



# Information and Records Retention Policy

Audience:	All staff, governors, agency staff, contractors, work experience students and volunteers.
Approved:	June 2020
Other related policies:	Information Security Policy
Policy owner:	Director of HR
Policy model:	
Review:	July 2022
Version number:	1.0



## REAch2 Information and Records Retention Policy

At REAch2, our actions and our intentions as school leaders are guided by our Touchstones:

- Integrity**                      We recognise that we lead by example and if we want children to grow up to behave appropriately and with integrity then we must model this behaviour
- Responsibility**                We act judiciously with sensitivity and care. We don't make excuses, but mindfully answer for actions and continually seek to make improvements
- Inclusion**                        We acknowledge and celebrate that all people are different and can play a role in the REAch2 family whatever their background or learning style
- Enjoyment**                    Providing learning that is relevant, motivating and engaging releases a child's curiosity and fun, so that a task can be tackled and their goals achieved
- Inspiration**                    Inspiration breathes life into our schools. Introducing children to influential experiences of people and place, motivates them to live their lives to the full
- Learning**                        Children and adults will flourish in their learning and through learning discover a future that is worth pursuing
- Leadership**                    REAch2 aspires for high quality leadership by seeking out talent, developing potential and spotting the possible in people as well as the actual

## **1. POLICY OVERVIEW**

### **1.1 Overarching Principles**

Reach2 Multi Academy Trust (the Trust) is committed to being transparent about how it collects and uses the personal data of its staff, pupils, parents, volunteers and visitors in order to meet its data protection obligations. This policy sets out a structured approach to reviewing and destroying records.

### **1.2 Intended impact**

This policy is intended to support staff and to enable managers to manage data in a way which is fair, consistent and complies with employment legislation. This policy applies to all data, regardless of whether it is in paper or electronic format.

The retention period for each type of record is shown in the table at Appendix 1. In addition, data protection legislation makes it unlawful to keep the information when it is no longer needed for the purpose for which it is held. In practice it means that the Trust should destroy a record promptly once the retention period in the table below has been reached. Occasionally there may be special circumstances which mean that a record should be kept for longer, for example where there is a risk of litigation or a request from an outside body such as the Independent Inquiry into Child Sexual Abuse (IICSA) see below. The Trust will refer to its insurance policies and seek legal advice in these circumstances.

### **1.3 Roles and responsibilities**

The Trust Board has responsibility for ensuring that staff comply with its obligations under the Data Protection Act and the General Data Protection Regulations (GDPR).

The Headteacher at a school or the Head of Function in the Central Team is responsible to ensure that all staff are aware of their data protection obligations and oversee any queries related to the storing or processing of personal data.

Any questions or concerns about your obligations under this policy should be referred to your line manager, the HR Team, or the Data Protection Officer (DPO). Questions and concerns about technical support, or for assistance with using the Trust's IT systems, should be referred to [it@reach2.org](mailto:it@reach2.org) in the first instance.

### **1.4 How this policy relates to national guidance and statutory requirements regarding data protection**

This policy meets the requirements of the Data Protection Act, the GDPR and guidance published by the Information Commissioner's Office.

In addition, this policy complies with regulation 5 of the Education (Pupil Information) (England) Regulations 2005, which gives parents the right of access to their child's educational record.

This policy does not apply to records connected with commercial activities.

## 2. KEY DEFINITIONS

Term	Definition
<b>Personal data</b>	Any data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
<b>Special categories of personal data</b> ( <i>formerly - personal sensitive data</i> )	<p>The GDPR singles out some types of personal data as likely to be more sensitive and gives them extra protection. Data such as:</p> <ul style="list-style-type: none"> <li>• Racial or ethnic origin</li> <li>• Political opinions</li> <li>• Religious or philosophical beliefs,</li> <li>• Trade union membership</li> <li>• Genetic data (including inherited or acquired genetic characteristics)</li> <li>• Biometric data (where used for identification purposes)</li> <li>• Health (physical or mental health, including provision of health care services)</li> <li>• Sex life</li> <li>• Sexual orientation</li> <li>• Criminal offence (including criminal convictions and offences or related security measures). This is treated as would have been sensitive personal data but is broader and linked to security measures</li> </ul>
<b>Processing</b>	Obtaining, recording or holding data
<b>Data subject</b>	The person whose personal data is held or processed
<b>Data controller</b>	A person who, or organisation which, determines how personal data is processed
<b>Data processor</b>	A person, other than someone employed by the data controller, who processes the data on behalf of the data controller

### **3. POLICY PRINCIPLES IN DETAIL**

The retention periods stated in Appendix 1 are the minimum storage requirements. The Trust commits to a data cleanse of its files annually. Accordingly, a 3-year retention period means 3 years plus up to six months to allow the Trust or Academy to securely dispose of the information.

