



# Data Retention Policy

Policy Owner: Chief Operating Officer (COO)

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## Version Control Information

<b>Reason for Amendment</b>	<b>Role</b>	<b>Date</b>	<b>Main Changes</b>
Annual review	Chief Operating Officer	Michaelmas 2024	Transfer to new template
Review of roles and responsibilities	Chief Operating Officer	Trinity 2025	Addition of St Christopher's the Hall School  Updated role and responsibility references
Annual review	Chief Operating Officer	Spring / Lent 2026	Updated retention period for pupil records to clarify difference between primary and senior school pupil records

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## 1. Introduction and aims

This policy is applicable to staff, pupils, parents / carers and visitors.

The UK General Data Protection Regulation (UK GDPR) ensures a balance between an individual's rights to privacy and the lawful processing of personal data undertaken by organisations in the course of their business. It aims to protect the rights of individuals about whom data is obtained, stored, processed or supplied and requires that organisations take appropriate security measures against unauthorised access, alteration, disclosure or destruction of personal data.

St Dunstan's Education Group (the Group) aims to protect and maintain a balance between data protection rights in accordance with the UK GDPR, this includes a responsibility to maintain records and record keeping systems. This Data Retention Policy sets out how the Group will do this, taking 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
- Accessibility of records and record keeping systems.

This policy does not form part of any individual's terms and conditions of employment with the Group and is not intended to have contractual effect. Changes to data protection legislation will be monitored and further amendments may be required to this policy in order to remain compliant with legal obligations.

All members of staff are required to familiarise themselves with its content and comply with the provisions contained in it. Breach of this policy will be treated as a disciplinary offence which may result in disciplinary action under the Disciplinary Policy and Procedure up to and including summary dismissal depending on the seriousness of the breach

## 2. Legislation

This policy is based on advice from Judicium Education, and informed by the following legislation:

- UK General Data Protection Regulation (UKGDPR), 2018
- Data Protection Act, 2018.

### **3. Roles and responsibilities**

#### **3.1 St Dunstan's Education Group**

The Group's governing board has ultimate responsibility for data protection but will delegate day-to-day responsibility to the Chief Executive Officer of St Dunstan's Education Group. The governing body has a duty to:

- Ensure an approved Data Protection Policy is in place and reviewed annually
- Monitor the application of the Data Protection Policy and this Data Retention Policy, including monitoring the effectiveness of the Group's record keeping systems and adherence to the data retention schedules.

#### **3.2 The Chief Executive Officer**

The Chief Executive Officer (CEO) is responsible for:

- Day-to-day management of all data protection matters in accordance with the Data Protection Policy, including ensuring there are robust record keeping systems and that data retention schedules are adhered to
- Delegating responsibilities to other competent members of staff.

#### **3.3 Chief Operating Officer**

The Chief Operating Officer (COO) is responsible for:

- Acting as the representative of the data controller on a day-to-day basis
- Acting as first point of contact for individuals whose data the Group processes
- Overseeing the implementation of the Data Protection Policy, including ensuring that record keeping systems are suitable and sufficient
- Designated point of contact for reporting lack of compliance with data retention schedules
- Ensuring that a training needs analysis is carried out to ensure that all staff fully understand the importance of adhering to data retention schedules
- Auditing internal control systems and procedures to provide assurance that they are effective in creating, maintaining and removing records
- Reporting on data protection matters to the governing body.

### **3.4 Data Protection Officer**

The Data Protection Officer (DPO), Judicium Education, is responsible for:

- Monitoring compliance with data protection law and developing related policies and procedures
- Conducting an annual audit of each individual school's data protection procedures to assess data security and effective management of data retention
- Liaising with the ICO (Information Commissioners' Office) regarding possible data breaches.

### **3.5 Staff**

All staff are responsible for:

- Collecting, storing and processing any personal data in accordance with the Data Protection Policy
- Completing data protection and cybersecurity training, including understanding the importance of adhering to data retention schedules
- Seeking advice from the COO if they have any concerns that the Data Protection Policy is not being followed, including the management of data retention.

### **3.6 Pupils and parents/carers**

All pupils and parents/carers are responsible for seeking advice from the COO if they have any concerns that the Data Protection Policy is not being followed, including the management of data retention.

## **4. The retention schedule and destruction of records**

### **4.1 The retention schedule**

Information, hard copy and electronic, will be retained for at least the period specified in the retention schedule detailed in Appendix A. When managing records, the Group will adhere to the standard retention times listed within that schedule.

The retention schedule refers to all records regardless of the media, for example, electronic, paper, microfilm, in which they are stored. All records will be regularly monitored by the Director of Administrative Services and Events at St Dunstan's College, the Head of School Operations at

Rosemead Preparatory School & Nursery and the School Operations Manager at St Christopher's the Hall School.

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

## **4.2 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 wastepaper merchant. All electronic information will be deleted, including from the recycling bin.

