

# **Information and Records Retention Policy**

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**Independent Day and Boarding School for Boys and Girls**

**King's Rochester**

**November 2017**

## Introduction

- 1 This policy sets out a structured approach to reviewing and destroying records in relation to King's Rochester (the **School**).
- 2 The retention period for each type of record is shown in the table below. In addition, the Data Protection Act 1998 (**DPA**) makes it unlawful to keep the information when it is no longer needed for the purpose for which it is held. This requirement is uncertain and allows discretion and may vary according to the circumstances, but in practice it means that the School should promptly destroy the record once the retention period in the table below has been reached. Occasionally there may be special circumstances which mean that a record should be kept for longer (for example where there is a risk of a pupil bringing a claim against the School). The School should refer to its insurance policies and further legal advice should be sought in these circumstances.
- 3 Information must be securely deleted. This applies to paper records, electronic information and biometric information.
- 4 This policy does not apply to records connected with commercial activities.
- 5 The School should discuss document retention with its insurers (who may specify longer retention periods). If there is any conflict then any longer retention periods specified by the insurers should prevail.
- 6 If an email falls into one of the categories set out in the table then it should be filed centrally as soon as is reasonable.
- 7 "Routine" emails which do not fall into any of the categories in the table may be kept in inboxes for up to six months and should then be deleted. Examples of routine emails:
  - 7.1 an internal email advising staff that the weekly meeting is cancelled; and
  - 7.2 an internal email attaching a staff rota for an open day.
- 8 Independent Inquiry into Child Sexual Abuse (**IICSA**):
  - 8.1 The IICSA (formerly the Goddard Inquiry) has issued retention instructions to a range of institutions regarding records relating to the care of children. In light of this, we are advising schools to temporarily cease the routine destruction of those records which might be relevant to the Inquiry in case they are requested by the Inquiry or made subject to a disclosure order. This means that before destroying any document the School should consider if it contains information that may fall within the Inquiry's remit.
  - 8.2 The range of documentation which might need to be kept is wide. It will include any information linked to alleged or established historic child sexual abuse, whether by staff, volunteers or pupils with no limitation date. For example, a list of pupils who attended an overnight school trip or admission registers which show which pupils were at the School at a given time. As such, documents should be kept for longer than the retention periods listed in the policy if they concern information which might be relevant to the Inquiry.
  - 8.3 Please note that the School should keep this under review so that it recommences document destruction at the appropriate time.

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
1	<b>Pupils</b>			
1.1	Admission registers (however held)	Three years from the date of the last entry	Transfer to the archives and shred or delete copies and back-ups	Yes
1.2	Attendance registers (however held)	Three years from the date of the last entry	Review for further retention in the case of contentious dispute SHRED or delete including back-ups and copies	Yes
1.3	Child protection records	DOB of the pupil + 50 years	Review for further retention in the case of contentious dispute SHRED <b>Notes</b> 1 Child protection information must be copied and sent under separate cover to the new school whilst the child is still under 18. Schools should ensure secure transit and confirmation of receipt should be obtained 2 Where a child is removed from roll to be educated at home, the file should be copied to the Local Authority (LA) 3 In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all Schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children;	No

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
			institutional failures to protect children from sexual abuse or other exploitation. 50 years from the date of birth of the pupil involved should be a sufficient period of retention but this should be kept under review	
1.4	Biometric information (e.g. fingerprints to be used as part of an automated biometric recognition system)	For as long as the School requires the information for the automated biometric recognition system	This information must not be kept for longer than it is needed. The information must be destroyed if the pupil no longer uses the system including when they leave the School, where a parent withdraws consent or the pupil objects to its use	No
1.5	Medical records held by the School	<p>DOB of the pupil + 24 years; or</p> <p>Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident</p> <p>The 24 year period is based on the fact that once the child turns 18 years old they have a certain amount of time (known as a limitation period) in which to bring claims against the School. The longest of these limitation periods is six years, albeit that some periods can be extended by</p>	<p>Review for further retention in the case of contentious disputes</p> <p>SHRED</p>	No

