

# Presdales School



Title	Data Retention Policy
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## Enquiries & comments

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This policy sets out the minimum periods of retention of the personal data that we process. Schools will generally seek to balance the benefits of keeping detailed and complete records – for the purposes of good practice, archives or general reference – with practical considerations of storage, space and accessibility.

However, there are legal considerations in respect of retention of records and documents which must be borne in mind. These include:

- statutory duties and government guidance relating to schools, including for safeguarding;
- disclosure requirements for potential future litigation;
- contractual obligations;
- the law of confidentiality and privacy; and
- the General Data Protection Regulations and associated legislation.

These will inform not only minimum and maximum retention periods, but also what to keep and who should be able to access it.

## **Child protection and document retention**

Regardless of suggested retention timescales set out below, Presdales School may at its discretion extend this rule to any and/or all personnel and student files on a 'safety first' basis.

These guidelines have been drafted in full awareness of these considerations. Data protection issues should never put child safety at risk, nor take precedence over the general prevention and processing of safeguarding

## **Meaning of "Record"**

In these guidelines, "record" means any document or item of data which contains evidence or information relating to the school, its staff or students. Some of this material, but not all, will contain personal data of individuals as defined in the GDPR. Many, if not most, new and recent records will be created, received and stored electronically. Others (such as Certificates, Registers, or older records) will be original paper documents. The format of the record is less important than its contents and the purpose for keeping it. Both paper and digital records will be stored securely and all appropriate measures taken to ensure the security of the data at all times.

## **Secure disposal of documents**

When data is to be destroyed, this may be carried out by an appropriately licensed (licensed what?)

For confidential, sensitive or personal information to be considered securely disposed of, it must be in a condition where it cannot either be read or reconstructed. Skips and 'regular' waste disposal will not be considered secure.

Paper records will be shredded using a cross-cutting shredder; CDs / DVDs / diskettes will be cut into pieces. Hard-copy images, AV recordings and hard disks will be dismantled and destroyed.

Where third party disposal experts are used they will be subject to adequate contractual

obligations to the school to process and dispose of the information confidentially and securely.

## Timescales for retention

The timescales below are given as a guide for minimum retention periods. Figures given are not intended as a substitute to exercising thought and judgment, or taking specific advice, depending on the circumstances.

Indeed, the essence of this guidance can be boiled down to the necessity of exercising thought and judgment – practical considerations mean that case-by-case 'pruning' of records may be impossible. It is therefore accepted that sometimes a more systemic or broad-brush approach is necessary.

Type of Record/Document	Suggested Retention Period
<b><u>SCHOOL-SPECIFIC RECORDS</u></b>	
Registration documents of School	Permanent (or until closure of the school)
Minutes of Governors' meetings	6 years from date of meeting
Annual curriculum	From end of year: 3 years (or 1 year other class records: eg marks / timetables / assignments)
Attendance Register	6 years from last date of entry, then archive.
<b><u>INDIVIDUAL STUDENT RECORDS</u></b>	
<b>NB – this will generally be personal data</b>	
Admissions: application forms, assessments, records of decisions	25 years from date of birth (or, if student not admitted, up to 7 years from that decision).
Examination results (external or internal)	7 years from student leaving school
Student file including: student reports, student medical records	25 years from date of birth (subject where relevant to safeguarding considerations). Any material which may be relevant to potential claims should be kept for the lifetime of the student.
Special educational needs records (to be risk assessed individually)	Date of birth plus up to 35 years (allowing for special extensions to statutory limitation period)
<b><u>SAFEGUARDING</u></b>	
Policies and Procedures	Keep a permanent record of historic policies
DBS disclosure certificates	We are not permitted to keep copies of the DBS certificate or personal identifying documents such as passports or driving licence. We are required to see the original ID documents and the original DBS certificate but no copies are kept on file. Confirmation that we have seen the documents is recorded on the Single Central Record
Accident / Incident reporting	Keep on record for as long as any living victim may bring a claim (NB civil claim limitation periods can be set aside in cases of abuse). Ideally, files to be reviewed from time to time if resources allow and a suitably qualified person is available.