The Group and the individual schools maintain 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 executive team member
- Date destroyed or deleted from system
- Person(s) who undertook the destruction.

## **4.3 Retention of safeguarding records and the Independent Inquiry into Child Sexual Abuse**

Any allegations made that are found to be malicious must not be part of the personnel records.

For any other allegations made, the Group must keep a comprehensive summary of the allegation made, details of how the investigation was looked into and resolved and any decisions reached. This must be kept on the personnel files of the accused.

Any allegations made of sexual abuse must be preserved by the Group for the term of an inquiry by the Independent Inquiry into Child Sexual Abuse (IICSA). 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 ten years from the date of the allegation if that is longer. Guidance from the IICSA 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 IICSA 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.

#### **4.4 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 individual departments to include Admissions, Finance, Marketing, Student Administration and People Operations. The appropriate staff member, when archiving documents must record in this list the following information:

- File reference, or other unique identifier
- File title/description
- Number of files
- Name of the authorising executive team member.

#### **4.5 Transferring information to other media**

Where lengthy retention periods have been allocated to records, staff may wish to consider converting paper records to other media such as digital media or virtual storage centres, for example, cloud storage. The lifespan of the media and the ability to migrate data where necessary should always be considered and the proposal reviewed by the COO. A Data Protection Impact Assessment may also be required.

#### **4.6 Transferring information to another school**

The individual school will retain a pupil's educational record whilst the child remains at the school. Once a pupil leaves that school, the file will be sent to their next school. The responsibility for retention then shifts onto the next school. The individual school will retain the file for a year following transfer in case any issues arise as a result of the transfer.

In the case of the St Dunstan's College Senior School, we will retain the pupil record for the full retention period as specified in this policy. However, if a pupil transfers to another school before completion of their compulsory education, the file should be sent to their next school. The responsibility for retention then shifts onto the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

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

#### **4.7 Emails**

Email accounts are not a case management tool in itself. Generally, emails may need to fall under different retention periods, e.g. an email regarding a health and safety report will be subject to a different time frame to an email which forms part of a pupil record. It is important to note that the retention period will depend on the content of the email, and it is important that staff file those emails in the relevant areas to avoid the data becoming lost.

### **5. Monitoring**

This Data Retention Policy will be reviewed by the COO annually. At every review, the policy will be approved by the Finance and Resources Committee.

### **6. Links with other policies and documents**

This Data Retention Policy links to the following policies and documents:

- Data Protection Policy [Group]
- Data Breach Policy [Group]
- CCTV Policy [school]
- Information Security Policy [Group]
- Privacy notices [school]

## Appendix A: 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 Group has applicants' consent to keep the CV on file 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	Six years after employment ceases.
Written particulars of employment, contracts of employment and changes to terms and conditions	Six years after employment ceases.
Right to work documentation including identification documents	Six 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 six months.
Change of personal details notifications	No longer than six 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 six 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	Six years after employment ceases.
Allegations of a child protection nature against a member of staff including where the allegation is founded	Ten 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.
Training	Six years after employment ceases or length of time required by the professional body.
Staff training where it relates to safeguarding or other child related training	Date of the training plus forty years. This retention period reflects that the IICSA may wish to see training records as part of an investigation.
Annual appraisal/assessment records	Current year plus six years.
Professional development plans	Six years from the life of the plan.
Allegations of a child protection nature against a member of staff including where the allegation is founded	Ten 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	Twelve years.
Retirement benefits schemes – notifiable events (e.g. relating to incapacity)	Six years from the end of the scheme year in which the event took place.
Payroll and wage records	Six years after end of tax year they relate to.
Maternity/Adoption/Paternity Leave records	Three years after end of tax year they relate to.
Statutory Sick Pay	Three years after the end of the tax year they relate to.
Current bank details	No longer than necessary.

Bonus sheets	Current year plus three years.
Time sheets/clock cards/flexitime	Current year plus three years.
National Insurance (schedule of payments)	Current year plus six years (Taxes Management Act 1970; Income and Corporation Taxes 1988).
Insurance	Current year plus seven years (Taxes Management Act 1970; Income and Corporation Taxes 1988).
Overtime	Current year plus three years (Taxes Management Act 1970; Income and Corporation Taxes 1988).
Annual accounts	Current year plus six years.
Loans and grants managed by the Group / school	Date of last payment on the loan plus twelve years.
All records relating to the creation and management of budgets	Life of the budget plus three years.
Invoices, receipts, order books and requisitions, delivery notices	Current financial year plus six years.
<b>Agreements and administration paperwork</b>	
Collective workforce agreements and past agreements that could affect present employees	Permanently.
Trade union agreements	Ten years after ceasing to be effective.
Group or school development plans	Three years from the life of the plan.
Professional Development Plans	Six years from the life of the plan.
Visitors book and signing-in sheets	Six years.
Newsletters and circulars to staff, parents and pupils	One year, the school may also decide to archive one copy.
Minutes of executive and senior management team meetings	Date of the meeting plus three years or as required.
Reports created by executive and senior management team meetings	Date of the report plus a minimum of three years or as required.

