

## DATA RETENTION POLICY

*Rooted in Christ and Catholic tradition and under the guidance of its patron, St Edmund's aims to realise the God-given potential, in body, mind and spirit, of all members of its community through service and leadership.*

*Avita Pro Fide*

*St Edmund's is committed to ensuring the welfare and protection of children in its care and this commitment is a fundamental part of the role of every person employed by St Edmund's.*

### **Introduction**

St Edmund's College has a responsibility to maintain its records and record keeping systems. When doing this, the College 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 College's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the College 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 College may also vary any parts of this procedure, including any time limits, as appropriate in any case.

The College has a statutory responsibility to keep school records in accordance with its specific regulatory environment. This includes the requirements of the Department for Education (DfE), The Independent Schools Inspectorate (ISI), the Catholic Education Service (CES), Her Majesty's Revenue and Customs (HMRC) as well as employment law and for the purposes of child protection and safeguarding. Some of these records need to be kept for longer than others and the College has created this policy to outline what records are stored along with their retention periods to meet its statutory requirements.

For further details on how we collect and use this information, please refer to the St Edmund's College and Prep Privacy Notice available on the College website.

This policy applies to all employees including contract, agency and temporary staff as well as volunteers and Governors.

### **Data Protection**

This policy sets out how long employment-related and pupil data will normally be held by us 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 College. The College's Data Protection Policy outlines its duties and obligations under the UK GDPR.

### **Retention Schedule**

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

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

### **Destruction of Records**

Where records have been identified for destruction they must 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 must be shredded before disposal. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted.

The College 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;
- Name of the authorising officer;
- Date destroyed or deleted from system; and
- Person(s) who undertook destruction.

### **Record Keeping of Safeguarding Records**

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

For any other allegations made, the College 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 College 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.

### **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 must be maintained by the relevant department owning the records. 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.

### **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.

### **Transferring Information to Another School (Prep Students Only)**

We retain the Pupil's educational record whilst the child remains at the Prep School. Once a pupil leaves the school, the file should be sent to their next school. The responsibility for retention then shifts onto the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

We may delay destruction for a further period where there are special factors such as potential litigation.

### **Responsibility and Monitoring**

The Bursar has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with the College 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.

## **Emails**

Email accounts are not a case management/storage system tool in itself. Generally emails may need to fall under different retention periods (for example, an email regarding a health and safety report will be subject to a different time frame to an email which forms part of a pupil record). It is important to note that the retention period will depend on the content of the email and it is important that staff export those emails to be stored with the pupil/staff record or in an appropriate storage location to avoid the data becoming lost.

## **Retention Schedule**

<b>File Description</b>	<b>Retention Period</b>
<b>Employment Records</b>	
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
Job applications and interview records of successful candidates	6 years after employment ceases
Written particulars of employment, contracts of employment and changes to terms and conditions	6 years after employment ceases
Right to work documentation including identification documents	6 years after employment ceases
Immigration checks	Two years after the termination of employment
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, for no longer than 6 months.
Change of personal details notifications	No longer than 6 months after receiving this notification
Emergency contact details	Destroyed on termination
Personnel records	While employment continues and up to six years after employment ceases



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
Consents for the processing of personal and sensitive data	For as long as the data is being processed and up to 6 years afterwards
Working Time Regulations: Opt out forms	Two years from the date on which they were entered into Two years after the relevant period
Records of compliance with WTR	
Disciplinary records	6 years after employment ceases
Training	6 years after employment ceases or length of time required by the professional body
Staff training where it relates to safeguarding or other child related training	Date of the training plus 40 years
Annual appraisal/assessment records	Current year plus 6 years
Professional Development Plans	6 years from the life of the plan
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.

### Financial and Payroll Records

Pension records	12 years
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
Payroll and wage records	6 years after end of tax year they relate to
Maternity/Adoption/Paternity Leave records	3 years after end of tax year they relate to
Statutory Sick Pay	3 years after the end of the tax year they relate to
Current bank details	Until updated plus 3 years
Bonus Sheets	Current year plus 3 years
Time sheets	Current year plus 3 years
National Insurance (schedule of payments)	Current year plus 6 years
Insurance	Current year plus 6 years
Overtime	Current year plus 3 years



Annual accounts	Current year plus 6 years
Loans and grants managed by the School	Date of last payment on the loan plus 12 years
All records relating to the creation and management of budgets	Life of the budget plus 3 years
Invoices, receipts, order books and requisitions, delivery notices	Current financial year plus 6 years
School fund documentation (including but not limited to invoices, cheque books, receipts, bank statements etc).	Current year plus 6 years

### Agreements and Administration Paperwork

Collective workforce agreements and past agreements that could affect present employees	Permanently
Trade union agreements	10 years after ceasing to be effective
School Development Plans	3 years from the life of the plan
Visitors Book and Signing In Sheets	6 years
Newsletters and circulars to staff, parents and pupils	1 year
Minutes of Senior Management Team meetings	Date of the meeting plus 3 or as required
Reports created by the Head Teacher or the Senior Management Team.	Date of the report plus a minimum of 3 years or as required
Records relating to the creation and publication of the school prospectus	Current academic year plus 3 years

