

Data Retention Policy

Adopted by Board: 13 October 2020

Review Period: 3yr

Review Date: October 2023

Person responsible for policy: Data Protection Officer



Data Retention Policy

In respect of its processing of personal data, the Organisation will comply with the Data Protection Act 2018, the General Data Protection Regulation 2016/679, and related legislation (together, "Data Protection Laws").

This Data Retention Policy should be read in conjunction with the Organisations Data Protection Policy, which sets out the overall approach to data protection matters and sets out the rationale for why a Data Retention Policy is required for personal data.

The Organisation is under a legal obligation only to keep personal data for as long as needed. Once the personal data is no longer required we will securely delete it. The organisation recognises that the correct and lawful treatment of data will maintain confidence in the Organisation and will provide for a successful working environment.

This Policy applies to all employees, consultants, contractors and temporary personnel hired to work on behalf of the organisation ("Personnel").

All Personnel with access to personal data must comply with this Data Retention Policy. If you have any queries regarding this Policy, please consult your manager and/ or the Data Protection Officer. You are advised that any breach of this Data Retention Policy will be treated seriously and may result in disciplinary action being taken against you.

All Personnel will receive a copy of this Policy when they start and may receive periodic revisions of this Policy. This Policy does not form part of any contract of employment and the Organisation reserves the right to change this Policy at any time. All Personnel are obliged to comply with this Policy at all times.

**About this Policy**

This Data Retention Policy explains how the Organisation complies with our legal obligation not to keep personal data for longer than we need it and sets out when different types of personal data will be deleted. In particular, it sets out details for the retention of Special Category personal data.

**Data Retention Period**

The Organisation has assessed the types of personal data that the organisation holds and the purposes for which it used.

There are six main functional areas for which the organisation keeps records as follows:

1. Management and Organisation

2. Legislation & Guidance

3. Students

4. Staff

5. Finance

6. Health & Safety

The records contained within these functional areas provide evidence and information about its business activities and are important for the efficient operation of the organisation.

**Management and Organisation**

This category comprises records held which relate to the management and organisation of the organisation. Typical records would include the minutes of the Board of Governors, the Senior Management Team and Parent/Teachers Association meetings. Also included are records detailing development, planning and curriculum policies as well as those that demonstrate how the organisation reports to its parents and other organisations. Records may include; Development Plans, the Prospectus, Curriculum policies, Annual Report, Emergency Planning and Business Continuity Plan along with the records of meetings, minutes, and policies documenting the decisions and actions taken within this business function.

**Legislation and Guidance**

Files maintained under this heading contain papers relating to legislation e.g. the Education Guidance, Bulletins from the Dept. of Education and Education & Library Boards, CCMS etc, correspondence in connection with Statistical Returns and documents relating to Dept of Education Inspections and Reports.

**Students**

Student Files contain vitally important records which, not only capture the progress of the student throughout their time at the Organisation, but also contain personal details and information beneficial to their well-being within the environment. Such records would include admission data, attendance of the students, timetables and class/tutor groupings, education/progress reports of students, special education needs documentation, child protection information, disciplinary action taken, examination results, careers advice, school trip details and medical records (details of medical conditions where medicines are required to be administered).

**Staff**

Staff category refers to those records required for the Human Resources Management function within the Organisation. These include staff personnel records (recruitment, interview notes, appointments, training, staff development etc), salary records, induction, sickness records, staff performance review, substitute teacher records and student teachers on teaching practice etc.

**Finance**

This business function maintains records for a range of financial activities such as annual budgets, budget monitoring, Annual Statement of Accounts, procurement, tender information and prices, reconciliation of invoices, audit reports etc.

**Health & Safety**

The health and safety of our Students and staff is of paramount importance and such records to support this are kept e.g. Accident/Incident Book, legal/accident/incident forms, risk assessments, fire procedure, CCTV, security system files, health and safety policy statement.

