

# Data Retention Policy

Sept 2021

Version 2

## **1. Scope**

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This policy applies to all staff at Expanse Learning.

## **2. Introduction**

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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
- 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 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.

## **3. Data Protection**

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This policy sets out how long employment-related and student data will normally be held by us and when that information will be confidentially destroyed in compliance with the terms of the Data Protection Act – DPA (2018) 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 DPA (2018).

## **4. Retention Schedule**

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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.

Paper records will be regularly monitored by Corporate Services and the Schools Senior Leadership Team. Electronic records will be regularly monitored by the Data and Compliance Manager supported by the School Business Officer.

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

## **5. Destruction of Records**

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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 securely. All electronic information will be deleted.

The School maintains certificate of Destruction evidence 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 another unique identifier)
- File title/description
- Number of files; and
- Name of the authorising officer.

## **6. Archiving**

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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 is maintained by the School Business Officer.

The appropriate staff member, when archiving documents should record in this list the following information:

- File reference (or another unique identifier)
- File title/description
- Number of files; and
- Name of the authorising officer.

## 7. 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.

## 8. Responsibility and Monitoring

The School Business Officer 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.

## 9. Monitoring arrangements

This policy will be reviewed every 12 months but can be revised as needed.

### Impact of non-compliance

<b>Staff:</b>	Disciplinary action, prosecution
<b>Student:</b>	Not applicable
<b>Legislation/organisational:</b>	Reputational damage, litigation, statutory and non-regulated compliance. prosecution
<b>Compliance lead:</b>	Corporate Services (Data & Compliance)
<b>Policy Reference:</b>	ELGR-HSW-001
<b>Version:</b>	2
<b>Agreed policy location:</b>	DatabridgeMIS and Company Webpage
<b>Does the policy require Governor approval?</b>	No

### Approval

<b>Prepared by</b> Scott Roberts (Assoc. CIPD) 01/09/2021    Head of Corporate Services	<b>Approved by</b> Tony Brown 10/09/2021    CEO	<b>Counter Signatory</b> Richard King 10/09/2021    Director of Schools, Pre 16 Education
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### Version Control

Version	Date	Revision	Review Date
1	01/09/2020	First Issue	31/08/2021
2	01/09/2021	Policy Review	31/08/2022
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## Appendix 1 – Data 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	2 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
Personnel and training records	While employment continues and up to six years after employment ceases
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
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>○ Two years from the date on which they were entered into</li> <li>○ Two 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>Financial and Payroll Records</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	No longer than necessary
<b>Agreements and Administration Paperwork</b>	
Collective workforce agreements and past agreements that could affect present employees	Permanently
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 students	1 year
<b>Health and Safety Records</b>	
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 twelve 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>Temporary and Casual Workers</b>	
Records relating to hours worked and payments made to workers	3 years

Student 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
Student Record	At the end of Y11 all information held in individual files of non-statutory information will be destroyed. All remaining items will be archived until the child turns 25.
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.
Child Protection Records	In line with Keeping Children Safe in Education
Emails	
Staff Emails	Email is held 30 days from deletion of account. Email is archived after 5 years, deleted emails remain in the trash for 30 days Junk mail is also deleted after 30 days
Student Emails	All email accounts will automatically be deleted at the end of Y11 – No later than 31st August. Email is held 30 days from deletion of account. Email is archived after 5 years, Deleted emails remain in the trash for 30 days Junk mail is also deleted after 30 days
Other Records	
<ul style="list-style-type: none"> <li>○ Home Drives are archived for 1 year, but accounts are deleted immediately.</li> <li>○ One drive files are kept 30 days from account deletion</li> <li>○ Transaction logs are kept indefinitely, however once a person leaves the content cannot with an email/OneDrive account cannot be retrieved.</li> <li>○ All electronic documents can be assigned a retention period for automatic deletion.</li> <li>○ Backup are kept for 35 days</li> <li>○ Server snapshot are kept for 1 month</li> <li>○ Offsite disaster recovery is kept for 3 weeks.</li> <li>○ Photographs +5 years from leaving. Due to wall displays and external booklets.</li> <li>○ Staff Planners holding marksheets/class lists/photographs etc must be archived at the end of each academic year securely or destroyed.</li> </ul>	