

# Data Retention Protocol

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This protocol should be read in conjunction with the School's Data Protection Policy and Privacy Notice.



## Data Retention Protocol

This table has been adapted from general advice from the ISBA.

Except where there is a specific statutory obligation to destroy records, it is misleading to treat these suggestions as prescriptive time 'limits'. Figures given are not intended as a substitute to exercise of thought and judgment; specific advice, depending on the circumstances, may be appropriate. Where any doubt exists, advice should be sought from the Chief Operating Officer or relevant SLT member. Advice in this area is regularly updated and in individual cases it may be appropriate to take specific legal advice.

| Type of Record/Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Retention Period                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <u>EMAILS ON SERVER</u> <ul style="list-style-type: none"> <li>Pupil email account</li> <li>Staff emails</li> </ul>                                                                                                                                                                                                                                                                                                                                                                              | <p>Delete upon leaving school, or within one year.</p> <p>Routine deletion of historic emails after 2-3 years, and delete account within 1 year of leaving school.</p>                                                                                                                                                                                                                                                                                                                              |
| <u>SCHOOL-SPECIFIC RECORDS</u> <ul style="list-style-type: none"> <li>Registration documents of School</li> <li>Attendance Register</li> <li>Minutes of Governors' meetings</li> <li>Annual curriculum</li> </ul>                                                                                                                                                                                                                                                                                | <p>Permanent (or until closure of the school)</p> <p>6 years from last date of entry, then archive.</p> <p>6 years from date of meeting</p> <p>From end of year: 3 years (or 1 year for other class records: e.g. marks / timetables / assignments)</p>                                                                                                                                                                                                                                             |
| <u>INDIVIDUAL PUPIL RECORDS</u> <ul style="list-style-type: none"> <li>Admissions: application forms, assessments, records of decisions</li> <li>Student immigration records</li> <li>Examination results (external or internal)</li> <li>Pupil file including:                             <ul style="list-style-type: none"> <li>Pupil reports and performance records</li> <li>Pupil medical records (<i>not accidents</i>)</li> </ul> </li> <li>Special educational needs records</li> </ul> | <p><b><i>NB these records will contain personal data</i></b></p> <p>25 years from date of birth (or up to 7 years from the pupil leaving). If unsuccessful: up to 1 year</p> <p>Duration of student sponsorship plus min. 1 year</p> <p>7 years from pupil leaving school</p> <p>ALL: 25 years from date of birth (<i>subject where relevant to any material that may be relevant to potential historic claims: see below</i>).</p> <p>Date of birth plus up to 35 years (<i>risk assessed</i>)</p> |



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| <p><u><b>SAFEGUARDING</b></u></p> <ul style="list-style-type: none"> <li>• Policies, procedures and insurance</li> <li>• DBS disclosure certificates (if held)</li> <li>• Accident / Incident reporting</li> <li>• Child Protection files and specific records of child sexual abuse</li> <li>• Video recordings of meetings</li> </ul> | <p>Keep a permanent record of historic policies</p> <p><b>No longer than 6 months</b> from decision on recruitment, unless police specifically consulted. A record of the checks being made must be kept on SCR / personnel file, but not the certificate itself.</p> <p>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.</p> <p>If a referral has been made / social care have been involved / child has been subject of a multi-agency plan; or if any risk of future claim(s): 75 years.</p> <p>Where any one-on-one meetings of classes, counselling, or application interviews are recorded (e.g. for safeguarding purposes), a shorter-term retention policy is acceptable based on the DSL's view of how quickly a concern will likely be raised: e.g. 3-6 months or immediately upon DSL review.</p> |
| <p><u><b>CORPORATE RECORDS</b></u></p> <ul style="list-style-type: none"> <li>• Certificates of Incorporation</li> <li>• Minutes, Notes and Resolutions of Boards or Management Meetings</li> <li>• Shareholder resolutions</li> <li>• Register of Members/Shareholders</li> <li>• Annual reports</li> </ul>                            | <p>Permanent (or until dissolution of the company)</p> <p>Minimum – 10 years</p> <p>Minimum – 10 years</p> <p>Permanent (minimum 10 years for ex members/shareholders)</p> <p>Minimum – 6 years</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><u><b>ACCOUNTING RECORDS</b></u></p> <ul style="list-style-type: none"> <li>• Accounting records</li> <li>• Tax returns</li> <li>• VAT returns</li> <li>• Budget and internal financial reports</li> </ul>                                                                                                                           | <p>Minimum – 6 years for UK charities (and public companies) from the end of the financial year in which the transaction took place</p> <p>Minimum – 6 years</p> <p>Minimum – 6 years</p> <p>Minimum – 3 years</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



