



## **RECORDS RETENTION POLICY**

### **1. INTRODUCTION**

- 1.1. The aim of this policy is to enable The King's (The Cathedral) School to manage its records effectively and in compliance with data protection and other regulations. 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.
- 1.2. The King's (The Cathedral) School is 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.
- 1.3. The table below sets out the main categories of information that we hold, the length of time that we intend to hold them, and the reason for this.
- 1.4. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table in Section 2.
- 1.5. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. For electronic records the Information and Communications Manager shall be responsible for ensuring that that this is carried out appropriately, and any questions referring this type of destruction should be referred to them. For paper records and documents the Premises Manager shall be responsible for ensuring that this is carried out appropriately, and any questions regarding destruction 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 Deputy Headteacher (Pastoral), 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.
- 1.7. The Deputy Headteacher (Pastoral) has overall responsibility for this policy.



## 2. DOCUMENT RETENTION PERIOD

<b>DOCUMENT TYPE</b>	<b>LEGISLATION / REASONS FOR RETENTION</b>	<b>REQUIREMENT</b>
<b>COMPANY RECORDS</b>		
Company Articles of Association, Rules/bylaws	Companies Act 2006 Charities Act 2011	Permanent
Academy funding agreement and any supplemental agreements	Charities Act 2011	Permanent
Trustee/director minutes of meetings and supporting material / written resolutions	Companies Act 2006 Charities Act 2011	12 years
Members' meetings etc. Minutes/resolutions	Companies Act 2006 Charities Act 2011	12 years
Documents of clear historical/ archival significance	Data Protection regulation	Permanent
Contracts e.g. with suppliers or grant makers	Limitation Act 1980	Length of contract term plus 6 years
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years
IP records and legal files re provision of service	Limitation Act 1980	Life of service provision
<b>TAX AND FINANCE</b>		
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006 Charities Act 2011	Permanent
Tax and accounting records	Finance Act 1998 Taxes Management Act 1970	6 years from end of relevant tax year
Information relevant for VAT purposes	Finance Act 1998 and	6 years from end of relevant period



	HMRC Notice 700/21	
Banking records/receipts book/sales ledger	Companies Act 2006 Charities Act 2011	6 years from transaction
<b>EMPLOYEE ADMINISTRATION</b>		
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
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year
Sick pay	Statutory Sick Pay (General) Regulations	3 years after the end of the tax year
National Minimum wage records	National Minimum Wage Act	3 years after the end of the tax year
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007	3 years from end of employment
HR files and training records	Limitation Act 1970 and Data Protection regulation	3 years from end of employment
Records re working time	Working Time Regulations 1998 as amended	2 years
Unsuccessful applicants - Job applications (CVs and related materials)	ICO Employment Practices Code (Recruitment & Selection) Equality Act 2010	6-12 months from your notification of outcome of application
Pre-employment / volunteer vetting	ICO Employment Practice Code	6 months
Disclosure & Barring Service checks	Single Central Record Requirements under Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014;	Record only satisfactory / unsatisfactory result and delete other information. If copy is kept, not to be retained beyond 6 months See further DfE statutory Guidance ' Working Together to safeguard children' <a href="https://www.gov.uk/government/publications/working-">https://www.gov.uk/government/publications/working-</a>



		<a href="#">together-to-safeguard-children--2</a>
Volunteer records		Treated in same manner as employment records
<b>INSURANCE</b>		
Employer's Liability Insurance	Employers' Liability (Compulsory Insurance Regulation) 1998	40 years
Policies	Commercial	3 years after lapse
Claims correspondence	Commercial	3 years after settlement
<b>HEALTH &amp; SAFETY / MEDICAL</b>		
General records	Limitation Act 1970	3 years
Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Permanent
Accident books / records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation
Medical Scheme documentation	Commercial	Permanent unless personal data is included
<b>PREMISES / PROPERTY</b>		
Original title deeds		Permanent / to disposal of property
Leases	Limitation Act 1980	12 years after lease has expired
Building records, plans, consents and certification and warranties etc	Limitations Act 1980	6 years after disposal or permanent if of historical / archival interest.
<b>PENSION RECORDS</b>	For all categories see:	
Records about employees and workers		40 years



