the notification received via the Infectious Disease Prevention and Control Unit .	Ten (10) years after the outbreak and a copy to be inserted in the Green file.	These DH file are created through the registry of the Ministry for Health and are given the sequence number DH file 123/YYYY/No Destroy under confidential and certify conditions.	A random sample of five (5) files is to be transferred to the National Archives for permanent preservation.
16	Department of Health Regulation	Environmental Health Directorate	Abatement Notice: This is a requirement of the Public Health Act Chapter 465 of the Laws of Malta.	F E001 (EN & MT on one form) Paper (P) and Electronic type E. Such notice is issued by legal provisions to inform the person of what action needs to be made a particular time frame or else legal action would be instituted.	Five (5) years – P & E-Copies are to be scanned and inserted in Health Inspectorate system-program (HIS) if part of a complaint investigation.	This is a stand alone form however a copy is placed in the HIS (Health Inspectorate System program) while a copy may be inserted in a Green file (Environmental) .Destroy under confidential and certify conditions. If legal action is taken inserted in contravention file.	A random sample of five (5) notices is to be transferred to the National Archives for permanent preservation.

17	Department of Health Regulation	Environmental Health Directorate	<p>Seizure Forms: Seizure of food items or other food equipment. Always under legislation that is under the remit of the Health Inspectorate. A document which is filled in the presence of the responsible person of that particular premises and is also verbally explained that although the item/items are going to be left seized by the Directorate on the same premise. The responsibility for their seal would be of the responsible person legal action would be taken if the item/items are not found under reinspection. A copy of same is placed in the peach file.</p>	<p>Form Ref F F003 (EN version only) Paper (P) Such a form is filled up during seizure of items. There would be indication of who is responsible, what are the items and the place where they are seized. The form is duly signed by all and the person is informed of his responsibility by law if the items are kept at his/her end for safekeeping.</p>	<p>Three (3) years if released without further action. If further action is taken forms are to be kept for 5 years. Minuted in FPR file.</p>	<p>A copy may also be placed in the respective Peach File (food) or in the respective DH file re equipment and with the contravention if legal action is instituted. Destroy under confidential and certify conditions. If legal action is taken, inserted in contravention file.</p>	<p>A random sample of five (5) forms is to be transferred to the National Archives for permanent preservation.</p>
18	Department of Health Regulation	Environmental Health Directorate	<p>Seizure Forms: Seizure of items such as Tattoo equipment. but not food related. Always under legislation that is under the remit of the Health Inspectorate. A document which is filled in the presence of the responsible person of that particular premises and is also verbally explained that although the item/items are going to be left seized by the Directorate on the same premise. The responsibility for their seal would be of the responsible person legal action would be taken if the item/items are not found under reinspection. A copy of same is placed in the respective DH file.</p>	<p>Form Ref F F003 (EN version only) Paper (P) Such a form is filled up during seizure of items. There would be indication of who is responsible, what are the items and the place where they are seized. The form is duly signed by all and the person is informed of his responsibility by law if the items are kept at his/her end for safekeeping.</p>	<p>Three (3) years if released without further action. If further action is taken forms are to be kept for Five (5) years. Minuted in FPR file.</p>	<p>A copy may also be placed in the respective Peach File (food) or in the respective DH file re equipment and with the contravention if legal action is instituted. Destroy under confidential and certify conditions. If legal action is taken, inserted in contravention file.</p>	<p>A random sample of five (5) forms is to be transferred to the National Archives for permanent preservation.</p>

19	Department of Health Regulation	Environmental Health Directorate	Nuisance Report	Paper (P) and Electronic Type (E) Such a report is done to inform the person who is infringing the law of what nuisance is being made and the time given to rectify such nuisance. Legal action would be instituted if such a nuisance is not rectified within the stipulated time frame.	Five (5) years – P & E after closure (closure of investigation or closure of case at Court).	Saved in excel program for each Regional office, copy in HIS program and with contravention if legal action is instituted and in stand alone file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
20	Department of Health Regulation	Environmental Health Directorate	Personal data & photos of staff at regions/Units/sections.	Electronic type (E)	When staff is transferred and or resigned any personal data is to be omitted.	Stand alone file re ID cards. Although not officially required but data of staff is kept at regional level. No need to keep photos of staff unless there is a written consent in this regard. These are requested only by consent through Administration when Departmental ID cards are issued /renewed.	Not required for permanent preservation by the National Archives.
21	Department of Health Regulation	Environmental Health Directorate	Request for a pressure test by the Environmental Health Practitioner (EHP).	F E006 (EN version only) Paper (p) A form indicating why such a pressure test is required and by whom and at which place. Approval is asked from the superior officers.	Five (5) years after payment to Water Services Corporation (WSC).	Stand alone file Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
22	Department of Health Regulation	Environmental Health Directorate	Approval from Senior Environmental Health Practitioner SEHP to EHP (related to Pressure test).	F E007 (EN version only) Paper (P) and electronic type (E).	Five (5) years after payment to (WSC).	Stand alone file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
23	Department of Health Regulation	Environmental Health Directorate	Works confirmation form (related to Pressure test).	F E008 (EN version only) Electronic type (E) This is required so that payment of services would be made to the water service in accordance with official agreement reached.	Five (5) years after payment to (WSC).	Stand alone file (When all approvals are available and the pressure test is performed, the form on the Request for a pressure test and the approval for pressure test by SPEHO are inserted in a global DH file on the subject. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.