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
		the courts		
1.6	Counselling records held by the School	DOB of the pupil + 24 years; or Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of contentious disputes SHRED	No
2	<b>Pupil files</b>			
2.1	Pupil files (including internal and public examination scripts, marks & results)	DOB of the pupil + 24 years; or Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and Data Protection Act requests SHRED <b>Notes</b> 1 When reviewing pupil files, the School should have regard to other applicable sections of this policy 2 Any examination certificates left unclaimed should be returned to the appropriate Examination Board	No
2.2	Special Educational Needs files, reviews and Individual Education Plans	DOB of the pupil + 24 years; or Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of contentious disputes SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
2.3	Statement of Special Education Needs ( <b>SEN</b> ) and Education Healthcare ( <b>EHC</b> ) Plans	Statements of SEN (including appendices) and EHC Plans should never be retained once the pupil has left the School	SHRED unless legal action pending  The Statement / Plan belongs to the LA which makes and maintains the Statement / Plan	Yes
2.4	Letters authorising absence	Three years from the date of the last entry on the attendance register	SHRED	No
2.5	Documents that are required to be retained for each migrant enrolled under Tier 4 (General) Student or Tier 4 (Child) Student visas	Through the period of sponsorship and for whichever is the shorter period of either: <ul style="list-style-type: none"> <li>• one year from the date that the School ends sponsorship of the Tier 4 student, or</li> <li>• if the Tier 4 student is no longer sponsored, the point at which a Home Office compliance officer has examined and approved the documents</li> </ul>	SHRED	No
<b>3</b>	<b>Permissions</b>			
3.1	Parental permission slips for	Conclusion of the trip + three years	SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	school trips – where there has been no major incident, accident, injury or near miss involving anyone on the trip			
3.2	Parental permission slips for school trips – where there has been a major incident, accident, injury or near miss involving anyone on the trip	DOB of the pupil involved in the incident + 24 years; or  Six years from the date of the incident if the pupil was 18 years old at the date of the incident  The permission slips for all pupils on the trip need to be retained to show that the rules had been followed for all pupils	SHRED	No
<b>4</b>	<b>Admission department and bursarial records</b>			
4.1	Admission and parent contract documents including registration form, letter of offer and acceptance form	Six years from date of leaving the School	Review for further retention in the case of contentious disputes  SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
4.2	Admissions documents relating to applicants who did not join the School	Documents are kept at the School's discretion. If there is a risk that parents or a pupil might bring a claim against the School then the documents should be retained.  The documents can be kept for as long as the School considers that they are required, subject to the School's obligation not to keep the documents for longer than is necessary	SHRED	No
4.3	Financial information in respect of fees	Six years from date of leaving the School	Review for further retention in the case of contentious disputes  SHRED	No
<b>5</b>	<b>Employment</b>			
5.1	Employment records	For at least six years after date of termination	If no recent contact from the relevant individual and no apparent breach of contract claim, dispose securely of documentation unless any child protection concerns	No
5.2	Single central register	For at least seven years although the School reserves the right to retain this information longer. .  There is no legal requirement to keep details of those staff who have left on the single central register as it is not relevant for inspection purposes.	Review whether further retention is necessary. If so, these reasons must be documented  SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
		However, King's moves the entry on to an archive register. The reasons for keeping it are that it will assist in demonstrating that all checks were carried out prior to work starting should there be a need to do so. This could arise in relation to the IICSA or if there is a historic allegation involving a member of staff.		
5.3	Records and documents relating to membership of and contributions to the Teachers' Pension Scheme	Indefinitely	Review whether further retention is necessary. Decisions in relation to the Teachers' Pension Scheme may have ramifications beyond six years, and may be queried at any time by members and the Teachers' Pension Scheme	No
5.4	Employment references received and references provided	For a period longer than six years	Keep for so long as a reference may be required in future Consider whether any recent reference requests for the relevant individual If none, SHRED	No
