

RECORDS RETENTION POLICY

Date of last review:	31/07/2019	Review period:	2 years
Date of next review:	31/07/2021		

DOCUMENT RETENTION

1. INTRODUCTION

- 1.1. The main aim of this policy is to enable the School to manage its records effectively and in compliance with data protection and other regulation. As an organisation we collect, hold, store and create significant amounts of data and information and this policy provides a framework of retention and disposal of categories of information and documents.
- 1.2. The School is committed to the principles of data protection including the principle that information is only to be retained for as long as necessary for the purpose concerned.
- 1.3. The table below sets out the main categories of information that we hold, the length of time that we intend to hold them, and the reason for this.
- 1.4. For information, the Appendix sets out the legal requirements for certain categories of document. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table at Section 2.
- 1.5. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The Data Protection Lead shall be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.
- 1.6. If a document or piece of information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to the Data Protection Lead, who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2. DOCUMENT RETENTION PERIOD

DOCUMENT CATEGORY	RETENTION PERIOD	REASON
Corporate/Constitutional		
Company Articles of Association, Rules/bylaws School funding agreement and any supplemental agreements	Permanent	Companies Act 2006 Charities Act 2011
Trustee/director minutes of meetings and written resolutions Members' meetings etc. minutes/resolutions	Minimum 10 years	Companies Act 2006 Charities Act 2011
Documents of clear historical/archival significance	TBC on publication of 2018 GDPR	General Data Protection Regulation Data Protection Act 2018
Contracts e.g. with suppliers or grant makers	Length of contract term plus 6 years	Limitation Act 1980
Contracts executed as deeds	Length of contract term plus 12 years	Limitation Act 1980
IP records and legal files re provision of service	Life of service provision or IP plus 6 years	Limitation Act 1980
Insurance		
Employer's Liability Insurance	40 years	Employers' Liability (Compulsory Insurance Regulation) 1998
Policies	3 years after lapse	Commercial

Claims correspondence	3 years after settlement	Commercial
Health & Safety		
General records	Minimum 3 years	Limitation Act 1970
Records re work with hazardous substances	Permanent	Control of Hazardous Substances to Health Regulations 2002
Accident books/records and reports	3 years after last entry or end of investigation	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995
Medical Scheme documentation	Permanent unless personal data is included	Commercial
Property		
Original title deeds	Permanent/to disposal of property	
Leases	12 years after lease has expired	Limitation Act 1980
Building records, plans, consents and certification and warranties etc	6 years after disposal or permanent if of historical/archival interest. We will carry out a review if we intend to keep records for a longer period (for example, if there are any possible actions against contractors)	Limitations Act 1980
Pension Records		
Records about employees and workers		As per <i>Detailed Guidance for Employers: (April 2017)</i> on www.thepensionsregulator.gov.uk
Records re the Scheme		Most of these records must be kept for a minimum of six years, with the exception of those relating to opt-outs, which must be kept for four years.
Records re active members and opt in/opt out		
Trust Deed/Rules and		More information about specific data can be found on pages 9-11 of <i>Detailed Guidance for</i>

HMRC approvals		<i>Employers: (April 2017) Part 9 “Keeping records: Records that must be kept by law under the new employer duties”.</i>
Trustees’ Minutes and annual accounts		
Policies including investment policies		
Tax and Finance		
Annual accounts and review (including transferred records on amalgamation)	Permanent	Companies Act 2006 Charities Act 2011
Tax and accounting records	6 years from end of relevant tax year	Finance Act 1998 Taxes Management Act 1970
Information relevant for VAT purposes	Minimum 6 years from end of relevant period	Finance Act 1998 and HMRC Notice 700/21
Banking records/receipts book/sales ledger	6 years from transaction	Companies Act 2006 Charities Act 2011
Employees/Administration		
Payroll/Employee/Income Tax and NI records: P45; P6; P11D; P60 etc	6 years from end of current year	Taxes Management Act 1970 /IT (PAYE) Regulations
Maternity pay	3 years after the end of the tax year	Statutory Maternity Pay Regulations
Sick Pay	3 years after the end of the tax year	Statutory Sick Pay (General) Regulations
National Minimum wage records	3 years after the end of the tax year	National Minimum Wage Act

