

PACT Educational Trust Ltd Records Retention Policy

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Definitions:

“DPL”	Data Protection Lead
“PACT”	PACT Educational Trust Ltd
“SAR”	Subject Access Request

I Introduction

- I.1.** This policy covers 3 of the PACT Schools, i.e. Oakwood School, Oliver House School & The Cedars School including the EYFS where applicable (see separate policy for The Laurels School) (our “Schools”). The registered office for PACT is c/o The Cedars School, Coombe Road, Lloyd Park, Croydon CR0 5RD.
- I.2.** The main aim of this policy is to enable the Schools to manage our records effectively and in compliance with data protection and other regulation. As an organisation we collect, hold, store and create significant amounts of data and information and this policy provides a framework of retention and disposal of categories of information and documents.
- I.3.** The Schools are committed to the principles of data protection including the principle that information is only to be retained for as long as necessary for the purpose concerned.
- I.4.** Appendix I sets out the main categories of information that we hold, the legal requirements for certain categories of documents, the length of time that we intend to hold them, and the reason for this. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table.
- I.5.** Section 2 of this policy sets out the destruction procedure for documents at the end of their retention period. The DPL will be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.

- 1.6. If a document or piece of information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to the DPL, who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2. Deletion of Documents

- 2.1. When a document is at the end of its retention period, it should be dealt with in accordance with this policy.
- 2.2. Documents may not be deliberately deleted or destroyed in order to avoid disclosure in response to a SAR.

Confidential waste

- 2.3. Any confidential waste must be shredded using the shredder in the Main Office. The schools may also periodically arrange for suitable companies to remove confidential waste.
- 2.4. Anything that contains personal information should be treated as confidential.
- 2.5. Where deleting electronically, please refer to the DPL to ensure that this is carried out effectively (although this may be referred to the IT consultant).

Other documentation

- 2.6. Other documentation that does not contain confidential information can be deleted or placed in recycling bins where appropriate.

Automatic deletion

- 2.7. Certain information may be automatically archived by the computer systems, details of which are set out below. Should you want to retrieve any information, or prevent this happening in a particular circumstance, please contact the DPL (although this may be referred to the IT consultant).

Individual responsibility

- 2.8. Much of the retention and deletion of documents will be automatic, but when faced with a decision about an individual document, you should ask yourself the following:
 - Has the information come to the end of its useful life?
 - Do I really need this information at all, or can it be anonymised (e.g. do I need to record the ethnicity of each pupil against their name, or do I just need generic data?)
 - Is there a legal requirement to keep this information or document for a set period? (Refer to Appendix I for more information)
 - Would the information be likely to be needed in the case of any legal proceedings? In particular, is it potentially relevant to an historic child abuse enquiry? (Is the information contentious, does it relate to an incident that could potentially give rise to proceedings?)
 - Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
 - Is the document of historic or statistical significance?

2.9. If the decision is made to keep the document, this should be referred to the DPL and reasons given.

3. Contact

3.1. If anyone has any concerns or questions in relation to this policy they should contact the DPL: Mrs Samantha Williams, Tel 020 8185 7770, Email: swilliams@thecedarsschool.org.uk.

4. Monitoring and review

- 4.1. The Head and DPL monitor the effectiveness of this policy on a regular basis, reporting appropriately to our governing body and, if necessary, making recommendations for any improvements to this policy.
- 4.2. The governors acknowledge their responsibility to ensure that this policy is effectively implemented and meets all current regulatory requirements.
- 4.3. This policy will be updated as necessary to reflect best practice, or amendments made to data protection legislation. It shall be reviewed at any time on request from our governors, or at least once every two years.

Signed: R Teague

This policy will be reviewed every 2 years	
Title	Records Retention
Version	I
Date Created	16 May 2018
Author	Robert Teague, Head
Approved by SMT	Yes
Approval/Review required by PACT or sub-committee	Yes
Latest Review (state whether changes were made)	N/A
Next Review Date	Summer 2020

This policy should be read in conjunction with the following related policies:

Data Protection.

DOCUMENT RETENTION PERIODS

DOCUMENT CATEGORY AND TYPE	LEGISLATION / REASONS FOR RETENTION	RETENTION PERIOD	STORAGE LOCATION
Corporate/Constitutional			
Company Articles of Association, Rules/bylaws, School funding agreements and any supplement agreements	Companies Act 2006, Charities Act 2011	Permanent	PACT
Trustee/director minutes of meetings and written resolutions	Companies Act 2006, Charities Act 2011	10 years	PACT
Documents of clear historical/archival significance	DPA 2018	TBC	PACT
Contracts e.g. with suppliers or grant makers	Limitation Act 1980	Length of contract term plus 6 years	PACT
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years	PACT
Insurance			
Employer's Liability Insurance	Employers' Liability	40 years	PACT
Policies & claims correspondence	Commercial	3 years after lapse/settlement	PACT
Health & Safety			
General records	Limitation Act 1970	3 years	Schools
Records re work with hazardous substances	COSHH 2002	40 years	PACT
Accident books/records and reports	RIDDOR 1995	3 years after last entry or end of investigation	Schools
Premises/Property			
Original title deeds	Prove ownership	Permanent/to disposal of property	PACT
Leases	Limitation Act 1980	12 years after lease has expired	PACT
Building records, plans, consents and certification, warranties etc.	Limitations Act 1980	6 years after disposal or permanent if of historical/archival interest. Carry out review re longer retention e.g. if possible actions against contractors	PACT
Pension Records			