24	Department of Health Regulation	Environmental Health Directorate	Zika Risk Assessment Checklist	F E009 (EN version only) paper (P) A check list that is used by officers that assess re Zika Risk as per Public Health issues.	Two (2) years	Stand alone file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
25	Department of Health Regulation	Environmental Health Directorate	Internal requisitions	Paper (P) and electronic type (E)	Three (3) years	Stand alone file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
26	Department of Health Regulation	Environmental Health Directorate	Call for Inspection of complaints at Office form.	F G001 (EN & MT in one form) Paper (P) and electronic type (E) The official call at office form that is sent to individuals, when they are not found at home during our investigation visits. Copies of same may be requested by Magistrate to show that we had attended for the required investigation and requested the person to call at office.	Paper after one (1) year and to be scanned and kept electronically in HIS program.	Only as a note in HIS program.	Not required for permanent preservation by the National Archives.
27	Department of Health Regulation	Environmental Health Directorate	Office refrigerator temperature records.	F F040 (EN version only) Official temperature control records for sampling procedures.	Two (2) years	Stand alone file. Destroy under confidential and certify conditions. If a contravention is issued it has to be kept until court case is closed.	Not required for permanent preservation by the National Archives.
28	Department of Health Regulation	Environmental Health Directorate	All documents/databases pertaining to Food and Water Sampling including bathing water and infiltration water and swabs.	F G007 Sample Request form (EN version only) F G006 Internal Sample form (EN version only) Paper (P) and electronic type . Data that is required while taking of samples. Same data is not referred to Public Health Lab as this requires protection from the person who are actually performing the analysis.	Five (5) years – P & E	Stand alone file - in future could be part of HIS program. Destroy under confidential and certify conditions. Any sample documentation used for Court proceedings to be inserted in contravention file.	Not required for permanent preservation by the National Archives.

29	Department of Health Regulation	Environmental Health Directorate	All documents/databases pertaining to Rapid Alert System Food and Feed (RASFF).	F F009 RASFF Final Inspection Report F F010 RASFF Report to EHP Forms used for gathering of data re RASFF – this is required re obligations for reporting to EU and other Member states.	Five (5) years – P & E A DH file is opened for every notification received through RASSF.	Original in DH file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
30	Department of Health Regulation	Environmental Health Directorate - Administration	Emergency Prohibition Orders	These are in virtue of the Food Safety Act chapter 449 and consist of the following: Emergency Control Order F F030 (EN & MT versions) Emergency Prohibition Order F 031 (EN & MT versions); Emergency Prohibition order - Notice F 032 (EN & MT versions); Receipt of the Emergency Control Order and of the Emergency Prohibition Order F 033 (EN & MT versions).	Five (5) yrs – P & E- after withdrawal and closure of the establishment.	These are saved electronically at the Administration office. A separate document file is also kept at same office . Copies may be also placed in respective Peach file (food). Destroy under confidential and certify conditions. If legal action is taken, inserted in contravention file. These are with respect to any food premises not only catering establishments and as shown in the next column. These are powers established by law –Food Safety Act Chapter 449 of the Laws of Malta.	Not required for permanent preservation by the National Archives.
31	Department of Health Regulation	Environmental Health Directorate - Administration	Public Health Emergencies	These are in virtue of the Public Health Act Chapter 465 and consist of the following: Public Health Emergency (letter) ; Public Health Emergency (Notice).	Five (5) yrs – P & E- after withdrawal and closure of the establishment.	Destroy under confidential and certify conditions. If legal action is taken, inserted in contravention file. These are with respect to any premises/establishments or activities as shown in the next column. These are powers established by law –Public Health Act Chapter 465 of the Laws of Malta.	Not required for permanent preservation by the National Archives.
32	Department of Health Regulation	Environmental Health Directorate - Administration	Monthly Status reports	Paper (P) & (E) These are used to issue the Directorate's Annual statistics.	Indefinitely	Stand alone file (electronically).	Not required for permanent preservation by the National Archives.