Records re the Scheme		40 years
Records re active members and opt in / opt out	Detailed Guidance for Employers: (April 2017) pensions regulator.gov.uk	40 years
<b>STUDENTS</b>		
<b>Educational Record</b>	Pupil information Regulations 2005 (maintained schools only) Same approach applied in academy context.  Data Protection regulation	25 years from date of birth if this is the final school of the child but the pupil file should follow the student so it is likely to be difficult to justify the need for retention once the file has been passed to the student's new school
<b>Child Protection information (on child's file)</b>	"Keeping children safe in education. Statutory guidance for schools and colleges September 2016";  "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017"	RETAIN UNTIL FURTHER RECOMMENDATIONS  Subject to moratorium on destruction due to historic child abuse enquiry. See <a href="https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements">https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements</a>
<b>Child Protection Information in other files</b>	"Keeping children safe in education Statutory guidance for schools and colleges September 2016";  "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017"	RETAIN UNTIL FURTHER NOTICE  Subject to moratorium on destruction due to historic child abuse enquiry. See <a href="https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements">https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements</a>
<b>Special Educational needs</b>		
<b>SEN files</b>	Limitation Act 1980	7 years from date leaving. Longer in agreement with the Deputy Headteacher (Pastoral). Should student mover to



		another School, their record moves with them.
<b>Education Health and Care Plans</b>	Special Educational Needs and Disability Regulations 2014 Children and families Act 2014, part 3	7 years from date of leaving.
<b>Statements of Special Educational Needs (now historic)</b>	Originally under Special Educational Needs and Disability Regulations 2001	7 years from date of leaving unless passed to new school (usually on the student's file)
<b>Attendance registers</b>	Pupil Registration Regulations 2006 Regulation 14	3 years from when the register entry was made if made in paper registers  For computerised registers - 3 years after the end of the school year during which the entry was made- including back-up copies.
<b>Other items e.g. curriculum related, photographs, video recordings</b>	Case by case basis	The Deputy Headteacher (Pastoral) will determine and document appropriate timescale.
<b>PARENTS AND CARERS (Legal Guardians)</b>	Pupil Registration Regulations 2006  For basic name and contact details.  Otherwise usually operational in accordance with the statutory functions of the school	For the duration that the parent has a student at the school.
<b>ALUMNI / ALUMNAE AND THEIR PARENTS</b>		No legal clarity at present  School has currently said 88 years
<b>OTHER SCHOOL RELATED INFORMATION</b>		Please consult the IRMS toolkit for schools which is here:  <a href="http://irms.org.uk/page/Schools Toolkit">http://irms.org.uk/page/Schools Toolkit</a>

\*legal term: 25 years from date of birth of the student.



### **3. DELETION OF DOCUMENTS**

- 3.1. When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

#### **Confidential waste**

- 3.2. This should be made available for collection in the confidential waste bins or sacks located around the office. Should you have a shredder in your office this should be used.
- 3.3. Anything that contains personal information should be treated as confidential.
- 3.4. Where deleting electronically, please refer to the Information and Communications Manager to ensure that this is carried out effectively.

#### **Other documentation**

- 3.5. Other documentation can be deleted or placed in recycling bins where appropriate.

#### **Automatic deletion**

- 3.6. Certain information will 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 Information and Communications Manager.



### **Individual responsibility**

- 3.7. 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:
  - 3.7.1. Has the information come to the end of its useful life?
  - 3.7.2. Is there a legal requirement to keep this information or document for a set period?
  - 3.7.3. 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?)
  - 3.7.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
  - 3.7.5. Is the document of historic or statistical significance?
- 3.8. If the decision is made to keep the document, this should be referred to the Deputy Headteacher (Pastoral) and reasons given.

### **4. Review**

This policy will be reviewed every 2 years.