



Data Retention Policy

Academic year: 2020 - 21

Review Date: September 2021

Category	Type of Record/Document	Suggested ¹ Retention Period
SCHOOL-SPECIFIC RECORDS	Registration documents of School	Permanent (or until closure of the school)
	Attendance Register	6 years from last date of entry, then archive.
	Minutes of Governors' meetings	6 years from date of meeting
	Annual curriculum data – staffing summary/timetable notes etc	From end of year: 3 years (or 1 year for other class records: eg marks / timetables / assignments)
INDIVIDUAL PUPIL RECORDS	Admissions: application forms, assessments, records of decisions and references/report	25 years from date of birth (or up to 7 years from the pupil leaving). If unsuccessful: up to 1 year.
	Examination results (external or internal)	7 years from pupil leaving school
	Pupil file including: <ul style="list-style-type: none">● Pupil reports● Pupil performance records● Pupil 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 pupil.
	Special educational needs records (<i>to be risk assessed individually</i>)	Date of birth plus up to 35 years (allowing for special extensions to statutory limitation period)
SAFEGUARDING	Policies and procedures	Keep a permanent record of historic policies
	DBS disclosure certificates (if held)	<u>No longer than 6 months</u> from decision on recruitment, unless DBS specifically consulted – but a record of the checks being made must be kept, if not the certificate itself.

	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. ²
	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).
CORPORATE RECORDS (where applicable)	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
ACCOUNTING RECORDS ³	Accounting records (<i>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</i>) [NB <u>specific ambit to be advised by an accountancy expert</u>]	Minimum – 3 years for private UK companies (except where still necessary for tax returns) 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

CONTRACTS AND AGREEMENTS	Budget and internal financial reports	Minimum – 3 years
	Signed or final/concluded agreements <i>(plus any signed or final/concluded variations or amendments)</i>	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
INTELLECTUAL PROPERTY RECORDS	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, eg 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
EMPLOYEE / PERSONNEL RECORDS	Single Central Record of employees	Keep a permanent record of all mandatory checks that have been undertaken (not DBS certificate itself)
	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	Duration of employment plus minimum of 7 years, but <u>do not delete any information which may be relevant to historic safeguarding claims.</u>
	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

INSURANCE RECORDS	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
ENVIRONMENTAL & HEALTH RECORDS	Maintenance logs	10 years from date of last entry
	Accidents to children ⁴	25 years from birth (unless safeguarding incident)
	Accident at work records (staff) ⁴	Minimum – 4 years from date of accident, but review case-by-case where possible
	Staff use of hazardous substances ⁴	Minimum – 7 years from end of date of use
	Risk assessments (carried out in respect of above) ⁴	7 years from completion of relevant project, incident, event or activity.

FOOTNOTES

General basis of suggestion:

1. Some of these periods will be mandatory legal requirements (eg under the Companies Act 2006 or the Charities Act 2011), but in the majority of cases these decisions are up to the institution concerned. The suggestions will therefore be based on practical considerations for retention such as limitation periods for legal claims, and guidance from Courts, weighed against whether there is a reasonable argument in respect of data protection.
2. The High Court has found that a retention period of 35 years was within the bracket of legitimate approaches. It also found that it would be disproportionate for most organisations to conduct regular reviews, but at the time of writing the ICO (Information Commissioner's Office) still expects to see a responsible assessment policy (eg every 6 years) in place.
3. Retention period for tax purposes should always be made by reference to specific legal or accountancy advice.
4. Be aware that latent injuries can take years to manifest, and the limitation period for claims reflects this: so keep a note of all procedures as they were at the time, and keep a record that they were followed. Also keep the relevant insurance documents.