33	Department of Health Regulation	Environmental Health Directorate - Administration	Contraventions	Contraventions are issued by the Health Inspectorate when breach in regulations is noted. Contraventions are drawn up by the EHO issuing the contravention and referred to the Administration Unit for processing and eventual referral to the Principal Citations Office. Through the PCO's office these contraventions are appointed before the Law Courts.	Ten (10) years – P & E- after the Law Court gives the full sentence.	The following forms are used when contraventions are processed : The report on contravention on Form F G012, the personal particulars and charges are written on Form F G009; data electronically is also kept in an excel file named Contraventions according to Year; Once processed through the Administration these are referred to PCO on form F G 010; Receipt Form F G 011; Once these contraventions are appointed before the Law Courts their outcomes are kept electronically on a folder Law Court outcomes and each outcome is written on a Form Law Court record F G016 . Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
34	Department of Health Regulation	Environmental Health Directorate - Port Health Services - Importation foodstuffs, contact materials, etc	Documentation for importation as required by specific legislation.	Reg. EC669/2009 RegEC 1152/2009 (Replaced by Reg EU 884/2014)Reg. EU284/2011These are different regulations that we need to keep documents on importation when the item falls under this specific regulation.	Five (5) years	Destroy under confidential and certified conditions.	A random sample of five (5) forms is to be transferred to the National Archives for permanent preservation.
35	Department of Health Regulation	Environmental Health Directorate - Port Health Services - Importation foodstuffs, contact materials, etc.	Documentation for importation and distribution (EU) as required by general legislation.	General legislation would be all the legislation on food materials. These are always being increased as they also include all regulations imposed through EU as a member state.	Five (5) years	Destroy under confidential and certified conditions.	A random sample of five (5) records is to be transferred to the National Archives for permanent preservation.
36	Department of Health Regulation	Environmental Health Directorate - Port Health Services - Importation foodstuffs, contact materials, etc.	Documentation of importation of pharmaceuticals and food supplements for retail and personal use.	Documentation of importation of pharmaceuticals and food supplements for retail and personal use.	Five (5) years	Destroy under confidential and certified conditions.	A random sample of five (5) records is to be transferred to the National Archives for permanent preservation.

37	Department of Health Regulation	Environmental Health Directorate - Port Health Services - Inspections	Food Inspections form – food and contact materials – including photos.	Paper (P) and electronic type (E).	Five (5) years – P Ten (10) years - E.	Destroy under confidential and certified conditions.	A random sample of five (5) records is to be transferred to the National Archives for permanent preservation.
38	Department of Health Regulation	Environmental Health Directorate - Retention of Human Resources Data	All forms files etc with respect to HR procedures.	Paper (P) and electronic type (E).	Apply Retention Policy for Human Resources documents issued by Office of the Prime Minister.		Apply Retention Policy for Human Resources documents issued by Office of the Prime Minister.
39	Department of Health Regulation	Environmental Health Directorate - Environmental Health Policy Coordination Unit - (EHPCU)	EHPCU - Documentation of the ingredient list and toxicological data covering tobacco products sold in Malta as required by legislation.	A G018 Registration of Retailers Intending to Engage in Cross-Border Distance Sales (EN version) A G019 Registrazzjoni ta' Bejjiegha bl-Imnut etc (MT version) A G020 Notification of Herbal Products for Smoking (EN version) A G021 Notifika ta' Prodotti Erballi ghat-Tipjip (MT version) A G022 Notification of Novel Tobacco Products (EN version) A G023 Notifikazzjoni ta' Prodotti tat-Tabakk Ġodda (MT version) A G024 Notification of Electronic Cigarettes & Refill Containers (EN version) A G025 Notifikazzjoni tas-Sigaretti Elettronici u tal-Kontenituri ta' Rikarika (MT version) All mentioned forms are required by TPD (tobacco Products directive).	Five (5) years – P & E from date of closure of such premises or registration.	Stand alone file (electronically). Destroy under confidential and certified conditions Paper (P) and electronic type E.	A random sample of one (1) record from every type of registration is to be retained and transferred to the National Archives.
40	Department of Health Regulation	Environmental Health Directorate - Health Certification and Consultation Unit - HCCU	Documentation for approving food business operations.	Paper (P) and electronic type E. These are official requests that are made by the public re consultation processed with our Directorate (HCCU re food).	Five (5) years – P and Ten (10) years – E.	Stand alone file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.

