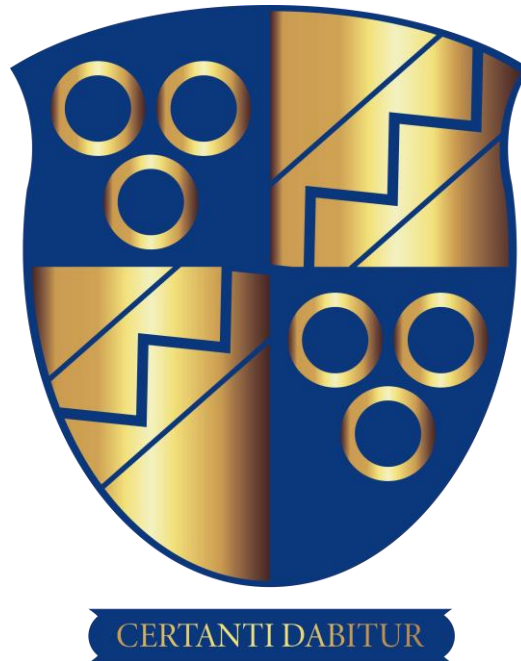


Data Retention Policy

The Oldershaw School



Approved by: Finance, Audit & Risk Committee **Date:** July 2023

Policy owner: Chief Finance & Operations Officer

Last reviewed: July 2023 **Next review due:** July 2024

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1. Introduction

The School has a responsibility to maintain its records and record keeping systems. When doing this, the School will take account of the following factors: -

- The most efficient and effective way of storing records and information
- The confidential nature of the records and information stored
- The security of the record systems used
- Privacy and disclosure and
- Their accessibility

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the School's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the School from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. The School may also vary any parts of this procedure, including any time limits, as appropriate in any case.

2. Data Protection

This policy sets out how long employment-related and pupil data will normally be held by the school and when that information will be confidentially destroyed in compliance with the terms of the UK General Data Protection Regulation (UK GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of the School. The School's Data Protection Policy outlines its duties and obligations under the UK GDPR.

3. Retention Schedule (Appendix 1)

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule. When managing records, the School will adhere to the standard retention times listed within that schedule.

Paper records will be regularly monitored by the member of staff named in the Retention Policy Schedule at the back of this Policy. Electronic records will be regularly monitored by the Chief Finance & Operations Officer and Network Manager.

The schedule is a relatively lengthy document listing the many types of records used by the school and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.

4. Destruction of Records

Where records have been identified for destruction they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted.

The School maintains a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list at least: -

- File reference (or other unique identifier)
- File title/description
- Number of files and
- Name of the authorising officer.

5. Record Keeping of Safeguarding

Any allegations made that are found to be malicious must not be part of the personnel records.

For any other allegations made, the School must keep a comprehensive summary of the allegation made, details of how the investigation was looked into and resolved and any decisions reached. This should be kept on the personnel files of the accused.

Any allegations made of sexual abuse should be preserved by the School for the term of an inquiry by the Independent Inquiry into Child Sexual Abuse. All other records (for example, the personnel file of the accused) should be retained until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. Guidance from the Independent Inquiry Child Sexual Abuse states that prolonged retention of personal data at the request of an Inquiry would not contravene data protection regulation provided the information is restricted to that necessary to fulfil potential legal duties that a School may have in relation to an Inquiry.

Whilst the Independent Inquiry into Child Sexual Abuse is ongoing, it is an offence to destroy any records relating to it. At the conclusion of the Inquiry, it is likely that an indication regarding the appropriate retention periods of the records will be made.

6. Archiving

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. A database of the records sent to the archives is maintained by the Chief Finance & Operations Officer. The appropriate staff member, when archiving documents should record in this list the following information: -

- File reference (or other unique identifier)
- File title/description
- Number of files and
- Name of the authorising officer.

