

# STORAGE AND RETENTION OF DOCUMENTS POLICY

## 1. INTRODUCTION

- 1.1 In developing this policy, Tudor Hall (the 'School') are mindful both of the '*General Data Protection Regulations*' (GDPR) and the general principles for length of document retention.
- 1.2 The School has sought to balance the benefits of keeping detailed and complete records, for the purposes of good practice, archives or general reference with practical considerations of storage, space and accessibility. There has also been a need to take account of legal considerations:
  - 1.2.1 Statutory duties and government guidance relating to schools, including for safeguarding;
  - 1.2.2 Disclosure requirements for potential future litigation;
  - 1.2.3 Contractual obligations;
  - 1.2.4 The law of confidentiality and privacy; and
  - 1.2.5 The '*Data Protection Act*' 2018 ('DPA').
- 1.3 These will inform not only minimum and maximum retention periods, but also what to keep and who should be able to access it.

## 2. MEANING OF RECORD

- 2.1 In this policy, 'record' means any document or item of data which contains evidence or information relating to the School, its staff or pupils. Some of this material, but not all, will contain personal data of individuals as defined in the DPA. Types of personal data processed by the School are detailed in the School's Privacy Statement.
- 2.2 Most new and recent records will be created, received and stored electronically. Others (such as Certificates, Registers, or older records) will be original paper documents. The format of the record is less important than its contents and the purpose for keeping it.

## 3. STORAGE

### 3.1 Digital records

- 3.1.1 Digital records can be lost or misappropriated very quickly. Access to sensitive data (which might include details regarding health, ethnicity, religion, biometric, sexual life or criminal records) – or any large quantity of data – should as a minimum be password-protected and held on a limited number of devices only, with passwords provided on a need-to-know basis and regularly changed. Access to sensitive data should be restricted only to those who need access for the purposes of their role.
- 3.1.2 Electronic data should be subject to written back up procedures established and monitored by the IT Network manager. Cloud storage is utilised to ensure secure off-site copies of data are held.
- 3.1.3 Important records, and large or sensitive personal databases, should not be carried or kept on portable devices (whether CDs or data sticks, or mobiles and handheld electronic tablets) unless absolutely necessary, *in which case* it should be subject to a risk assessment and in line with the

Staff IT Acceptable Use policy. In the event that data must be stored on a portable device it must be password protected.

- 3.1.4 Digital records should not be kept on home computers and staff should access the school server only through the secure school portal. Access to school systems are subject to two factor authentication processes.
- 3.1.5 Where digital records are held offsite by third parties these should be subject to formal written agreements, which are GDPR compliant and include robust contractual arrangements providing for security and access
- 3.1.6 It is recommended that emails should be retained only where necessary and that deleted items are cleared out weekly. Emails should not normally be retained beyond two academic years and if longer storage is required this should be within the MIS system or school's document manager system.

### **3.2 Paper records**

- 3.2.1 Paper records remain in the first instance the responsibility of the preparer.
- 3.2.2 Paper records should be kept ordered and accessible.
- 3.2.3 Sensitive paper records containing personal data should not be taken out of the School unless absolutely necessary and then only after completion of a risk assessment.
- 3.2.4 Paper records should be stored securely within locked offices until transferred to archive.
- 3.2.5 The School operates an onsite archive. Access to the archive is restricted and available only to those who need to review it.

## **4. DOCUMENT RETENTION PERIODS**

- 4.1 The School has determined minimum document retention periods as set out in the attached appendix.
- 4.2 Reviews should be conducted on a regular basis, to ensure that all information being kept is still relevant and – in the case of personal data – necessary for the purposes for which it is held (and if so, that it is accurate and up-to-date).
- 4.3 In certain situations legal advice may be taken to support decisions regarding retention of individual documents.

## **5. SECURE DISPOSAL**

- 5.1 For confidential, sensitive or personal information to be considered securely disposed of, it must be in a condition where it cannot either be read or reconstructed.
- 5.2 All destruction or permanent erasure of records, if undertaken by a third party, should be carried out securely with no risk of the re-use or disclosure, or re-construction, of any records or information contained in them.
- 5.3 Paper records should be shredded using a cross-cutting shredder; CDs / DVDs / diskettes should be cut into pieces. Hard-copy images, AV recordings and hard disks should be dismantled and destroyed.