41	Department of Health Regulation	Environmental Health Directorate - Health Certification and Consultation Unit - HCCU	Application forms for obtaining a Health Approval.	Paper (P) and electronic type (E) These are requests made by the Public in connection with approval of premises or stores for use in the food industry. Following the necessary inspection of premises we issue a number of conditions/possible works that may lead to a Health Approval if adhered to.	Five (5) years – P and Ten (10) years – E.	Stand alone file and a copy in the respective Peach file (food). Destroy under confidential and certify conditions. To keep a food premises or store.	Not required for permanent preservation by the National Archives.
42	Department of Health Regulation	Environmental Health Directorate - Health Certification and Consultation Unit - HCCU	Food Inspections form.	Paper (P) A check list that identifies the issues that need to be addressed in that particular premises. These would be reflected in the consultation report.	Five (5) years from issuing of same if the premises are not registered.	A copy in the respective Peach file (food). Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
43	Department of Health Regulation	Environmental Health Directorate - Health Certification and Consultation Unit - HCCU	Documents of inspection concerning onsite visits and any other form of inspection – including food related photos.	Paper (P) These are specific to HCCU functions.	Five (5) years from issuing of same if the premises are not registered.	Stand alone file . Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
44	Department of Health Regulation	Environmental Health Directorate - Health Certification and Consultation Unit - HCCU	Reports and approvals issued for licensing bodies/applicants.	Paper (P)	Five (5) years	Stand alone file. Destroy under confidential and certify conditions. A copy of the filled form is not kept electronically but all the information is kept in a data base and in a register.	Not required for permanent preservation by the National Archives.
45	Department of Health Regulation	Environmental Health Directorate - Health Certification and Consultation Unit - HCCU	Consultation reports issued to applicants.	Paper (P) The general public have the facility to request a consultation, for the Health Inspector to perform an inspection of a proposed food premises or store before they register same. This is done with a fee established by law and they would have a consultation report indication deficiencies of alterations, what would need to be done for the said premises to be in accordance with legislation.	Five (5) years from issuing of same if the premises are not registered.	Stand alone file. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.

46	Department of Health Regulation	Environmental Health Directorate - Food Safety Commission Secretariat	Application form for the Registration of Food Handlers in terms of L.N. 178/2001 (Maltese/English).	A F004 (EN & MT versions).	Two (2) years after expiry of card.	Stand alone file. Filed in boxes according to Registration no. They are also scanned and saved as a soft copy. Destroy under confidential and certify conditions.	A random sample of five (5) applications is to be transferred to the National Archives for permanent preservation.
47	Department of Health Regulation	Environmental Health Directorate - Food Safety Commission Secretariat	Re-Issuing of a Lost Card (Registration of Food Handlers).	A F005 (EN & MT version on one form).	Two (2) Years after expiry of card.	Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
48	Department of Health Regulation	Environmental Health Directorate	Application form for the Registration of food premises in terms of the Food Safety Act (XIV/2002) (Maltese/English).	A F006 (EN & MT versions) Paper (P) and electronic type. These are issued by the Food Safety Commission Secretariat. Lost cards are reported to this section/unit and a new card is reissued under a fee.	Paper is to be kept for five (5) years after closure of premises and electronically in HIS program.	Stand alone file, also scanned and saved as a soft copy. Destroy under confidential and certify conditions. Copy of same is also places in respective peach file at Regional office.	Not required for permanent preservation by the National Archives.
49	Department of Health Regulation	Environmental Health Directorate - Food Safety Commission Secretariat	Application for the Deregistration of Premises which is registered in terms of the Food Safety Act (Act XIV/2002) (Maltese/English).	A F007 (EN & MT versions) Paper (P).	Paper is to be kept for five (5) years after closure of premises and in a court case retention period becomes static.	Stand alone file, also scanned and saved as a soft copy. Destroy under confidential and certify conditions. Commencement of the Retention period of five (5) years after court sentence is given. Copy of same is also places in respective peach file at Regional office.	Not required for permanent preservation by the National Archives.

