

# WIDFORD LODGE

## PREPARATORY SCHOOL



# DATA RETENTION POLICY

**THIS POLICY APPLIES TO ALL PUPILS AT WIDFORD LODGE SCHOOL INCLUDING THOSE IN  
THE EYFS**

Date written: December 2018

Reviewed and approved by the Proprietor: September 2023

Next Review: September 2024

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
- Accessibility of records and record keeping systems.

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.

## **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 School. The School'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 attached retention schedule. When managing records, the School will adhere to the standard retention times listed within that schedule.

The retention schedule refers to all records regardless of the media (e.g. paper, electronic, microfilm, photographic, etc) in/on which they are stored. All records will be regularly monitored by the office manager.

## **DESTRUCTION OF RECORDS**

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

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 list of records which have been destroyed and who authorised their destruction. When destroying documents, the office manager 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.

## **RETENTION 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 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.

## **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 list of the records sent to the archives is maintained by the office manager. 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;
- Date upon which the archived records should be destroyed; 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**

We retain the Pupil's educational record whilst the child remains at the 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 Headteacher 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.

## **EMAILS**

Email accounts are not a case management 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 file those emails in the relevant areas to avoid the data becoming lost.

## RETENTION SCHEDULE

FILE DESCRIPTION	RETENTION PERIOD
<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
Annual appraisal/assessment records	Current year plus 6 years
Personnel and training records	While employment continues and up to six years after employment ceases
Staff training where it relates to safeguarding or other child related training	Date of the training plus 40 years
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
Disciplinary records	6 years after employment ceases
Training	6 years after employment ceases or length of time required by professional body

<b>FILE DESCRIPTION</b>	<b>RETENTION PERIOD</b>
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
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.
<b>Financial and Payroll Records (held by school's accountants Edmund Carr)</b>	
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
National insurance / overtime records	current year plus 6 years
Insurance	current year plus 6 years
Annual accounts	current year plus 6 years
Invoices, receipts, cheque books, bank statements etc	current financial year plus 6 years
<b>Agreements and Administration Paperwork</b>	
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/Reports of SLT meetings and Proprietor reports	Date plus 3 years or as required
Records relating to creation and publication of prospectus	Current academic year plus 3 years
Privacy notices	Until replaced plus 6 years

<b>Health and Safety Records</b>	
Health and Safety consultations	Permanently
Health and Safety Risk Assessments & policy statements	3 years from the life of the document
Any reportable accident, death or injury or disease in connection with work	Date of incident plus 3 years provided records are held on personnel file
Accident reporting	Adults - 3 years after the last entry in the accident book Children – until the child attains 25 years of age.
Fire precaution log books	Current year plus 5 years
Medical records and details of: <ul style="list-style-type: none"> <li>• control of lead at work</li> <li>• employees exposed to asbestos dust</li> <li>• records specified by the Control of Substances Hazardous to Health Regulations (COSHH)</li> </ul>	40 years from the date of the last entry made in the record
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made
<b>Governing Body Documents</b>	
Instruments of governing body	For the life of the school
<b>Pupil Records</b>	
Admissions register	Entries to be preserved for three years from date of class exit
Pupil Record	3 years after pupil leaves school
Attendance Registers	6 years from the date of exit
Special Educational Needs files, reviews and individual education plans (this includes any statement and all advice and information shared regarding educational needs)	Date of birth plus 31 years
Child protection information	Date of birth of child plus 25 years
Allegations of sexual abuse	For 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's normal retirement age or 10 years from date of allegation, whichever is longer (see also "Employment records")

Photographs of pupils	For a short time after the pupil leaves school, other than for historical purposes
Pupils' work	Returned to pupils at the end of the academic year
Parental permission slips for school trips where there has been a major incident	Date of birth of the pupil involved plus 25 years, must be kept for all pupils on the trip
Parental permission slips for school trips where there has not been a major incident	End of the trip or academic year
<b>Emails</b>	
Email communications not kept elsewhere under any other categories	emails deleted after 3 years
<b>Complaints</b>	
<ul style="list-style-type: none"> <li>• With no safeguarding implications</li> <li>• With a safeguarding angle</li> </ul>	<p>7 years</p> <p>For the term of the independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of allegation if it is longer</p>
<b>CCTV</b>	For 30 days unless being kept for an investigation