Information must be securely deleted. This applies to paper records, electronic information and biometric information.

The retention periods may be updated at any time in line with requirements by the Trust's insurers who may specify longer retention periods.

If an email falls into one of the categories set out in the table, then it should be filed as soon as is reasonable. 'Routine' emails which do not fall into any of the categories in the table should be deleted as soon as it is no longer required. An example of a routine email is an internal email advising staff that the weekly meeting is cancelled.

End

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
1	<b>Pupils</b>			
1.1	Admission registers (however held)	3 years from the date of the last entry	Transfer to the archives and shred or delete copies and back-ups	Yes
1.2	Attendance registers (however held)	3 years from the date of the last entry	Review for further retention in the case of contentious dispute SHRED/DELETE including back-ups and copies	Yes
1.3	Child protection records	Date of birth (DOB) of the pupil + 50 years	Review for further retention in the case of contentious dispute SHRED/DELETE <b>Notes</b> 1 Child protection information must be copied and sent under separate cover to the new school whilst the child is still under 18. Trusts should ensure secure transit and confirmation of receipt should be obtained 2 Where a child is removed from roll to be educated at home, the file should be copied to the Local Authority ( <b>LA</b> ) 3 In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
			abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; institutional failures to protect children from sexual abuse or other exploitation. 50 years from the date of birth of the pupil involved should be a sufficient period of retention but this will be kept under review	
1.4	Biometric information (e.g. fingerprints to be used as part of an automated biometric recognition system)	For as long as the Trust requires the information for the automated biometric recognition system	This information must not be kept for longer than it is needed. The information must be destroyed if the pupil no longer uses the system, when they leave the Trust or where the parent or pupil withdraws consent or the pupil objects to its use	No
1.5	Medical records held by the Trust	DOB of the pupil + 24 years The 24-year period is based on the fact that once the child turns 18 years old they have a certain amount of time (known as a limitation period) in which to bring claims against the Trust. The longest of these limitation periods is 6 years, albeit that some periods can be extended by the courts	Review for further retention in the case of contentious disputes SHRED/DELETE	No
1.6	Counselling records held	DOB of the pupil + 24 years	Review for further retention in the case of contentious	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	by the Trust		disputes SHRED/DELETE	
2	<b>Pupil files</b>			
2.1	Pupil files, including public test scripts, marks and results	DOB of the pupil + 24 years	Keep a copy of the pupil file. Review for further retention in the case of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests	No
2.2	Internal test papers, marks and results	Weekly or monthly tests: Keep until the end of the following term. Termly or yearly tests: Keep until the end of the following academic year. Marks and results: If the purpose of the test is to progress the child (either internally or externally) then keep marks and results in accordance with the retention periods and guidance set out in 2.1 above. If the purpose of the test is for general internal assessment of academic performance then keep	Keep for longer if risk of contentious disputes, for example, parental complaints, disciplinary matter, pupil exclusions, bullying incidents and subject access requests	

