

# DATA RETENTION POLICY

September 2022

Adapted from Judicium Policy 2019

# **DATA RETENTION POLICY**

Jubilee Primary School and Fernbank Children's Centre has a responsibility to maintain its records and record keeping systems. When doing this, we 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 Jubilee Primary School and Fernbank Children's Centre current practice, the requirements of current legislation and best practice and guidance. It may be amended by us 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. We 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 General Data Protection Regulation (GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of Jubilee Primary School and Fernbank Children's Centre. Jubilee Primary School and Fernbank Children's Centre's Data Protection Policy outlines its duties and obligations under the 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 and children's centre will adhere to the standard retention times listed within that schedule.

Paper and electronic records for Jubilee Primary School will be regularly monitored by the School Business Manager (Kerry Joseph) who will oversee those named in the Retention Schedule at the end of this document taking responsibility for information and document management at Jubilee Primary School and Fernbank Children's Centre.

The schedule is a relatively lengthy document listing the many types of records used by the school and children's centre 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 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 and Children's Centre 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**

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

For any other allegations made, the School and Children's Centre 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 and Children's Centre 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 and Children's Centre 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 for Jubilee Primary School is maintained by the School Business Manager (Nessan Quiry) and for Fernbank Children's Centre by the Finance and Admin Officer (Laura Collins). 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**

We retain the Pupil's educational record whilst the child remains at Jubilee Primary School and Fernbank Children's Centre. Once a pupil leaves the school or the children's centre, the file should be sent to their next school. The responsibility for retention then shifts onto the next school.

## **RESPONSIBILITY AND MONITORING**

The School Business Manager has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with the School and Children's Centre 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**

Emails 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.

## **PUPIL RECORDS**

All Schools with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. Early Years will have their own separate record keeping requirements. 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.

## RETENTION SCHEDULE

FILE DESCRIPTION	RETENTION PERIOD	PERSON/S RESPONSIBLE FOR MANAGING THE RECORDS	
<b>Employment Records</b>		<b>Jubilee</b>	<b>Fernbank</b>
Job applications and interview records of unsuccessful candidates	6 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	Senior Admin Officer Irene Nottage	Finance & Admin Officer Laura Collins
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	2 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 and training records	While employment continues and up to 6 years after employment ceases		
Annual leave records	6 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: <ul style="list-style-type: none"> <li>• Opt out forms</li> <li>• Records of compliance with WTR</li> </ul>	<ul style="list-style-type: none"> <li>• 2 years from the date on which they were entered into</li> <li>• 2 years after the relevant period</li> </ul>		
Disciplinary and training records	6 years after employment ceases		
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>FILE DESCRIPTION</b>	<b>RETENTION PERIOD</b>	<b>PERSON/S RESPONSIBLE FOR MANAGING THE RECORDS</b>	

<b>Financial and Payroll Records</b>		<b>Jubilee</b>	<b>Fernbank</b>
Pension records	12 years	Senior Admin Officer Irene Nottage	Finance & Admin Officer Laura Collins
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	No longer than necessary		
<b>Agreements and Administration Paperwork</b>			
Collective workforce agreements and past agreements that could affect present employees	Permanently	Senior Admin Officer Irene Nottage	Finance & Admin Officer Laura Collins
Trade union agreements	10 years after ceasing to be effective		
School Development Plans	3 years from the life of the plan	Head Teacher Norma Hewins	Head of Centre Hannah Adu
Professional Development Plans	6 years from the life of the plan		
Visitors Book and Signing In Sheets	6 years	Admin Receptionist Ermin Sutton	Finance & Admin Officer Laura Collins
Newsletters and circulars to staff, parents and pupils	1 year	Ass. Head Teacher Kate Apostolov	Senior Nursery Education Officer Pursher Williams
<b>Health and Safety Records</b>			
Health and Safety consultations	Permanently	School Business Manager Kerry Joseph	Finance & Admin Officer Laura Collins
Health and Safety Risk Assessments	3 years from the life of the risk assessment		
Any reportable accident, death or injury in connection with work	For at least 12 years from the date the report was made		
Accident reporting	Adults – 6 years from the date of the incident Children – when the child attains 25 years of age.		
Fire precaution log books	6 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>FILE DESCRIPTION</b>	<b>RETENTION PERIOD</b>	<b>PERSON/S RESPONSIBLE FOR MANAGING THE RECORDS</b>	
<b>Temporary and Casual Workers</b>		<b>Jubilee</b>	<b>Fernbank</b>

Records relating to hours worked and payments made to workers	3 years	Senior Admin Officer Irene Nottage	Finance & Admin Officer Laura Collins
<b>Pupil Records</b>			
Admissions records	1 year from the date of admission	Senior Admin Officer Irene Nottage	Finance & Admin Officer Laura Collins
Admissions register	Entries to be preserved for three years from date of entry		
School Meals Registers	Current plus 3 years		
Free School Meals Registers	Current plus 6 years		
Pupil Record	Until leaving Jubilee Primary School or Fernbank Children's Centre		
Attendance Registers	3 years from the date of entry		
Special Educational Needs files, reviews and individual education plans (this includes any statement and all advice and information shared regarding educational needs)	Until the child turns 25.	Ass. Head Teacher (SEN) Nessan Quiry	Head of Centre Hannah Adu
<b>Emails</b>		ICT Technician Hackney Learning Trust	ICT Technician Hackney Learning Trust
<b>Other Records</b>			