

Holy Trinity Pewley Down:

A Federation of

Holy Trinity Church of England Junior School and Pewley Down Infant School, Guildford

Data Retention Policy

This policy sets out guidelines for recording, managing, storing and disposing of employment-related data and pupil data held by HTPD, whether they are held on paper or electronically in order to assist staff and HTPD to comply with the General Data Protection Regulation (2018), UK Data Protection Law and the Freedom of Information Act 2000 (FIA). It should be read and used in conjunction with the following school policies and documents

- Data Protection Policy
- Privacy Notices

The School has a responsibility to maintain its records and record keeping systems to allow for the efficient operation of the School and to comply with the law. 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 the records

Members of staff are expected to manage their current record keeping systems within the scope of the Data Retention Policy and to take into account of the different kinds of retention periods when they are creating new 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 School may also vary any parts of this procedure, including any time limits, as appropriate in any case.

Benefits of the Retention Policy

There are a number of benefits which arise from the use of a complete Retention Policy including:

- Managing records against the Retention Policy is deemed to be "normal processing" under the GDPR (2018) and the Freedom of Information Act 2000. Provided members of staff are managing record series using the Retention Policy they cannot be found guilty of unauthorised tampering with files once a freedom of information request or a subject access request (SAR) has been made.
- Members of staff can be confident about destroying information at the appropriate time and in a secure manner.
- Information which is subject to Freedom of Information and GDPR legislation will be available when required.
- The school is not maintaining and storing information unnecessarily.

Retention Schedule

The Retention Schedule (see Appendix 1) is a document listing many types of records used by the School and the applicable retention periods for each record. The retention periods are based on business need and legal requirements.

The Retention Schedule refers to all records, regardless of the media (e.g., paper, electronic, photographic etc.) in/on which they are stored. Information will be retained for at least the periods specified in this policy.

Destruction of data

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 must be shredded before disposal. All other paper records should be disposed of appropriately. All electronic information will be deleted.

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 Trust 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.

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.

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. Records are to be kept in labelled storage boxes by year.

Staff Induction

All new teaching and office staff will be given training on accessing and managing school records to ensure compliance. As a guiding principle, GDPR requires that personal data is only retained for as long as necessary – that is, necessary for the specific lawful purpose (or purposes) it was acquired. Any information which is held is to be kept in accordance with HTPD's Data Protection Policy.

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 the Senior Leadership Team. Internal control systems and procedures will be subject to regular assessment and review 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.

Review

The Governing Body of HTPD first adopted this policy in 2021. It will be reviewed bi-annually by the Governing Body and will be revised as often as may be required

Date last reviewed: June 2024

Date Reviewed: June 2025

Date for next review: June 2027

Signed:

John Saunders

Governor of Holy Trinity Junior Pewley Down

Finance Committee Chair

Retention Schedule:

FILE DESCRIPTION	RETENTION PERIOD
Employment Records	
Job applications and interview records of unsuccessful candidates	6 months after notifying unsuccessful candidates, unless the school has applicants' consent to keep their application form 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	2 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
Disciplinary, appraisal 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.

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	No longer than necessary
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
Professional Development Plans	6 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
Health and Safety Records	
Health and Safety consultations	Permanently
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"> • 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

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
Pupil Records	
Admissions records	1 year from the date of admission
Admissions register	Entries to be preserved for three years from date of entry
School Meals Registers	3 years
Free School Meals Registers	6 years
Pupil Record	Whilst child is a pupil at the school. (Records will be sent onto next school. If destination unknown, records will be sent to Local Authority).
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.
Emails	Up to 7 years
Governing Body Records	
Agendas and signed minutes (Principal set)	Permanent
Inspection copies	Date of meeting + 3 years
Reports presented to Governing Body	6 years minimum
Records relating to complaints dealt with by Governing Body	Date of resolution + 6 years
Proposals concerning change of status of a maintained school	Date proposal accepted/declined + 3 years