7. Transferring Information to Other Media

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as digital media or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

8. Emails

We track and monitor emails within our email system to destroy all records when they reach 3 years old regardless of owner/folder location. We have processes for exceptions, namely Finance or Executive related emails, that can be held up to 7 years if request made to Network Manager.

9. Pupil Records

All Schools with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. If a child changes schools, the responsibility for maintaining the pupil record moves to the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

10. Responsibility and Monitoring

The Chief Finance & Operations Officer has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with the School is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The Data Protection Officer will consider the suitability and adequacy of this policy and report improvements directly to Management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it.

11. Monitoring Arrangements

This policy will be reviewed annually and approved by the Trust Board.

12. Links to Other Policies

- Data Protection

Retention Schedule

Appendix 1

FILE DESCRIPTION	RETENTION PERIOD	STAFF
Employment Records		
All records leading up to the appointment of a new Principal	Date of appointment + 6 years. Secure disposal	Clerk
Job applications and interview records of unsuccessful candidates	Six months after notifying unsuccessful candidates, unless the school has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained. Secure disposal	HR&C
Job applications and interview records of successful candidates	6 years after employment ceases. Secure disposal	HR&C
Written particulars of employment, contracts of employment and changes to terms and conditions	6 years after employment ceases. Secure disposal	HR&C
Right to work documentation including identification documents	6 years after employment ceases. Secure disposal	HR&C
Immigration checks	Two years after termination of employment Secure disposal	HR&C
DBS checks and disclosures of criminal records forms	As soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, <u>for no longer than 6 months</u> .	HR&C
Change of personal details notifications	No longer than 6 months after receiving this notification	HR&C
Emergency contact details	Destroyed on termination	HR&C
Personnel and training records	While employment continues and up to six years after employment ceases. Secure disposal	HR&C
Annual leave records	Six years after the end of tax year they relate to or possibly longer if leave can be carried over from year to year	HR&C
Consents for the processing of personal and sensitive data	For as long as the data is being processed and up to 6 years afterwards	HR&C

Staff Biometric Data (Electronic)	Deleted within 72 hours of consent being withdrawn Deleted within 72 hours of leaving	NM
Working Time Regulations: <ul style="list-style-type: none"> • Opt out forms • Records of compliance with WTR 	<ul style="list-style-type: none"> • Two years from the date on which they were entered into • Two years after the relevant period 	HR&C
Disciplinary Records	<ul style="list-style-type: none"> • 6 years after employment ceases 	HR&C
Training records UK GDPR Training Records (Electronic)	6 years after employment ceases or length of time required by the professional body. Secure disposal	CFOO HR&C
Staff Training where it relates to safeguarding or other child related training	Date of the training plus 40 years	
Allegations of a child protection nature against a member of staff including where the allegation is founded	10 years from the date of the allegation or the person's normal retirement age (whichever is longer). This should be kept under review. Malicious allegations should be removed. Secure disposal. These records must be shredded.	HR&C
Annual appraisal / assessment records	Current year + 6 years. Secure disposal	HR&C
Financial and Payroll Records		
Pension records	12 years	CFOO
Retirement benefits schemes – notifiable events (for example, relating to incapacity)	6 years from the end of the scheme year in which the event took place	HR&C
Payroll and wage records	6 years after end of tax year they relate to	CFOO
Maternity/Adoption/Paternity Leave records	3 years after end of tax year they relate to	HR&C
Statutory Sick Pay	3 years after the end of the tax year they relate to	CFOO
National Insurance (schedule of payments)	Current year plus 6 year	CFOO
Insurance	Current year plus 6 years	CFOO
Current bank details	Until updated plus 3 years	HR&C
Time sheets	Current year plus 3 years	CFOO
Overtime	Current year plus 3 years	CFOO
Employer's Liability Insurance Certificate	Closure of the school + 40 years. Secure disposal	CFOO
Inventories of furniture and equipment	Current year + 6 years Secure disposal	FM
Burglary, theft and vandalism report forms	Current year + 6 years Secure disposal	FM
Annual Accounts	Current year + 6 years standard disposal	CFOO
Loans and grants managed by the school	Date of last payment on the loan + 12 years. Secure disposal	CFOO

