



Records Management and Data Retention policy (May 2020)

EBN Trust

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1. Introduction

This policy applies to all students, contacts, employees, workers and contractors.

1.1. The EBN Academy Trust Board of Directors are committed to retaining personal data (which may be held on paper, electronically, or otherwise) for no longer than necessary for the purpose or purposes for which they were collected. All steps will be reasonably taken to securely destroy or erase from systems, all data which is no longer required.

1.2. The Board of Directors recognise the need to process data in appropriate and lawful manner, in accordance with the General Data Protection Regulation 2018 (GDPR). The purpose of this policy is to set out the principles by which we will retain your personal data.

1.3. Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action, including dismissal.

1.4. The Data Protection Officer and Executive Head Teacher is responsible for ensuring compliance with the GDPR and this policy. Any questions about the operation of this policy or concerns that there has been a breach of this policy should be referred in the first instance to the Data Protection Lead.

2. Responsibilities

The Board of Directors understand their legal responsibility to comply with the law, including the General Data Protection Regulation. The individual with overall responsibility for this policy is the Data Protection Officer.

3. Retention of Data

3.1. The Board of Directors will state the purposes for which it holds personal information, and will register with the ICO all the purposes for which it processes personal data.

3.2. Personal data will be retained to assist in the running of the Trust and to ensure it is able to fulfil its purpose. In such cases we will apply the 'recommended' retention period. Some personal data is retained for statutory purposes, in which case we will apply the 'statutory' retention period.

3.3. The Board of Directors commit to retaining the minimum amount of personal data that is necessary for the purpose for which it is held and access to the personal data will be restricted so that it is used only for the specific purpose.

3.4. Personal data will be held as indicated in Appendix 1 & 2 and for no longer than the period specified. All personal data will be destroyed securely at the end of the retention period.

Appendix 1: Retention of Personal Data for employees

This schedule lists the principal documents held on an employee’s file. The list is not exhaustive, and other documents relating to employment may be also held. Personnel files will be held for the length of employment + 6 years at which time they will be securely shredded. Documents relating to child protection or accidents at work may be held for a period of up to 25 years, in accordance with the DFE “Data protection: a toolkit for schools” and the employee will be advised of this.

Document	Period of Retention
Application Process	
Application forms and interview notes (for unsuccessful candidates)	Six months.
Original job application form for successful candidate	Termination + 6 years
Documents Relating to Appointment Process	
Confirmation of pre-employment medical check clearance	Termination + 6 years
DBS certificates/copies	Six months If, in very exceptional circumstances, it is considered necessary to retain a copy of the original certificate for longer than six months, consent should be sought from the applicant and retained on file.
Confirmation of DBS outcome and any associated docs (e.g. risk assessment or certificate of good conduct)	Termination + 6 years
Barred list clearance	Termination + 6 years
Prohibition check	Termination + 6 years

Copies of documents used for identity authentication for DBS and Asylum and Immigration Act purposes	Termination + 6 years
UK Border Agency Documentation (Work permit)	Termination + 6 years
Records relating to employees from outside of the UK e.g. visa, work permits, etc.	Termination + 6 years
Copies of qualifications certificates relevant to employment	Termination + 6 years
NQT – Satisfactory completion of skills tests.	Termination + 6 years
Two original references	Termination + 6 years
Original contract acceptance	Termination + 6 years
Copy of Contract of employment and any variation letters or side letters	Termination + 6 years

Disciplinary Records

Formal disciplinary warnings – child protection related	Termination + 6 years
Formal disciplinary warnings – not child protection related	Termination + 6 years

Accidents at Work

Accident books, accident records, accident reports	Three years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches age 21) <i>Statutory</i>
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Records relating to accident/injury at work	Termination + 12 years In the case of serious accidents a further retention period may need to be considered
Financial Information	
Inland Revenue/HMRC correspondence	Termination + 6 years <i>Statutory</i>
National minimum wage records	Three years after the end of the pay reference period following the one that the records cover. <i>Statutory</i>
Wage/salary records (also overtime, bonuses, expenses)	Termination + 6 years <i>Statutory</i>
Sickness and Maternity Information	
Medical certificates/ Occupational Health reports and sickness absence record	Current year + 6 years
SMP, SAP, SSPP records, calculations, certificates (Mat B1s) or other medical evidence, notifications, declarations and notices	Three years after the end of the tax year in which the leave period ends <i>Statutory</i>
Statutory Sick Pay records, calculations, certificates, self-certificates	Six years after the employment ceases
Parental leave records	Eighteen from birth/adoption of the child or if the child receives a disability living allowance
Other special leave of absence including parental leave, maternity leave	Current year + 6 years

Leavers Information	
Letter of resignation and acceptance of resignation or other documentation relating to the termination of employment.	Termination + 6 years
Exit interview notes	Termination + 6 years
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	Six years from the date of redundancy
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	Six years from the end of the scheme year in which the event took place
Additional Employee Information	
Salary assessment forms – teachers	Current year + 6 years
Appraisal information	Current year + 6 years
Staff induction including NQTs Induction	Completion + 6 years within DFE statutory guidance <u>'Induction for newly qualified teachers (England)'</u> , April 2018
Working time records	Two years from date on which they were made

Statutory

Appendix 2: Retention of Personal Data for students and contacts

Retention of pupil records and other pupil-related information

The table below outlines the retention periods for individual pupil records and the action that will be taken after the retention period, in line with any requirements.