**Electronic Records**

The legal obligation to properly manage records, including compliance with Data Protection legislation, applies equally toelectronic records. **The main considerations for the management of electronic records are therefore the same as those for manual records. They include:**

* Staff must be able to use and access electronic information effectively
* Adequate measures must be in place to ensure all information is stored securely and only available to authorised persons.
* The organisation must be able to demonstrate a record’s authenticity by ensuring information cannot be altered when declared a record.
* A system must be in place for disposing of electronic records in line with policy once they are no longer needed.

In addition to the above, sufficient backup/recovery processes must be in place. There must also be a process through which links are created from electronic records to any associated manual records. This is to ensure a full record can be considered when necessary i.e. when decision making, providing access or considering a record for disposal.

The table below sets out the retention periods that the organisation has set for the different departments within the organisation, and the different types of data that they each hold. This list is not exhaustive.

If any member of Personnel considers that a particular piece of personal data needs to be kept for more or less time than the period set out in this policy, please contact the Data Protection Officer for guidance.

**Changes to this Policy**

The organisation reserves the right to change this policy at any time.



**Disposal Schedule (App 1)**

1. Management & Organisation

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Ref | | | Record | | Minimum Retention Period | | Action After Retention | | |
| 1.1 | | | Board of Governors – general correspondence | | Current year + 6 years | | Destroy | | |
| 1.2 | | | BOG Meetings Minutes (master) | | Current year + 6 years | | Destroy | | |
| 1.3 | | | Senior Management Meeting Minutes | | Current year + 6 years | | Destroy | | |
| 1.4 | | | Staff Meeting Minutes | | Current year + 6 years | | Destroy | | |
| 1.5 | | | Development Plan | | Retain for 10 years from closure of Plan | | Destroy | | |
| 1.6 | | | School Policies | | Retain while current. Retain 1 copy of old policy for 2 years after being replaced | | Destroy | | |
| 1.7 | | | PTA – minutes and correspondence | | Current year + 6 years | | Destroy | | |
| 1.8 | | | Visitors Book | | Current year + 6 years | | Destroy | | |
| 1.9 | | | Circulars to Staff, Parents and Students | | Current year + 3 years | | Destroy | | |
| 1.10 | | | Brochure or Prospectus | | Current year + 3 years | | Destroy | | |
| 1.11 | | | Comments/Complaints | | 5 years after closing. Review for further retention in the case of contentious disputes | | Destroy | | |
| 1.12 | | | Annual Report | | Retain for 10 years from date of  Report | | Destroy | | |
| 1.13 | | School / college Fund | | | | Current financial year + 6 years | | Destroy |
| 1.14 | Emergency Planning/Business Continuity Plan | | | Until superseded | | | | Destroy |

1. **Legislation and Guidance**

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Record | Minimum Retention Period | Action After Retention |
| 2.2 | Circulars, Guidance, Bulletins from DofE | Until superseded | Destroy |
| 2.3 | Correspondence re: Statistical Returns to DofE, ESFA | Current financial year + 6 years | Destroy |
| 2.4 | DofE Reports, OFSTED & other Inspections | Until superseded | Destroy |