5.5	Employment reference concerning an employee who has been dismissed where a	For a period longer than six years	Consider whether any recent reference requests for the relevant individual If none, SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	disciplinary sanction was current at the time of termination			
5.6	Employment reference where an individual's employment ended for a safeguarding reason or where safeguarding was outstanding at the time of termination	At least until the person has reached normal retirement age or for a period of ten years from the date of the allegation if that is longer	Consider whether any recent reference requests for the relevant individual or new concerns raised by social services or other agencies  If none, SHRED	Yes
5.7	Working time opt-out forms	Two years from the date on which they were entered into	SHRED	Yes
5.8	Records to show compliance with the Working Time Regulations	Two years after the relevant period	SHRED	Yes
5.9	Payroll and wage records	Six years from the financial year end in which payments are made	SHRED	Yes
5.10	PAYE Records	Three years in addition to the current	SHRED	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
		year (or six years where these fall within the definition of Payroll and Wage records)		
5.11	Maternity records	Three years after the end of the tax year in which the maternity pay period ends	SHRED	Yes
5.12	Sickness records required for the purposes of Statutory Sick Pay ( <b>SSP</b> )	During employment and for a period of three years after employment has ended	SHRED	Yes
5.13	Records in relation to hours worked and payments made to workers	Three years beginning with the day upon which the pay reference period immediately following that to which they relate ends	SHRED	Yes
5.14	Consents for the processing of personal and sensitive data	For as long as the data is being processed and up to six years afterwards	SHRED	Yes
5.15	Disclosure and Barring Service ( <b>DBS</b> ) checks and disclosures of criminal record	Dispose of securely after the recruitment process unless assessed as relevant to ongoing employment relationship. May retain for a maximum of six months if necessary	Enter DBS certificate number, date, initials on Single Central Register SHRED	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	forms	to do so		
5.16	Immigration checks	Throughout employment and then retained for two years after the termination of employment	SHRED	Yes
5.17	Recruitment records of unsuccessful candidates	Six months after notifying unsuccessful candidates	SHRED	No
5.18	Personnel and training records	Whilst employment continues and up to six years after employment ceases	SHRED	No
5.19	Written particulars of employment, contracts of employment and changes to terms and conditions	Whilst employment continues and up to six years after employment ceases	SHRED	No
5.20	Annual leave records	Six years or possibly longer if leave can be carried over from year to year	SHRED	No
5.21	Collective / workforce agreements	Permanently or six years after the agreement comes to an end	SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
5.22	Works Council minutes	Permanently	N/A	No
5.23	An Employee's bank details	No longer than necessary	SHRED	No
5.24	Records of advances for season tickets and loans to employees	Whilst employment continues and up to six years after repayment	SHRED	No
5.25	Death Benefit Nomination and Revocation Forms	Whilst employment continues and up to six years after payment of benefit	SHRED	No
<b>6</b>	<b>Health and safety information - employees</b>			
6.1	Reportable injuries, diseases and dangerous occurrences <b>(RIDDOR)</b> reports or own record	Three years from the date of record If disease - indefinitely	Review for further retention in the case of enforcement action or civil claims for disease or personal injury  SHRED	Yes
6.2	First aid / accident	Three years from the date of injury or	Review for further retention in the case of enforcement action or	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	book entry	last record in the book If disease - indefinitely	civil claims for disease or personal injury SHRED	
6.3	Records of maintenance, examination and test control measures relating to substances hazardous to health under the Control of Substances Hazardous to Health ( <b>COSHH</b> ) regime	Five years	Review for further retention in the case of enforcement action or civil claims for disease or personal injury SHRED	Yes
6.4	Records of monitoring of exposure to substances hazardous to health under the COSHH regime and lead	Five years from the date of the last entry 40 years where a specific employee has been exposed	Review for further retention in the case of enforcement action or civil claims for disease or personal injury SHRED	Yes
6.5	Records of air monitoring of exposure to	Five years from the date of the last entry	Review for further retention in the case of enforcement action or civil claims for disease or personal injury	Yes