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Records about employees and workers, the scheme, opting in/out, policies including investment policies etc.	Detailed Guidance for Employers: April 2017 and www.pensionsregulator.gov.uk	Various, recommended minimum usually 6 years from end of employment	PACT
Tax and Finance			
Annual accounts and review	Companies Act 2006, Charities Act 2011	Minimum 6 years but recommended permanent	PACT
Tax, accounting records, information relevant for VAT purposes	Finance Act 1998, Taxes Management Act 1970, HMRC Notice 700/21	6 years from end of relevant tax year	PACT
Banking records/receipts, book/sales ledger	Companies Act 2006, Charities Act 2011	6 years from transaction	PACT
Employees/Administration			
Payroll/Employee/Income Tax and NI records: P45; P6; P11D; P60 etc.	Taxes Management Act 1970/IT (PAYE) Regulations	6 years from end of current year	PACT
Maternity & sick pay, national minimum wage	Statutory Maternity & Sick Pay Regulations, National Minimum Wage Act	3 years after the end of the tax year	PACT
HR files and training records	Limitation Act 1970 and Data Protection regulation	6 years from end of employment	Schools
Job applications (CVs and related materials re unsuccessful applicants)	ICO Employment Practices Code	12 months from notification of outcome of application	Schools
Disclosure & Barring Service checks	Single Central Record Requirements under ISSRs	SCR contains DBS number, issue date & if unsatisfactory result. DBS can be kept in secure location for 6 months from end of employment	Schools
Volunteer records & vetting	ISSRs	Undertake assessment to decide on retention period taking account of risk (eg. safeguarding re work with children), recommend at least 6 months from end of volunteer work	Schools
Pupils			
Educational Record	Data protection regulation and refer to https://ico.org.uk/for-the-public/schools/pupils-info/	25 years from date of birth if this is the final school of the child (PACT secondary schools). However for the PACT prep schools the pupil file will be sent to their new school, therefore only	Schools

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		electronic copies of reports kept for up to 1 year after leaving	
Child Protection information (on a pupil's file)	KCSIE Sept 2016, WTSC Feb 2017	RETAIN UNTIL FURTHER RECOMMENDATIONS See www.iicsa.org.uk/sites/default/files/retention-instructions-and-data-protection-requirements.pdf	Schools
Child Protection information (in other files)	KCSIE Sept 2016, WTSC Feb 2017	RETAIN UNTIL FURTHER RECOMMENDATIONS See www.iicsa.org.uk/sites/default/files/retention-instructions-and-data-protection-requirements.pdf	Schools
SEN files, including EHCPs (and Statements of Special Educational Needs which are now historic)	Limitation Act 1980, SEND 2014, Children and families Act 2014	25 years from date of birth of the pupil	Schools
Attendance registers	Pupil Registration Regulations 2006	Paper registers - 3 years from when the register entry was made Computerised registers – retain until 3 years after the end of the school year during which the entry was made. This applies to every back up copy.	Schools
Other items e.g. curriculum related, photographs or other images, video/DVD recordings	Case by case basis	For archive and marketing purposes, photographs, video and DVD recordings may potentially be retained for many years (e.g. newsletters, prospectus, server etc). Where photographs are used later for marketing purposes (e.g. as part of a large campaign) consideration will be given as to whether consent is required	Schools
Parents			
Names and contact details	Pupil Registration Regulations 2006	Usually for the duration that the parent has a pupil at the school plus up to 6 months afterwards until phone system has been updated and pupil printouts removed. Otherwise subject to case by case justification	Schools

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Photographs or other images (for example at school events - Sports Day, Art Exhibition etc).	Case by case basis	For archive and marketing purposes, photographs or other images may potentially be retained for many years (e.g. newsletters, prospectus, server etc).	Schools
Alumni/Alumnae/Past Pupils and their Parents			
Names and contact details	TBC	No legal clarity at present, seek further advice when DPA 2018 is finalised	TBC
Other school related information			
Various	Various	Refer to the DPL. Consult the IRMS toolkit: http://irms.org.uk/page/SchoolsToolkit	TBC