3. Students

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Record | Minimum Retention Period | Action After Retention |
| 3.1 | Student Admission forms who do not enrol | 2 years | Destroy |
| 3.1a | Applications/Admission forms for enrolment | 3 years after enrolment | Destroy |
| 3.1b | Transfer applications (Transfer Forms) | 3 years after enrolment | Destroy |
| 3.2 | Student Attendance Information/Registers | Date of Register + 10 years | Destroy |
| 3.3 | Student Education Records/Progress Reports | Until pupil is 23 years old | Destroy |
| 3.4 | Student Education Records/Progress Reports (Special Educational Needs) | Until Pupil is 26 years old | Destroy |
| 3.5 | Child Protection Information; Record of concerns where case was not referred to Social Services | 10 years after last entry on file | Destroy |
| 3.6 | Child Protection Information; Social Services investigation outcome was unfounded or malicious | 10 years after last entry on file | Destroy |
| 3.7 | Child Protection Information; Social Services investigation outcome was inconclusive, unsubstantiated or substantiated | Until student is 30 years old | Destroy |
| 3.8 | Disciplinary Action  (Suspension/Expulsion)/Offences, bullying | Until student is 23 years old | Destroy |
| 3.9 | Disciplinary Action  (Suspension/Expulsion)/Offences, bullying (Special Educational Needs) | Until student is 26 years old | Destroy |
| 3.10 | Timetables, Class/YR, Student Groupings, | Retain while current | Destroy |
| 3.11 | Examination Results | Current year + 6 years | Destroy |
| 3.12 | Careers Advice | Current year + 6 years | Destroy |
| 3.13 | School/College canteen Meals returns | Current financial year + 6 years | Destroy |
| 3.14 | Free Meals registers | Current financial year + 6 years | Destroy |
| 3.15 | School/college Trips; Financial & Administration details | Current financial year + 6 years | Destroy |
| 3.16 | Trips/Attendance/Staff Supervision | Current financial year + 6 years. In the case of an incident/accident involving a student, retain until student is 23 years old or 26 for a student with special educational needs | Destroy |
| 3.17 | Reports of Stolen/Damaged Items | Current financial year + 6 years | Destroy |
| 3.18 | Medical Records – records of students with medical conditions and details for the administration of drugs when necessary. | Until student is 23years old or in the case of a Special Needs student, until 26 years old | Destroy |

4. **Staff**

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Record | Minimum Retention Period | Action After Retention |
| 4.1 | Staff Personnel Records (including, appointment details, training, staff development etc.) | 7 years after leaving employment | Destroy |
| 4.2 | Interview notes and recruitment records | Date of interview + 6 months | Destroy |
| 4.3 | Staff Salary Records | 7 years after leaving employment | Destroy |
| 4.4 | Staff Sickness Records (copies of Medical Certs) | Current year + 6 years | Destroy |
| 4.5 | Substitute Teacher Records | Current year + 6 years | Destroy |
| 4.6 | Substitute Staff Records-non teaching | Current year + 6 years | Destroy |
| 4.7 | Student Records-non teaching | Current year + 6 years | Destroy |
| 4.8 | Student Teachers on Teaching Practice – student teacher progress | Current year + 6 years | Destroy |
| 4.9 | Procedures for Induction of Staff | Until superseded | Destroy |
| 4.10 | Staff/Teachers’ Attendance Records | 7 years after leaving | Destroy |
| 4.11 | Staff Performance Review | 7 years after leaving | Destroy |

1. **Finance**

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Record | Minimum Retention Period | Action After Retention |
| 5.1 | Annual budget and budget deployment | Current financial year + 6 years | Destroy |
| 5.2 | Budget Monitoring | Current financial year + 6 years | Destroy |
| 5.3 | Annual Statement of Accounts | Current financial year + 6 years | Destroy |
| 5.4 | Order Books, Invoices, Bank Records, Cash Books, Till Rolls, etc | Current financial year + 6 years | Destroy |
| 5.5 | Postage Book | Current financial year + 6 years | Destroy |
| 5.6 | Audit Reports | Current financial year + 6 years | Destroy |
| 5.7 | Bursary Information |  |  |

1. **Health & Safety**

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Record | Minimum Retention Period | Action After Retention |
| 6.1 | Accident Reporting (Adults) | Date of incident + 7 years | Destroy |
| 6.2 | Accident Reporting (students) | Until student is 23 years old or in the case of a Special Needs student, until 26 years old | Destroy |
| 6.3 | Risk Assessments – work experience locations/students | 7 years | Destroy |
| 6.4 | H & S Reports | 15 years | Destroy |
| 6.5 | Fire Procedure | Until superseded | Destroy |
| 6.6 | Security System File | For the life of the system | Destroy |