### Health and Safety Records

Health and Safety consultations	Permanently
Health and Safety Risk Assessments	Life of the risk assessment plus 3 years
Health and safety Policy Statements	Life of policy plus 3 years
Any records relating to any reportable death, injury, disease or dangerous occurrence	Date of incident plus 3 years provided that all records relating to the incident are held on personnel file
Accident reporting records relating to individuals who are under 18 years of age at the time of the incident	Accident book should be retained 3 years after last entry in the book.
Accident reporting records relating to individuals who are over 18 years of age at the time of the incident	Accident book should be retained 3 years after last entry in the book
Fire precaution log books	Current year plus 3 years
Medical records and details of: - control of lead at work employees exposed to asbestos dust	40 years from the date of the last entry made in the record



records specified by the Control of Substances Hazardous to Health Regulations (COSHH)	
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made

**Temporary and Casual Workers**

Records relating to hours worked and payments made to workers	3 years
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**Governing Body Documents**

Instruments of government	For the life of the School
Meetings schedule	Current year
Minutes – principal set (signed)	Generally kept for the life of the organisation
Agendas – principal copy	Where possible the agenda should be stored with the principal set of the minutes
Agendas – additional copies	Date of meeting
Policy documents created and administered by the governing body	Until replaced. Policies relating to safeguarding, child protection or pupil related issues such as exclusion should be kept until the IICSA has issued its recommendations.
Register of attendance at full governing board meetings	Date of last meeting in the book plus 6 years
Annual reports required by the Department of Education	Date of report plus 10 years
Records relating to complaints made to and investigated by the governing body or head teacher	Major complaints: current year plus 6 years. If negligence involved: current year plus 15 years. If child protection or safeguarding issues are involved then: current year plus 40 years.
Correspondence sent and received by the governing body or head teacher	General correspondence should be retained for current year plus 3 years.
Records relating to the terms of office of serving governors, including evidence of appointment	Date appointment ceases plus 6 years
Register of business interests	Date appointment ceases plus 6 years
Records relating to the training required and received by governors	Date appointment ceases plus 6 years
Records relating to the appointment of a clerk to the governing body	Date on which clerk appointment ceases plus 6 years
Governor personnel files	Date of appointment plus 6 years

**Pupil Records**

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Details of whether admission is successful/unsuccessful	1 year from the date of admission/non-admission
Proof of address supplied by parents as part of the admissions process	Current year plus 1 year
Admissions register	Entries to be preserved for three years from date of entry
Pupil Record	Primary – Whilst the child attends the School Secondary – until the child reaches the age of 25
Attendance Registers	3 years from the date of entry
Correspondence relating to any absence (authorised or unauthorised)	Current academic year plus 2 years
Special Educational Needs files, reviews and Education, Health and Care Plan, including advice and information provided to parents regarding educational needs and accessibility strategy	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).
Child protection information (to be held in a separate file).	DOB of the child plus 25 years then review Note: These records will be subject to any instruction given by IICSA
Examination results (school's copy)	Current year plus 6 years
Allegations of sexual abuse	For the time period of an inquiry by the Independent Inquiry into Child Sexual Abuse.
Records relating to any allegation of a child protection nature against a member of staff	Until the accused normal retirement age or 10 years from the date of the allegation (whichever is the longer)
Consents relating to school activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings)	Consent will last whilst the pupil attends the school.
Pupil's work	Where possible, returned to pupil at the end of the academic year (provided the School have their own internal policy to this effect). Otherwise, the work should be retained for the current year plus 1 year.
Mark books	Current year plus 1 year.
Schemes of work	Current year plus 1 year
Timetable	Current year plus 1 year
Class record books	Current year plus 1 year
Record of homework set	Current year plus 1 year
Photographs of pupils	For the time the child is at the School and for a short while after.



	Please note select images may also be kept for longer (for example to illustrate history of the school).
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)
Parental permission slips for school trips where there has been a major incident	Date of birth of the pupil involved in the incident plus 25 years. Permission slips for all the pupils on the trip should be retained to demonstrate the rules had been followed for all pupils

**Other Records**

Emails	3 years for inbox, sent items and other folders. 31 days for deleted items.
CCTV	Minimum 2 weeks and maximum 3 weeks depending on amount of activity recorded by each camera.
Student computer/email accounts	Student's leaving the Prep or College will have their user accounts deleted within 1 months of them leaving the College. Students who leave Rhetoric 2 will have their user accounts deleted within 3 months to allow time for UCAS and exam result queries to be resolved.
Staff computer/email accounts	Staff leaving the Prep or College will have their user accounts deleted within 3 months of the staff member leaving depending on the nature of their role. For example a senior position may require the account to be active for longer than that of a junior member.
Privacy notices	Until replaced plus 6 years.
Referral forms	While the referral is current

Author/owner of policy:	Technical Projects Manager		
Reviewed by:	IT Manager	Bursar	
Frequency of review:	Every 2 Years		
Policy last reviewed:	Trinity	2021	
Next review date:	Trinity	2023	
Sub-Committee approved at:	Finance Sub-Committee		