Child Protection files	If a referral has been made / social care have been involved or child has been subject of a multi-agency plan – indefinitely.
	If low level concerns, with no multi-agency act – apply applicable school low-level concerns policy rationale (this may be 25 years from date of birth OR indefinitely).
<b>CORPORATE RECORDS (where applicable)</b>	
Certificates of Incorporation	Permanent (or until dissolution of the company)
Minutes, Notes and Resolutions of Boards or Management Meetings	Minimum - 10 years
Shareholder resolutions	Minimum - 10 years
Register of Members/Shareholders	Permanent(minimum 10 years for ex-members/shareholders
Annual reports	Minimum – 6 years
<b>ACCOUNTING RECORDS</b>	
Accounting records (normally taken to mean records which enable a company's accurate financial position to be ascertained & which give a true and fair view of the company's financial state)	Minimum – 3 years for private UK companies (except where still necessary for tax returns)
[NB specific ambit to be advised by an accountancy expert]	Minimum – 6 years for UK charities (and public companies) from the end of the financial year in which the transaction took place
	Internationally: can be up to 20 years depending on local legal/accountancy requirements
Tax returns	Minimum – 6 years
VAT returns	Minimum – 6 years
Budget and internal financial reports	Minimum – 3 years
<b>CONTRACTS AND AGREEMENTS</b>	
Signed or final/concluded agreements (plus any signed or final/concluded variations or amendments)	Minimum – 7 years from completion of contractual obligations or term of agreement, whichever is the later
Deeds (or contracts under seal)	Minimum – 13 years from completion of contractual obligation or term of agreement
<b>INTELLECTUAL PROPERTY RECORDS</b>	
Formal documents of title (trade mark or registered design certificates; patent or utility model certificates)	Permanent (in the case of any right which can be permanently extended, e.g. trade marks); otherwise expiry of right plus minimum of 7 years.
Assignments of intellectual property to or from the school	As above in relation to contracts (7 years) or, where applicable, deeds (13 years).

IP / IT agreements (including software licences and ancillary agreements eg maintenance; storage; development; coexistence agreements; consents)	Minimum – 7 years from completion of contractual obligation concerned or term of agreement
<b><u>EMPLOYEE / PERSONNEL RECORDS</u></b>	<b><u>NB – this will generally be personal data</u></b>
Single Central Record of employees	Keep a permanent record of all mandatory checks that have been undertaken (not certificate)
Contracts of employment	7 years from effective date of end of contract.
Employee appraisals or reviews	Duration of employment plus minimum of 7 years
Staff personnel file	As above, but do not delete any information which may be relevant to historic safeguarding claims.
Payroll, salary, maternity pay records	Minimum - 6 years
Pension or other benefit schedule records	Possibly permanent, depending on nature of scheme
Job application and interview/rejection records (unsuccessful applicants)	Minimum 3 months but no more than 1 year
Immigration records	Minimum - 4 years
Health records relating to employees	7 years from end of contract of employment
<b><u>INSURANCE RECORDS</u></b>	
Insurance policies (will vary – private, public, professional indemnity)	Duration of policy (or as required by policy) plus a period for any run-off arrangement and coverage of insured risks: ideally, until it is possible to calculate that no living person could make a claim.
Correspondence related to claims/renewals/notification re: insurance	Minimum – 7 years
<b><u>ENVIRONMENTAL &amp; HEALTH RECORDS</u></b>	
Maintenance logs	10 years from date of last entry
Accidents to children	25 years from birth (unless safeguarding incident)
Accident at work records (staff)	Minimum – 4 years from date of accident, but review case-by-case where possible
Staff use of hazardous substances	Minimum – 7 years from end of date of use
Risk assessments (carried out in respect of above)	7 years from completion of relevant project, incident, event or activity.