Pupil Premium Fund Records	Date pupil leaves the school plus 6 years	CFOO
Student Grant applications	Current year + 3 years Secure disposal	CFOO
All records relating to the creation and management of budgets including the Annual Budget statement and background papers	Life of the budget + 3 years Secure disposal	CFOO
Invoices, receipts, order books and requisitions, delivery notices	Current financial year + 6 years Secure disposal	CFOO
Records relating to the collection and banking of monies	Current financial year + 6 years Secure disposal	CFOO
Records relating to the identification and collection of debt	Current financial year + 6 years Secure disposal	CFOO
All records relating to the management of contracts under seal	Last payment on the contract + 12 years Secure disposal	CFOO
All records relating to the management of contracts under signature	Last payment on the contract + 6 years Secure disposal	CFOO
Records relating to the monitoring of contracts	Current year + 2 years Secure disposal	CFOO
Agreements and Administration Paperwork		
Register of Attendance at full Trust Board Meetings	Date of last meeting plus 6 years	Clerk
Agendas for Trust Board meetings	One copy should be retained with the master set of minutes. All other copies can be disposed of secure disposal	Clerk
Minutes of Trust Board meetings Principal Set (signed)	PERMANENT	Clerk
Inspection Copies	Date of meeting + 3 years, If these minutes contain any sensitive, personal information they must be shredded.	Clerk
Reports presented to the Trust Board	Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports then the reports should be kept permanently. Secure disposal or retain with the signed set of the minutes.	Clerk
Instruments of Government including Articles of Association	Permanent. These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.	Clerk
Trusts and Endowments managed by the Trust Board	Permanent. These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.	Clerk
Action plans created and administered by the Trust Board	Life of the action plan + 3 year. Secure disposal.	Clerk
Policy documents created and administered by the Trust Board	Until replaced. (The School should consider keeping policies relating to safeguarding, child protection or other pupil related issues such as exclusion until the IICSA has issued its recommendations) Secure disposal	Clerk

Records relating to complaints dealt with by the Trust Board	Major complaints: current year plus 6 years If negligence involved: current year plus 15 years If child protection of safeguarding issues: current year plus 40 years	Clerk
Records relating to the terms of office of serving Governors, including evidence of appointment	Date appointment ceases plus 6 years	HR&C
Register of business interests	Date appointment ceases plus 6 years	HR&C
Records related to the training required and received by Governors	Date appointment ceases plus 6 years	Clerk
Records relating to the Clerk of a Trust Board	Date upon which appointment ceases plus 6 years	HR&C
Governor Personnel Files	Date of appointment plus 6 years	HR&C
Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002	Date of report + 10 years. Secure disposal.	Clerk
Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies	Date of the meeting + 3 years then review. Secure disposal	CFOO
Reports and records created by the Principal or the Management Team	Date of the report + a minimum of 3 years then review. Secure disposal	CFOO
Correspondence created by the Principal, deputy head teachers, heads of year and other members of staff with administrative responsibilities	Current year + 3 years. Secure disposal	PA/Clerk
Professional Development Plans	Life of the plan + 6 years. Secure disposal	SLT
Collective workforce agreements and past agreements that could affect present employees	Permanently	PA
School Development Plans	Life of the plan + 3 years. Secure disposal	CFOO
Trade union agreements	10 years after ceasing to be effective	PA
Visitors Book and Signing In Sheets (paper) InVentry data (electronic)	6 years. Secure disposal Up to a Year	RAD NM
Newsletters and circulars to staff, parents and pupils	1 year and 1 copy may be archived	S&CM/PA