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
		marks and results for the same period as the scripts themselves.		
2.3	Special Educational Needs files, reviews and Individual Education Plans	DOB of the pupil + 24 years	Retain where there has been a dispute SHRED/DELETE	No
2.4	Statement of Special Education Needs ( <b>SEN</b> ) and Education Healthcare ( <b>EHC</b> ) Plans	Statements of SEN (including appendices) and EHC Plans should not be retained once the pupil has left the Trust	SHRED/DELETE unless legal action pending The Statement / Plan belongs to the LA which makes and maintains the Statement / Plan	Yes
2.5	Letters authorising absence	3 years from the date of the last entry on the attendance register	SHRED/DELETE	No
<b>3</b>	<b>Permissions</b>			
3.1	Parental permission slips for school trips – where there has been no major incident, accident, injury or near miss involving anyone on the trip	Conclusion of the trip + 3 years	SHRED/DELETE	No
3.2	Parental permission slips for school trips – where there has been a major incident, accident, injury or near miss involving anyone	DOB of the pupil involved in the incident + 24 years  The permission slips for all pupils on the trip may need to be retained to show that the rules	SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	on the trip	had been followed for all pupils		
<b>4</b>	<b>Admission department</b>			
4.1	Admission documents including enrolment forms	6 years from date of leaving the Trust	Review for further retention in the case of contentious disputes SHRED/DELETE	No
4.2	Admissions documents relating to applicants who did not join the Trust	At least 1 year, subject to requirements for admission appeal documents - see below. If there is a risk that parents or a pupil might bring a claim against the Trust then the documents should be retained.  The documents can be kept for as long as the Trust considers that they are required, subject to the Trust's obligation not to keep the documents for longer than is necessary	SHRED/DELETE	No
4.3	Documents relating to admission appeal proceedings	At least 2 years after appeal procedure has ended.	SHRED / DELETE	Yes
<b>5</b>	<b>Employment</b>			
5.1	Employment or personal	For at least 6 years after date of	If, on a date no earlier than 6 years after the termination	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	records including contracts of employment, changes to terms and condition, disciplinary matters, grievance procedures	termination of employment For at least 12 years after date of termination if any of the documents were signed as a deed	date, there has been no recent contact from the relevant individual and no apparent breach of contract claim, dispose securely of documentation unless there are child protection concerns. Records of anyone with child protection concerns (even if not proven) should be retained	
5.2	Single central register (SCR)	Should the Trust be notified of a historic abuse claim or should a former member of staff commit offences elsewhere the Trust may need to demonstrate that it carried out all required checks prior to an employee starting, when they were carried and out and by whom. The SCR entry for each former member of staff will be retained indefinitely either on an archive SCR or within the personal file.		No
5.3	Records and documents relating to membership of and contributions to the Teachers' Pension Scheme and LGPS	Indefinitely	Decisions in relation to the Teachers' Pension Scheme may have ramifications beyond 6 years, and may be queried at any time by members and the relevant Pension Scheme	No
5.4	Employment references received and references provided (where no	While employment continues and at least for 10 years after the person has retired or until the	SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	safeguarding concerns have arisen or are known)	individual reaches the age of 75, whichever is the later		
5.5	Employment reference where an individual's employment ended for a safeguarding reason or where safeguarding was outstanding at the time of termination	At least for 10 years after the person has retired or until the individual reaches the age of 75, whichever is the later	Consider whether any recent reference requests for the relevant individual or new concerns raised by social services or other agencies  If none, SHRED/DELETE	Yes
5.6	Working time opt-out forms	2 years from the date on which they were entered into (not applicable to many staff)	SHRED/DELETE	Yes
5.7	Records to show compliance with the Working Time Regulations	2 years after the relevant period (as above)	SHRED/DELETE	Yes
5.8	Payroll and wage records These include records of: •Details on overtime •Bonuses •Expenses •Benefits in kind	6 years from the financial year end in which payments are made	SHRED/DELETE	Yes
5.9	PAYE Records	6 years as they may fall within the definition of payroll and wage	SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
		records.		
5.10	<p>Maternity/paternity records</p> <p>These include:</p> <ul style="list-style-type: none"> <li>• Records regarding maternity payments made save for where those include payroll records.</li> <li>• Maternity certificates showing the expected week of confinement</li> </ul>	3 years after the end of the tax year in which the maternity pay period ends	SHRED/DELETE	Yes
5.11	Sickness records required for the purposes of Statutory Sick Pay ( <b>SSP</b> )	During employment and for a period of 3 years after employment has ended	SHRED/DELETE	Yes
5.12	Records in relation to hours worked and payments made to workers	For a period of 3 years beginning with the last day of the following month to which the records relate	SHRED/DELETE	Yes
5.13	Consents for the processing of personal data and sensitive personal data (known as special category personal data under the GDPR)	For as long as the data is being processed and up to 6 years after	SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
5.14	Disclosure and Barring Service ( <b>DBS</b> ) checks and disclosures of criminal record forms	Dispose of securely after the recruitment process unless assessed as relevant to ongoing employment relationship. Once a conviction is spent, should be deleted unless it is an excluded profession.	Enter DBS certificate number, date, initials on Single Central Register  SHRED/DELETE	Yes
5.15	Immigration checks	Throughout employment and then retained for 2 years after the end of employment	SHRED/DELETE	Yes
5.16	Recruitment records of unsuccessful candidates	6 months after notifying unsuccessful candidates	SHRED/DELETE	No
5.17	Personal and training records	Whilst employment continues and up to 6 years after employment ceases	SHRED/DELETE	No
5.18	Annual leave records	Retained for 6 years after employment ceases	SHRED/DELETE	No
5.19	Collective / workforce agreements	6 years after the agreement comes to an end	SHRED/DELETE	No
5.20	Works Council minutes	Permanently	N/A	No
5.21	Employee's bank details	Until last payment made	SHRED/DELETE	No
5.22	Records of advances or	Whilst employment continues and	SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	loans to an employee	up to 6 years after repayment		
5.23	Death Benefit Nomination and Revocation Forms	Whilst employment continues and up to 6 years after payment of benefit	SHRED/DELETE	No
<b>6</b>	<b>Health and safety information - employees</b>			
6.1	Reportable injuries, diseases and dangerous occurrences ( <b>RIDDOR</b> ) reports or own record	3 years from the date of record If disease - indefinitely	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes <sup>1</sup>
6.2	First aid / accident book entry	3 years from the date of injury or last record in the book If disease - indefinitely	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes <sup>2</sup>
6.3	Records of maintenance, examination and test control measures relating to substances hazardous to health under the Control of Substances Hazardous to Health ( <b>COSHH</b> ) regime	5 years	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes <sup>3</sup>
6.4	Health records for	At least 40 years from the date if	Review for further retention in the case of enforcement	Yes