Approved by Finances & Resources Committee: November 2022

Type of Record/Document	Retention Period
<b>SCHOOL-SPECIFIC RECORDS</b> <ul style="list-style-type: none"> <li>• Registration documents of School</li> <li>• Attendance Register</li> <li>• Annual curriculum and supporting information</li> </ul>	<p>Permanent (or until closure of the school)</p> <p>7 years from last date of entry, then archive</p> <p>From end of year: 3 years (or 1 year for other class records: e.g. marks/ timetables/ assignments)</p>
<b>INDIVIDUAL PUPIL RECORDS</b> <ul style="list-style-type: none"> <li>• Admissions: application forms, assessments, records of decisions</li> <li>• Examination results (external or internal)</li> <li>• Pupil files including: <ul style="list-style-type: none"> <li>○ Pupil reports</li> <li>○ Pupil performance records</li> <li>○ Pupil medical records</li> </ul> </li> <li>• Special educational needs records (<i>to be risk assessed individually</i>)</li> </ul>	<p><b><i>NB – this will generally be personal data</i></b></p> <p>25 years from date of birth (or, if pupil not admitted, up to 7 years from that decision)</p> <p>7 years from pupil leaving school</p> <p>25 years from date of birth (subject where relevant to safeguarding considerations; <b>any material which may be relevant to potential claims should be kept for the lifetime of the pupil</b>)</p> <p>Date of birth plus up to 35 years (allowing for special extensions to statutory limitation period)</p>
<b>SAFEGUARDING</b> <ul style="list-style-type: none"> <li>• Policies and procedures</li> <li>• DBS disclosure certificates (if held)</li> <li>• Child Protection files</li> <li>• Records of abuse allegations or incidents including notification to the appropriate authorities</li> <li>• Copies of relevant information and accompanying correspondence relating to abuse of pupils</li> <li>• Records of low level concerns</li> </ul>	<p>Minimum of 50 years</p> <p><u>No longer than 6 months</u> from decision on recruitment, unless DBS specifically consulted – but a record of the checks being made must be kept, if not the certificate itself (see Single Central Record of appointments).</p> <p>If a referral has been made/social care have been involved or child has been subject of a multi-agency plan – indefinitely.</p> <p>Minimum of 50 years</p> <p>Minimum of 50 years</p> <p>7 years from effective end of employment contract</p>
<b>CORPORATE RECORDS</b> <ul style="list-style-type: none"> <li>• Certificates of Incorporation</li> <li>• Minutes of Board meetings</li> <li>• Minutes of Governor Annual General Meetings and committee meetings including agenda and supporting information</li> </ul>	<p>Permanent (or until dissolution of the company)</p> <p>Minimum of 50 years</p> <p>Minimum of 10 years</p>

Type of Record/Document	Retention Period
<ul style="list-style-type: none"> <li>• Register of Members/Shareholders</li> </ul> <p>Annual Trustees' report to Charity Commission</p> <p>Minutes, notes and resolutions of Management Meetings</p>	<p>Minimum of 10 years after they have ceased to be a Member/Shareholder</p> <p>Minimum of 10 years</p> <p>Minimum of 10 years</p>
<p><b>ACCOUNTING RECORDS</b></p> <ul style="list-style-type: none"> <li>• Accounting records (normally taken to mean records which enable a company's accurate financial position to be ascertained &amp; which give a true and fair view of the company's financial state)</li> <li>• Tax returns</li> <li>• VAT returns</li> <li>• Budget and internal financial reports</li> </ul>	<p>Minimum of 7 years</p> <p>Minimum of 7 years</p> <p>Minimum of 7 years</p> <p>Minimum of 3 years</p>
<p><b>CONTRACTS AND AGREEMENTS</b></p> <ul style="list-style-type: none"> <li>• Signed or final/concluded agreements (plus any signed or final/concluded variations or amendments)</li> <li>• Deeds (or contracts under seal)</li> </ul>	<p>Minimum of 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>INTELLECTUAL PROPERTY RECORDS</b></p> <ul style="list-style-type: none"> <li>• Signed 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 licenses 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, e.g. trade marks); otherwise expiry of right plus minimum of 7 years.</p> <p>Permanent (if possible) otherwise in relation to contracts (7 years) or, deeds (13 years).</p> <p>Minimum of 7 years from completion of contractual obligation concerned or term of agreement</p>
<p><b>EMPLOYEE/PERSONNEL RECORDS</b></p> <ul style="list-style-type: none"> <li>• Single Central Record of appointments</li> <li>• Contracts of employment</li> <li>• Employee appraisals or reviews</li> <li>• Staff personnel file</li> <li>• Payroll, salary, maternity pay records</li> </ul>	<p><b><i>NB this will contain personal data</i></b></p> <p>Minimum of 50 years (but <u>not</u> DBS certificate 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>Duration of employment plus minimum of 7 years but <u>do not delete any information which may be relevant to historic safeguarding claims.</u></p>

Type of Record/Document	Retention Period
<ul style="list-style-type: none"> <li>• Pension or other benefit schedule records</li> <li>• Job application and interview/rejection records (unsuccessful applicants)</li> <li>• Immigration records</li> <li>• Health records relating to employees</li> <li>• Disciplinary</li> </ul>	<p>Minimum 7 years</p> <p>Minimum of 7 years or 50 years, depending on nature of the scheme</p> <p>Minimum of 3 months, maximum of 1 year</p> <p>Minimum – 4 years</p> <p>7 years from end of contract of employment</p> <p>7 years from effective date of end of contract excluding any safeguarding related records. Note written warnings remain on file but are considered spent after 12 months</p>
<p><b>INSURANCE RECORDS</b></p> <ul style="list-style-type: none"> <li>• Insurance policies</li> <li>• Public and employer's liability, professional indemnity certificates</li> <li>• Correspondence related to claims/ renewals/ notification re: insurance</li> </ul>	<p>Minimum of 7 years</p> <p>Minimum of 50 years</p> <p>Minimum of 7 years</p>
<p><b>ENVIRONMENTAL, HEALTH &amp; DATA</b></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>• Risk assessments (carried out in respect of above)</li> <li>• Data protection records documenting processing activity, data breaches</li> </ul>	<p>10 years from date of last entry</p> <p>25 years from birth (longer for safeguarding)</p> <p>Minimum – 7 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>7 years from completion of relevant project, incident, event or activity</p> <p>10 years from date of last entry</p>