Health and Safety Records		
Health and Safety consultations	Permanently	FM
Health and Safety Risk Assessments	3 years from the life of the risk assessment	FM
Health and Safety Policy Statements	Life of Policy plus 3 years	HR&C
Any records relating to any reportable death, injury, disease or dangerous occurrence	Date of incidence plus 3 years provided that all records related to the incident are held on personnel file	HR&C
Accident reporting for individuals who are under 18 at the time of the incident	Accident book should be retained 3 years after last entry in the book	HR&C
Accident reporting for individuals who are over 18 at the time of the incident	Accident book should be retained 3 years after last entry in the book	HR&C
Fire precaution log books	Current year plus 3 years	FM
Medical records and details of: - <ul style="list-style-type: none"> • control of lead at work • employees exposed to asbestos dust • records specified by the Control of Substances Hazardous to Health Regulations (COSHH) 	40 years from the date of the last entry made in the record	FM
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made	FM
Property Management		
Title deeds of properties belonging to the school	Permanent These should follow the property unless the property has been registered with the Land Registry	CFOO
Plans of property belong to the school	These should be retained whilst the building belongs to the school and should be passed onto any new owners if the building is leased or sold	FM
Leases of property leased by or to the school	Expiry of lease + 6 years Secure disposal	CFOO
Records relating to the letting of school premises	Current financial year + 6 years Secure disposal	CFOO
All records relating to the maintenance of the school carried out by contractors	Current year + 6 years Secure disposal	FM
All records relating to the maintenance of the school carried out by school employees including maintenance log books	Current year + 6 years Secure disposal	FM
Temporary and Casual Workers		
Records relating to hours worked and payments made to workers	3 years	CFOO

Pupil Records		
All records relating to the creation and implementation of the School Admissions' Policy	Life of the policy + 3 years then review. Secure disposal	Clerk
Admissions records	1 year from the date of admission. Secure disposal	Data Team (auth of VP)
Proof of address supplied by parents as part of the admissions process	2 years from receipt	Data Team (auth of VP)
Supplementary Information form including additional information such as religion, medical conditions etc. For successful admissions	This information should be added to the pupil file. Secure disposal	Data Team (auth of VP)
Admissions register (historical document)	Entries to be preserved for three years from date of entry. May be kept permanently as often schools receive enquiries from past pupils to confirm the dates they attended the school. Secure disposal	Data Team (auth of VP)
Correspondence relating to any absence authorized or unauthorised	Current academic year + 2 years. Secure disposal	APL
School Meals Registers	Stored in MIS in line with Pupil Record retention period.	Data Team (auth of VP)
Free School Meals Registers	Information held centrally by LA. School obtains via portal log in and held in MIS. Stored in line with Pupil Record retention period.	Data Team (auth of VP)
Pupil Record	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437 Limitation Act 1980 (Section 2) Date of Birth of the pupil + 25 years. Applicable to both physical and digital record.	S&CM with final auth from CFOO & Exec Head
Special Educational Needs files, reviews and individual education plans (this includes any statement or EHCP and all advice and information shared regarding educational needs)	Date of birth of the pupil plus 31 years (Education, Health and Care Plan is valid until the individual reaches the age of 25 years – the retention period adds an additional 6 years from the end of the plan). (Children and Family's Act 2014; Special Educational Needs and Disability Act 2001)	SENCO
Child protection information held in separate files	"Keeping children safe in education Statutory guidance for schools and colleges March 2015" "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015" DOB of the child + 25 years then review This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the Local Authority Social Services record. SECURE DISPOSAL – these records MUST be shredded	DSL