Foreign national ID documents	Minimum 2 years from end of employment	Immigration (Restrictions on Employment) Order 2007 Independent School Standards Regulations
HR files and training records	Maximum 6 years from end of employment	Limitation Act 1970 and Data Protection regulation
Records re. working time	2 years	Working Time Regulations 1998 as amended
Job applications (CVs and related materials re unsuccessful applicants)	6-12 months from your notification of outcome of application	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976
Pre-employment/volunteer vetting	6 months	ICO Employment Practice Code Independent School Standards Regulations
Disclosure & Barring Service checks	We will only record satisfactory/unsatisfactory result and will delete other information. If copy is kept, it will not be retained beyond 6 months. See further DfE statutory Guidance ‘ Working Together to safeguard children’	Single Central Record Requirements under • Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014; • for colleges: Regulations 20-25 and the Schedule to the Further Education (Providers of Education) (England) Regulations 2006.
Volunteer Records	Minimum 2 years from end of employment	For safeguarding purposes, and in case of future employment with the School.
Pupils		
Educational Record	25 years from date of birth if this is the final school of the child.	Data Protection regulation

Child Protection information (on child's file)	<p>“Keeping children safe in education Statutory guidance for schools and colleges September 2016”;</p> <p>“Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017”</p>	<p>Subject to moratorium on destruction due to historic child abuse enquiry and will be retained until further recommendations are published. See</p> <p>https://www.iicsa.org.uk/sites/default/files/retention-instructions-and-data-protection-requirements.pdf</p>
Child Protection Information in other files	<p>“Keeping children safe in education Statutory guidance for schools and colleges September 2016”;</p> <p>“Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017”</p>	<p>Subject to moratorium on destruction due to historic child abuse enquiry and will be retained until further recommendations are published. See</p> <p>https://www.iicsa.org.uk/sites/default/files/retention-instructions-and-data-protection-requirements.pdf</p>
SEN files	<p>25 years from date of birth of the pupil.</p>	<p>Limitation Act 1980</p>
Education Health and Care Plans	<p>25 years from date of birth of the pupil</p>	<p>Special Educational Needs and Disability Regulations 2014</p> <p>Children and families Act 2014, part 3</p>
Statements of Special Educational Needs (now historic)	<p>25 years from date of birth of pupil unless passed to new school (usually on the pupil's file)</p>	<p>Originally under Special Educational Needs and Disability Regulations 2001</p>

Attendance registers	<p>3 years from when the register entry was made if made in paper registers.</p> <p>Computerised registers will be retained until 3 years after the end of the school year during which the entry was made. This applies to every back up copy.</p>	<p>Pupil Registration Regulations 2006</p> <p>Regulation 14</p>
Other items e.g. curriculum related, photographs, video recordings	<p>25 years from DOB of the child.</p>	<p>Provided consent is received from parents and pupils, and photos are used only for the consented purpose, i.e. improvement and progression of the School (marketing, prospectuses etc.)</p>
Parents		
All data relating to Parents of pupils	<p>Pupil Registration Regulations 2006</p> <p>For basic name and contact details.</p> <p>Otherwise usually operational in accordance with the statutory functions of the school</p>	<p>Usually, for the duration that the parent has a pupil at the school. Otherwise subject to case by case justification.</p>
Alumni/Alumnae		
All data relating to Alumni.	<p>25 years from DOB of the child, if this is the last school of the child.</p>	

3. DELETION OF DOCUMENTS

- 3.1. When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

Confidential waste

- 3.2. This should be made available for collection in the confidential waste bins or sacks located around the office [or shredded, or state how you get rid of confidential information].
- 3.3. Anything that contains personal information should be treated as confidential.
- 3.4. Where deleting electronically, please refer to the Data Protection Lead and/or IT Specialist to ensure that this is carried out effectively.

Other documentation

- 3.5. Other documentation can be deleted or placed in recycling bins where appropriate.

Automatic deletion

- 3.6. Certain information will be automatically archived by the computer systems, details of which are set out below. Should you want to retrieve any information, or prevent this happening in a particular circumstance, please contact the Data Protection Lead.

Individual responsibility

- 3.7. Much of the retention and deletion of documents will be automatic, but when faced with a decision about an individual document, you should ask yourself the following:
- 3.7.1. Has the information come to the end of its useful life?
 - 3.7.2. Is there a legal requirement to keep this information or document for a set period?
(Refer to Appendix 1 for more information)
 - 3.7.3. Would the information be likely to be needed in the case of any legal proceedings?
In particular, is it potentially relevant to an historic child abuse enquiry? (Is the information contentious, does it relate to an incident that could potentially give rise to proceedings?)
 - 3.7.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
 - 3.7.5. Is the document of historic or statistical significance?
- 3.8. If the decision is made to keep the document, this should be referred to the Data Protection Lead and reasons given.