50	Department of Health Regulation	Environmental Health Directorate - Food Safety Commission Secretariat (FSCS)	Application Form for Registration of Trader in terms of L.N. 315 of 2004 (Maltese/English)	A F008 (EN & MT versions) Paper (P)	Kept at Port Health services (PHS) Traders Registration is an obligation at Law (L.N.315/2004) as these are traders instead of registering at FSCS, they register at Port Health where the registration is kept there indefinitely.	Stand alone file - (at Port Health).	Not required for permanent preservation by the National Archives.
51	Department of Health Regulation	Environmental Health Directorate - Burials Regulatory Unit	Permit to enter Cemetery MT and EN Versions.	P G001 (EN & MT versions) Paper. This is a formal application for any person/institution who needs to fill and inform of why such entry is required , example film , Phot shoot etc. It is not required when an individual s just visiting to see a family grave. Conditions are usually laid down and in other issues they are accompanied by staff who ascertain that the conditions are being adhered to.	Two (2) years	Destroy under confidential and certify conditions. They used to keep a DH file, but now these have been reduced in number. We only handle a number of Government owned cemeteries around Malta. Addollorata are controlled By CampoSanto. Theses are kept at Burials Administration Unit.	Not required for permanent preservation by the National Archives.
52	Department of Health Regulation	Environmental Health Directorate - Burials Regulatory Unit	Application form to affix Lapida in Cemetery MT and EN version.	A G002 (MT version) A G003 (EN version). These are seen to by the Burials board for consistency within the cemetery, which is considered as a holy place.	Indefinite	Kept in respective grave file (DH). This is approved by the Cemetery Board and when approved placed in the Grave file 39/YYYY/No.	To be retained indefinitely by the origination office.
53	Department of Health Regulation	Environmental Health Directorate - Burials Regulatory Unit	Application for a grave.	A G004 (EN & MT on one form). This is a formal application that the public refers to BAU showing the interest to buy a grave at a particular Government Cemetery.	Indefinite	A DH File ref. 39/YYYY/No. is opened.	To be retained indefinitely by the origination office.

54	Department of Health Regulation	Environmental Health Directorate - Burials Regulatory Unit	Declaration for works on monuments.	This is an application filled by workers that require to enter a government Cemetery so that we keep a register of such entries to have a record of persons that effected work on a particular date. Application may be approved or otherwise depending on the date and time requested , conditions are usually imposed with same and approval would need to be referred to the gate keeper before entry. This is now limited to Govt Cemeteire excluding Addollorata since this is now the responsibility of CampoSanto.	Two (2) years	Stand alone file -DH file. Copy is placed in Grave file 39/YYYY/No when available. Destroy under confidential and certify conditions.	Not required for permanent preservation by the National Archives.
55	Department of Health Regulation	Environmental Health Directorate - Burials Regulatory Unit	Declaration for Burial	D G002 (MT version) A G007 (EN version). This is a declaration from owner/s of a particular grave informing of their intention to place a person in their grave. While family members may have a right of burial others would require permission form said owner/s before burial may be effected.	Indefinite	Copy in grave file DH 39/YYYY/No. To be inserted in respective file.	Not required for permanent preservation by the National Archives.
56	Department of Health Regulation	Environmental Health Directorate - Burials Regulatory Unit	Declaration for cleaning of graves -	D G003 (EN & MT versions. This is an application filled by owner/s showing their intention to afford cleaning of their grave so that they would have enough space to use for successive burials. Cleaning may be effected only after the laps of two (2) years from the last burial.	Indefinite	Copy in grave file (DH) 39/YYYY/No please refer to row 12. To be inserted in respective file.	Not required for permanent preservation by the National Archives.
57	Department of Health Regulation	Environmental Health Directorate	Acknowledgements in MT and EN versions.	F G013 & F G014. These are letters of acknowledgement referred with all applications /correspondence received at EHD , copy of which is inserted in the respective DH file for complacency.	Indefinite	In respective DH file. To be inserted in respective DH files.	Not required for permanent preservation by the National Archives.

CONCLUSION

The implementation of the said retention periods shall come into force as from 18th June 2020. 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 Environmental Health. Data Protection Controllers, Heads, and DPOs are aware of the noted retention periods and will instruct all relevant personnel to follow the indicated procedures accordingly.

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.

The Data Protection Officer of the Environmental Health may be contacted at:

Address: Environmental Health Directorate
Continental Business Centre Old Railway Track
Sta Venera

Email: datacontroller.ehd@gov.mt

Telephone: 21332225 / 21337333

The Information and Data Protection Commissioner

The Information and Data Protection Commissioner may be contacted at:

Level 2, Airways House,
High Street,
Sliema
SLM 1549

Email: idpc.info@gov.mt

Telephone: 23287100