Electronic copies of any information and files will be destroyed in line with the retention periods below.

Type of file	Retention period	Action taken after retention period ends
Personal identifiers, contacts and personal characteristics		
Images used for identification purposes within the MIS	25 years after the pupil's date of birth, with their personal data removed	Securely disposed of
Images used in displays in schools	Whilst the pupil is at school + 12 months	Securely disposed of
Images used for marketing purposes, or other	In line with the consent period	Securely disposed of
Postcodes, address, names and characteristics	Whilst the pupil is at school, plus five years	Securely disposed of
Admissions		
Register of admissions	25 years after the pupil's date of birth, with their personal data removed	Information is reviewed and the register may be kept permanently

Admissions appeals	Whilst the pupil remains at school, plus five years	Securely disposed of
Secondary school admissions	25 years after the pupil's date of birth, with their personal data removed	Securely disposed of
Proof of address (supplied as part of the admissions process)	25 years after the pupil's date of birth, with their personal data removed	Securely disposed of
Supplementary information submitted, including religious and medical information etc. (where the admission was successful)	25 years after the pupil's date of birth, with their personal data removed	Securely disposed of
Supplementary information submitted, including religious and medical information etc. (where the admission was not successful)	Added to the pupil's record and transferred to next school	Securely disposed of
Pupils' educational records		
Secondary pupils' educational records	25 years after the pupil's date of birth, with their personal data removed	Securely disposed of
Public examination results	<p>Added to the pupil's record and transferred to next school</p> <p>Copies with pupils' names are held whilst the pupil is at school, plus five years</p> <p>Copies with pupils' names removed are held for 25 years after the pupil's date of birth</p>	Returned to the examination board

Internal examination results	<p>Added to the pupil's record and transferred to next school</p> <p>Copies with the pupil's personal data are held whilst the pupil is at school, plus five years</p> <p>Copies with personal data removed are held for 25 years after the pupil's date of birth</p>	Securely disposed of
Behaviour records	<p>Added to the pupil's record and transferred to the next school</p> <p>Copies are held whilst the pupil is at school, plus five years</p>	Securely disposed of
Exclusion records	<p>Added to the pupil's record and transferred to the next school</p> <p>Copies are held whilst the pupil is at school, plus five years</p>	Securely disposed of
Child protection information held on a pupil's record	Stored in a sealed envelope for the same length of time as the pupil's record	Securely disposed of – shredded
Child protection records held in a separate file	25 years after the pupil's date of birth	Securely disposed of – shredded
Attendance		
Attendance registers	<p>Copies are held whilst the pupil is at school, plus five years</p> <p>Non-identifiable summary statistics are held after the initial</p>	Securely disposed of

	retention period for 25 years after the pupil's date of birth	
Letters authorising absence	Whilst the pupil remains at school, plus one year Non-identifiable summary statistics are held after the initial retention period for 25 years after the pupil's date of birth	Securely disposed of
Medical information and administration		
Permission slips	For the duration of the period that medication is given, plus one month	Securely disposed of
Medical conditions – ongoing management	Added to the pupil's record and transferred to the next school Copies held whilst the pupil is at school, plus one year	Securely disposed of
Medical incidents that have a behavioural or safeguarding influence	Added to the pupil's record and transferred to the next school Copies held whilst the pupil is at school, plus 25 years	Securely disposed of
SEND		
SEND files, reviews and individual education plans	25 years after the pupil's date of birth (as stated on the pupil's record)	Information is reviewed and the file may be kept for longer than necessary if it is required for the school to defend themselves in a 'failure to provide sufficient education' case
An EHC plan maintained under section 37 of the Children and Families Act 2014 (and any amendments to the statement or plan)	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of, unless it is subject to a legal hold

Information and advice provided to parents regarding SEND	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of, unless it is subject to a legal hold
Accessibility strategy	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of, unless it is subject to a legal hold
Curriculum management		
SATs results	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of
Examination papers	Until the appeals/validation process has been completed	Securely disposed of
Published Admission Number (PAN) reports	Current academic year, plus six years	Securely disposed of
Valued added and contextual data	Current academic year, plus six years	Securely disposed of
Self-evaluation forms	Current academic year, plus six years	Securely disposed of
Pupils' work	Returned to pupils at the end of the academic year, or retained for the current academic year, plus two years	Securely disposed of
Extra-curricular activities		
Field file – information taken on school trips	Until the conclusion of the trip, plus one month Where a minor incident occurs, field files are added to the core system as appropriate	Securely disposed of
Financial information relating to school trips	Whilst the pupil remains at school, plus one year	Securely disposed of
Parental consent forms for school trips where no major incident occurred	Until the conclusion of the trip	Securely disposed of

Parental consent forms for school trips where a major incident occurred	25 years after the pupil's date of birth on the pupil's record (permission slips of all pupils on the trip will also be held to show that the rules had been followed for all pupils)	Securely disposed of
Educational visitors in school – sharing of personal information	Until the conclusion of the visit, plus one month	Securely disposed of
Catering and free school meal management		
Meal administration	Whilst the pupil is at school, plus one year	Securely disposed of
Meal eligibility	Whilst the pupil is at school, plus five years	Securely disposed of