Records relating to the creation and publication of marketing material, e.g. prospectus	Current academic year plus three years .
<b>Health and safety records</b>	
Health and Safety consultations	Permanently.
Health and safety risk assessments	Three years from the life of the risk assessment.
Health and safety policy statements	Life of policy plus three years.
Any records relating to any reportable death, injury, disease or dangerous occurrence	Date of incident plus three years provided that all records relating to the incident are held on personnel file.
Any reportable accident, death or injury in connection with work	For at least twelve years from the date the report was made.
Accident reporting records relating to individuals who are under eighteen years of age at the time of the incident	Until the child reaches the age of twenty-one.
Accident reporting records relating to individuals who are over eighteen years of age at the time of the incident	Accident book should be retained three years after last entry in the book. (Social Security (Claims and Payments) Regulations 1979; Social Security Administration Act 1992; Limitation Act 1980).
Fire precaution logbooks	Current year plus three years.
Medical records and details of: - Employees exposed to asbestos dust - Records specified by the Control of Substances Hazardous to Health Regulations (COSHH)	Forty years from the date of the last entry made in the record (Control of Substances Hazardous to Health Regulations (COSHH); Control of Asbestos at Work Regulations).
Records of tests and examinations of control systems and protection equipment under COSHH	Five 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	Three years.
<b>Pupil records</b>	

Details of whether admission is successful/unsuccessful	One year from the date of admission/non-admission.
Proof of address supplied by parents as part of the admissions process	Current year, plus one year.
Admissions records	One year from the date of admission.
Admissions register	Entries to be preserved for three years from date of entry.
Correspondence relating to any absence (authorised or unauthorised)	Current academic year plus two years (Education Act 1996).
Bursary applications (with supporting documents)	Until the pupil leaves, unless there is debt outstanding in which case the forms and supporting information are kept until such time as the debt is cleared. Application forms with supporting information for unsuccessful bursary applicants are kept for one year.
Parental consent forms for school trips where there has been no major incident	End of the trip or end of the academic year (subject to a risk assessment carried out by the relevant school).
Parental consent forms for school trips where there has been a major incident	Date of birth of the pupil involved in the incident plus twenty-five years. Permission slips for all the pupils on the trip should be retained to demonstrate the rules had been followed for all pupils.
Pupil Record, including non-child protection safeguarding records.	Primary – Whilst the child attends the school (The Education (Pupil Information) (England) Regulations 2005, The Pupil Information (Wales) Regulations 2011)  Secondary – until the child reaches the age of 25 (Limitation Act 1980, Section 2)
Attendance registers	Three years from the date of entry.
Correspondence relating to any absence (authorised or unauthorised)	Current academic year plus two years (Education Act 1996).

Special Educational Needs files, reviews and individual education plans, including any statement and all advice and information shared regarding educational needs	Date of birth of the pupil plus thirty-one years. Education, Health and Care Plan is valid until the individual reaches the age of twenty-five years. The retention period adds an additional six years from the end of the plan (Children and Family's Act 2014; Special Educational Needs and Disability Act 2001).
Child protection information (to be held in a separate file).	Date of birth of the child plus twenty-five years then review Note: These records will be subject to any instruction given by IICSA.
Exam results (pupil copy)	One to three years from the date the results are released.
Examination results (school's copy)	Current year, plus six years.
Allegations of sexual abuse	For the time period of an inquiry by the IICSA.
Records relating to any allegation of a child protection nature against a member of staff	Until the accused's normal retirement age or ten years from the date of the allegation, whichever is the longer.
Consents relating to school activities as part of UK GDPR compliance, for example, consent to be sent circulars or mailings	Consent will last whilst the pupil attends the school.
Pupil's work	Where possible, returned to pupil at the end of the academic year. Otherwise, the work should be retained for the current year, plus one year.
Mark books	Current year plus one year.
Schemes of work	Current year plus one year.
Timetable	Current year plus one year.
Class record books	Current year plus one year.
Record of homework set	Current year plus one year.
Photographs of pupils	For the time the child is at the school and for a short while after.  Select images may also be kept for longer, for example to illustrate history of the school.

<b>Other records</b>	
CCTV footage	Up to thirty days.
Emails	Two to five years.
Privacy notice	Until replaced, plus six years.
Written complaints	Complaints investigated by the Governing Body and/or CEO or Head of the school will be held for six years.  A complaint with any negligence involved, will be held for fifteen years.
Records of maintenance completed by contractors or employees of the Group	Whilst the building belongs to the Group.
Records relating to lettings	Current financials plus six years.
Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	Current year plus six years, then review.
Referral forms	While the referral is current.
Contact data sheets	Current year then review, if contact is no longer active then destroy.
St Dunstan's Enterprises customer data	One year after the contract with the customer ends.