<sup>1</sup> Regulation 12(2) Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

<sup>2</sup> Regulation 25(3)(b) Social Security (Claims and Payments) Regulations 1979

<sup>3</sup> Regulation 9(4) Control of Substances Hazardous to Health Regulations 2002

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	licensable asbestos work	the last entry	action contentious disputes SHRED/DELETE	
6.5	Medical surveillance certificate for licensable asbestos work	At least 4 years from the date it was issued	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
6.6	Records of air monitoring for asbestos	Where a health record is required at least 40 years from the date if the last entry  In other cases at least 5 years from the date of the last entry		Yes
6.7	Records of examinations, tests and repairs carried out in respect of exhaust or respiratory protective equipment under the Control of Asbestos Regulations 2012 (CAR)	5 years	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
6.8	Examination / report of defect for power presses	2 years	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes <sup>4</sup>

<sup>4</sup> Regulation 35(1) Provision and Use of Work Equipment Regulations 1998

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
6.9	Records of water monitoring, inspection, testing, checks and control measures for legionellosis	5 years from the date of the last entry	Review for further retention in the case of enforcement action or contentious disputes  SHRED/DELETE	Yes <sup>5</sup>
<b>7</b>	<b>Health and safety information - pupils</b>			
7.1	Accident reports including first aid / accident book	DOB of the pupil involved in the incident + 21 years; or  3 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of enforcement action or contentious disputes  SHRED/DELETE	No
7.2	Reportable injuries, diseases and dangerous occurrences ( <b>RIDDOR</b> ) reports or own record	Minimum statutory retention period is at least 3 years. In circumstances where a pupil is involved in an accident, the record should be kept for DOB of the pupil involved in the incident + 21 years; or  3 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the	Review for further retention in the case of enforcement action or contentious disputes  SHRED/DELETE	Yes

<sup>5</sup> Regulation 9(4) Control of Substances Hazardous to Health Regulations 2002

