

## Clifton Hill School

<b>Document</b>	Data Retention Policy	
<b>Content</b>	Policy time periods for destruction of personal data.	
<b>Status</b>	Statutory	
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<b>Author</b>	School Business Manager	
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1	November 2019	Adoption of Judicium Model

### Setting

Clifton Hill is a Surrey County Council funded community school for students aged 11-19 years who have severe or profound multiple learning difficulties, autistic spectrum disorder, challenging behavior and complex health needs.

This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment

The Governing Body of the school has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

### Introduction

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.

#### 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 the School. The School'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 will endeavour to adhere to the standard retention times listed within that schedule.

Paper records will be regularly monitored by the School Business Manager (for staff records) and the Headteacher ( for student records).

Electronic records will be regularly monitored by the School Business Manager (for staff records) and the Headteacher (for student 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 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 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 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 database of the records sent to the archives is maintained by the School Business 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; and
- Name of the authorising officer.

### **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, if applicable. The responsibility for retention then shifts onto the next school. We retain the file until the student has been recorded as "on roll" at the new school. In cases where a student does not join another school, their records are retained in accordance with the appendix below, noting that all of our students are considered to be vulnerable & have SEND.

We may delay destruction for a further period where there are special factors such as potential litigation.

### **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, 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 checks 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**

School email accounts should be used as a means of communication and not data storage. If the content of, or an attachment to an email should form part of the records for a student or an employee, the text/attachment should be saved on the school server in an appropriate folder, or printed and filed, so that it is subject to the retention times detailed below. Emails held on the school email system are deleted by a central process 2 years after their creation.

## 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	6 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, disciplinary 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>
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	Until replaced/updated plus 3 years
<b>Agreements and Administration Paperwork</b>	
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
Visitors Book and Signing In Sheets	6 years
Newsletters and circulars to staff, parents and pupils	1 year (and the School may decide to archive one copy)
<b>Health and Safety Records</b>	
Health and Safety consultations	Permanently
Health and Safety Risk Assessments	Life of the risk assessment plus 3 years
Any records relating to any reportable death, injury, disease or dangerous occurrence	Date of incident plus 3 years provided that all records relating to the incident are held on personnel file
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	6 years
<b>Pupil Records</b>	
Details of whether admission is successful/unsuccessful	1 year from the date of admission/non-admission
Admissions register	Entries to be preserved for three years from date of entry
School Meals Registers	Current year plus 3 years
Free School Meals Registers	Current year plus 6 years
Pupil Record	Secondary – until the child reaches the age of 31 if this was their last school
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 31
<b>Emails</b>	2 years
<b>Other Records</b>	
Financial records not containing personal data ( invoices, payment card statements etc)	7 years