Allegations of Sexual Abuse	Following conclusion of Independent Inquiry into Child Sexual Abuse in Oct 2022. This data will be stored on CPOMs system for 75 years with regular reviews.	VP Inclusion
Examination Results (Schools Copy)	Current academic year + 6 years Secure disposal	EO
SATS Results	The SATS results should be recorded on the pupil's educational file and will therefore be retained until the pupil reaches the age of 25 years. The school will keep a composite record of all the whole years results. current year + 6 years to allow suitable comparison Secure disposal	EO
Examination Papers (Electronic Word Processed)	The examination papers should be kept until any appeals/validation process is complete. Secure disposal	EO
Examination Certificates	2 Years after student date of leaving Secure disposal	EO
Examinations Paperwork: Registers, Seating Plans, Incident Records, Remark and Access to Script Consent Forms	Retained until the deadline of the close of Review of Marking period for the Series.	EO
Timetable	Review these records at the end of each year and allocate a further retention period or Secure Disposal Minimum Current year + 1 year.	VP
Class Record Books		Teacher
Mark Books		Teacher
Record of homework set		Teacher
Pupils' Work	Where possible pupils' work should be returned to the pupil at the end of the academic year. Where this is not possible Secure Disposal at end of academic year.	Teacher
Self-Evaluation Forms	Current academic year + 6 years Secure disposal	CFOO
Schemes of Work	Current academic year + 1 year	HOD
Published Admission Number (PAN) Reports	Current academic year + 6 years Secure disposal	Clerk
Records created by schools to obtain approval to run an Educational Visit outside the Classroom	Outdoor Education Advisers' Panel National Guidance website http://oeapng.info specifically Section 3 - "Legal Framework and Employer Systems" and Section 4 - "Good Practice". Date of visit + 10 years. Secure disposal	EVC

Parental consent forms for school trips where there has been no major incident	End of the trip or end of the academic year (subject to a risk assessment carried out by the school) - Secure disposal	EVC
Parental permission slips for school trips – where there has been a major incident	Limitation Act 1980 (Section 2). DOB of the pupil involved in the incident + 25 years. The permission slips for all the pupils on the trip need to be retained to show that the rules had been followed for all pupils	EVC
Consents relating to school activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings)	Consent will last while the pupil attends the school	S&CM

Photographs and Video Footage	This information will not be kept for longer than is necessary and will be reviewed on a regular basis. Select images may also be kept for longer for example to illustrate history of the school. Photographs on the school website may be retained for up to 5 years after a pupil has left the school Secure Disposal	S&CM
Student Photographic Consent Forms	In line with pupil records as held on MIS	S&CM
School Census Returns	Current academic year + 5 years	Data Team (auth of VP)
Other Records		
Emails	Automatically deleted at 3 years old regardless of location within email system with exception of Finance or Executive with request to maintain provided.	NM
CCTV	Overwritten after 2 weeks	NM
Privacy Notices	6 years post replacement	CFOO
Staff Census	6 years after submission	HR&C
Event Attendee Photograph Consent Data	Scanned and held in secure location on network with limited access. 5 years.	S&CM
Alumni & PTFA membership information	Life of membership	CFOO
Referral forms	Whilst referral is current	Data Team (auth of VP)
Attendance registers and information	Held centrally in MIS in line with pupil record retention period.	Data Team (auth of VP)
Copies of birth certificates/passports/proof of identity	2 years	Data Team (auth of VP)
Records created through correspondence with parents/carers about issues not outlined elsewhere. E.g change of address requests	Until the matter discussed is deemed closed and/or update completed.	Data Team (auth of VP)

Staff Key

APL	Assistant Progress Leader
CFOO	Chief Financial & Operations Officer
Clerk	Executive Headteacher's Personal Assistant
Data Team	All administrators within the Data Team. Data Team are line managed by designated VP
DSL	Designated Safeguarding Lead
EO	Exams Officer
EVC	Educational Visit Co-Ordinator
FM	Facilities Manager
HOD	Head of Department
HR&C	HR and Compliance Manager
NM	Network Manager
PA	Executive Headteacher's Personal Assistant
RAD	Reception Administrator
S&CM	Systems & Communications Manager
SLT	Senior Leadership Team
Teacher	Teaching staff
VP	Vice Principal