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
		incident		
7.3	Incident investigations and reports, risk assessments and other relevant documents where there has been an accident or incident	DOB of the pupil involved in the incident + 21 years; or 3 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of enforcement action or civil claims for personal injury  SHRED/DELETE	No
8	<b>Generic health and safety records</b>			
8.1	Risk assessments, records of health and safety arrangements, copies of policies and procedures  General records of health and safety auditing and monitoring including fire risk assessments, electrical testing, PAT testing and gas appliance testing  Training records and copies of instructions or information  Maintenance logs and / or records of plant and / or equipment plus safety	These should be kept for as long as they remain relevant at least 3 years (in the absence of a specific accident, incident, dangerous occurrence or notifiable disease)	Review for further retention in the case of enforcement action or contentious disputes  SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	<p>manuals / notices / instructions</p> <p>Records of emergency evacuations and fire drills, fire safety risk assessments and fire safety policy / fire arrangements</p>			
8.2	<p>Copies of documents, including health and safety files, prepared pursuant to the Construction (Design and Management) Regulations 2015</p>	<p>Records should be retained as long as is reasonably necessary to inform on future construction projects at the Trust site – to be confirmed by Estates Team</p>	SHRED/DELETE	N/A
9	<b>Insurance</b>			
9.1	<p>Insurance certificates and schedules of cover</p>	Indefinitely	N/A	No
9.2	<p>Correspondence with insurers related to specific accidents or incidents</p>	<p>If the incident involved a pupil - DOB of the pupil involved in the incident + 21 years; or</p> <p>Disease claims or where there have been allegations of abuse - indefinitely</p>	<p>Review for further retention in the case of civil claims for disease or personal injury</p> <p>SHRED/DELETE</p>	No
10	<b>Investigations, reviews and inquiries</b>			

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
10.1	Documents relevant to IICSA	Indefinitely	Review once the Inquiry has been completed.	No - unless the school has received a formal notice from IICSA <sup>6</sup>
10.2	Internal reports and investigations into accidents / incidents  Copies of reports submitted to external agencies / regulators such as Ofsted, Health and Safety Executive, Local Authority, Education and Skills Funding Agency etc  External reports, reviews, investigations and inquiries for example inquests and public inquiries	Where the investigation / inquiry / report has been necessitated as a result of a specific incident - at least 3 years.  Where there is a risk of enforcement action and / or criminal prosecution and / or a civil claim and relates to pupil - DOB +21 years	SHRED/DELETE	No
11	<b>Material kept for archiving purposes in the public interest or for historical research purposes or statistical purposes</b>			
11.1	Records which do not contain personal data, for example, old photographs of Trust buildings, title deeds etc	Can be kept indefinitely	N/A	No

<sup>6</sup>Section 21 Inquiries Act 2005

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
11.2	Records relating to a number of pupils, or the Trust generally, such as old class photographs, lists of pupils attending the Trust in any given year, Trust prospectuses, newspaper cuttings etc	Can be kept indefinitely	N/A	No
11.3	Records concerning specific pupils kept for a valid reason. For example, an award winning poem written by a pupil.	Can be kept indefinitely subject to the comments below.  This does not apply to routine work produced by pupils which should not be kept for longer than the retention period set out in section 2 above unless the Trust has a specific reason for keeping it and that decision can be justified, accompanied by appropriate consent.	N/A	No
12	<b>CCTV, videos and photographs</b>			
12.1	CCTV footage	90 days	DELETE  Review for further retention if the recording may be required for any reason such as in relation to an incident or accident involving any person.  CCTV footage may also be needed in relation to parental complaints, disciplinary matters, pupil exclusions, bullying	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
			<p>incidents or health and safety matters.</p> <p>If a subject access request has been made for the footage it must be retained.</p> <p>The Trust should consider the relevant limitation periods for claims being brought against the Trust and seek advice as necessary.</p>	
12.2	Photographs of pupils for internal administration purposes e.g. to identify the pupil or photographs used on security passes	These photographs should be retained for as long as they are required for the purpose for which they were taken.	<p>SHRED/DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes.</p>	No
12.3	Photographs or videos of pupils taken for marketing reasons e.g. photographs for use in the Trust prospectus or a video of pupils on the Trust's website	<p>These photographs and videos should be retained for as long as they are required for the purpose for which they were taken.</p> <p>If the Trust would like to retain the images for historical reasons please see the comments at 11.3 above.</p>	<p>SHRED/DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes.</p>	No
12.4	Photographs or videos of pupils used as part of the curriculum e.g. a video of a drama lesson/ performance or as part of an art project	<p>These photographs and videos should be retained for as long as they are required for the purpose for which they were taken.</p> <p>If the Trust would like to retain the images for historical reasons</p>	<p>SHRED/DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes.</p>	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
		please see the comments at 11.3 above.		