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| <p><b><u>CONTRACTS AND AGREEMENTS</u></b></p> <ul style="list-style-type: none"> <li>Signed or final/concluded agreements (<i>plus any signed or final/concluded variations or amendments</i>)</li> <li>Deeds (or contracts under seal)</li> </ul>                                                                                                                                                                                                                                                                                          | <p>Minimum – 7 years from completion of contractual obligations or term of agreement, whichever is the later</p> <p>Minimum – 13 years from completion of contractual obligation or term of agreement</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b><u>INTELLECTUAL PROPERTY RECORDS</u></b></p> <ul style="list-style-type: none"> <li>Formal documents of title (trade mark or registered design certificates; patent or utility model certificates)</li> <li>Assignments of intellectual property to or from the school</li> <li>IP / IT agreements (including software licences and ancillary agreements e.g. maintenance; storage; development; coexistence agreements; consents)</li> </ul>                                                                                         | <p>Permanent (in the case of any right which can be permanently extended, eg trade marks); otherwise expiry of right plus minimum of 7 years.</p> <p>As above in relation to contracts (7 years) or, where applicable, deeds (13 years).</p> <p>Minimum – 7 years from completion of contractual obligation concerned or term of agreement</p>                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b><u>EMPLOYEE / PERSONNEL RECORDS</u></b></p> <ul style="list-style-type: none"> <li>Single Central Record of employees</li> <li>Contracts of employment</li> <li>Employee appraisals or reviews</li> <li>Staff personnel file</li> <li>Payroll, salary, maternity pay records</li> <li>Pension or other benefit schedule records</li> <li>Job application and interview/rejection records (unsuccessful applicants)</li> <li>Staff immigration records (Right to work, etc.)</li> <li>Tier 2 migrant worker sponsor records</li> </ul> | <p><b><i>NB these records will contain personal data</i></b></p> <p>Keep a permanent record that mandatory checks have been undertaken (but do <u>not</u> keep DBS certificate information itself: 6 months as above)</p> <p>7 years from effective date of end of contract</p> <p>Duration of employment plus minimum of 7 years</p> <p>As above, but <u>do not delete any information which may be relevant to historic safeguarding claims</u></p> <p>Minimum – 6 years</p> <p>Potentially permanent (ie lifetimes of those involved), depending on nature of scheme</p> <p>Minimum 3 months but no more than 1 year (as CVs will rapidly be out of date)</p> <p>Minimum – 2 years from end of employment</p> <p>Minimum – 1 year from end of employment</p> |



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| <ul style="list-style-type: none"> <li>Health records relating to employees</li> <li>Records of low-level concerns about adults</li> </ul>                                                                                                                                                                                                     | <p>7 years from end of employment</p> <p>At least until end of employment (as recommended by KCSIE), then subject to review for relevance: e.g. 7 years from end of employment if they have ongoing relevance for employment claims, longer if necessary for safeguarding purposes / claims.</p>                                                                                                                                                        |
| <p><u>INSURANCE RECORDS</u></p> <ul style="list-style-type: none"> <li>Insurance policies (will vary – private, public, professional indemnity)</li> <li>Correspondence related to claims/ renewals/ notification re: insurance</li> </ul>                                                                                                     | <p>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.</p> <p>Minimum – 7 years (<i>but this will depend on what the policy covers and whether e.g. historic claims may still be made</i>)</p>                                                                                                  |
| <p><u>ENVIRONMENTAL, HEALTH &amp; DATA</u></p> <ul style="list-style-type: none"> <li>Maintenance logs</li> <li>Accidents to children</li> <li>Accident at work records (staff)</li> <li>Staff use of hazardous substances</li> <li>Covid-19 risk assessments, consents etc. (<i>for now: this to be subject to further review</i>)</li> </ul> | <p>10 years from date of last entry</p> <p>25 years from birth (longer for safeguarding)</p> <p>Minimum – 4 years from date of accident, but review case-by-case where possible</p> <p>Minimum – 7 years from end of date of use</p> <p>Retain for now legal paperwork (consents, notices, risk assessments) but not individual test results</p>                                                                                                        |
| <ul style="list-style-type: none"> <li>Risk assessments (carried out in respect of above)</li> </ul>                                                                                                                                                                                                                                           | <p>7 years from completion of relevant project, incident, event or activity.</p>                                                                                                                                                                                                                                                                                                                                                                        |
| <ul style="list-style-type: none"> <li>Art.30 UK GDPR records of processing activity (<b>ROPAs</b>), data breach records, data protection impact assessments</li> </ul> <p><u>SECURITY SYSTEMS DATA</u></p> <ul style="list-style-type: none"> <li>CCTV footage</li> <li>Door code/ pass use data</li> </ul>                                   | <p>No limit (as long as no personal data held), but must be kept up-to-date, accurate and relevant.</p> <p>Images will be stored for 4 weeks, and automatically overwritten unless the School unless lawfully required by an appropriate third party such as the police or local authority.</p> <p>Access security system data will be held for 90 days on a rolling basis, before being deleted, unless required for processing on lawful grounds.</p> |