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
	asbestos or lead where exposure is likely to exceed the control limit or result in significant exposure		SHRED	
6.6	Records of water testing	Five years from the date of the last entry	Review for further retention in the case of enforcement action or civil claims for disease or personal injury SHRED	Yes
6.7	Health records for licensable or non-notifiable licensed work with asbestos	40 years from the date of the last entry	Review for further retention in the case of enforcement action or civil claims for disease or personal injury SHRED	Yes
6.8	Medical and health surveillance reports	40 years from the date of last entry	Review for further retention in the case of enforcement action or civil claims for disease or personal injury SHRED	Yes
6.9	Examination / report of defect for power presses	Two years	Review for further retention in the case of enforcement action or civil claims for disease or personal injury SHRED	Yes
7	<b>Health and safety information - pupils</b>			

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
7.1	Accident reports including first aid / accident book	DOB of the pupil involved in the incident + 21 years; or  Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of enforcement action or civil claims for personal injury  SHRED	No
7.2	Reportable injuries, diseases and dangerous occurrences ( <b>RIDDOR</b> ) reports or own record	DOB of the pupil involved in the incident + 21 years; or  Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of enforcement action or civil claims for personal injury  SHRED	Yes
7.3	Incident investigations and reports, risk assessments and other relevant documents where there has been an accident or incident	DOB of the pupil involved in the incident + 21 years; or  Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of enforcement action or civil claims for personal injury  SHRED	No
<b>8</b>	<b>Generic health and safety records</b>			
8.1	Risk assessments, records of health	These should be kept for at least three years or as long as they remain	Review for further retention in the case of enforcement action or civil claims for disease or personal injury	No

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
	<p>and safety arrangements, copies of policies and procedures</p> <p>General records of health and safety auditing and monitoring including fire risk assessments, electrical testing, PAT testing and gas appliance testing</p> <p>Training records and copies of instructions or information</p> <p>Maintenance logs and / or records of plant and / or equipment plus safety manuals / notices / instructions</p> <p>Records of emergency evacuations and</p>	<p>relevant - in the absence of a specific accident, incident, dangerous occurrence or notifiable disease</p>	<p>SHRED</p>	

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	fire drills, fire safety risk assessments and fire safety policy / fire arrangements			
8.2	Copies of documents, including health and safety files, prepared pursuant to the Construction (Design and Management) Regulations 2015	Records should be retained as long as is reasonably necessary to inform on future construction projects at the School site	SHRED	N/A
9	<b>Insurance</b>			
9.1	Insurance certificates and schedules of cover	Indefinitely	N/A	No
9.2	Correspondence with insurers related to specific accidents or incidents	Three years generally If the incident involved a pupil - DOB of the pupil involved in the incident + 21 years; or Three years from the date of an incident which may become	Review for further retention in the case of civil claims for disease or personal injury SHRED	No

	Record	Retention period	Action at the end of the retention period	Retention period required by law?
		contentious if the pupil was 18 years old at the date of the incident  Disease claims or where there have been allegations of abuse - indefinitely		
10	<b>Investigations, reviews and inquiries</b>			
10.1	Internal reports and investigations into accidents / incidents  Copies of reports submitted to external agencies / regulations such as Independent Schools Inspectorate, Health and Safety Executive, Local Authority, Charity Commission etc  External reports, reviews, investigations and inquiries for example inquests and public	Where the investigation / inquiry / report has been necessitated as a result of a specific incident, these documents are stored centrally for at least three years where there is a risk of enforcement action and / or criminal prosecution and / or a civil claim. Where this relates to pupil DOB +21 years); or  Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	inquiries			
<b>11</b>	<b>Alumni records</b>			
11.1	We recommend that alumni should be treated as employees for the purposes of health and safety records. Although this is not strictly necessary, (some of the health and safety requirements relating to employees do not apply to alumni), treating them the same can be considered good practice and may be more straightforward to implement in practice	As set out in section 6 above	As set out in section 6 above	No
11.2	General alumni correspondence,	Six years after the last time the individual contacted the School	SHRED	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	membership forms etc	This is subject to any longer retention period set out above. For example, records relating to a reportable disease which an alumnus has caught should be kept indefinitely in accordance with 6.1 above		
12	<b>Material kept for archiving purposes in the public interest or for historical research purposes or statistical purposes</b>			
12.1	Records which do not contain personal data, for example, old photographs of School buildings, title deeds etc	Can be kept indefinitely	N/A	No
12.2	Records relating to a number of pupils, or the School generally, such as old class photographs, lists of pupils attending the School in any given year, School prospectuses, newspaper cuttings etc	Can be kept indefinitely	N/A	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
12.3	<p>Records concerning specific pupils. For example, a poem written by an exceptionally gifted pupil</p> <p>Please note that this does not apply to more routine pupils records. Subject to the paragraph below, routine work produced by pupils should not be kept for longer than the retention periods set out in section 2.1 above unless the School has specifically decided to keep it, e.g. for historical purposes and that decision can be justified.</p> <p>For example, if the</p>	Can be kept indefinitely subject to our comments to the left	N/A	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period</b>	<b>Retention period required by law?</b>
	<p>School wish to retain a copy of every essay written by a particular year group over the course of a year, or if the School wished to retain a sample of essays written every year, then this will usually be permissible but further legal advice should be sought.</p> <p>There is always a risk that retaining records for this purpose will be a breach of the DPA. However, provided the guidelines in the above paragraphs are followed we consider that the risks here are very low.</p>			

