



Data Retention Policy

This policy is effective in all academies within the Learning without Limits Academy Trust

Associated Policies: GDPR Privacy Notice for Pupils and Parents
GDPR Privacy Notice for Staff
GDPR (2018) and of Protection of Personal Data (DSG)
Judicium

1. Aims of this policy

- 1.1. Each Academy within the Trust has a responsibility to maintain its records and record keeping systems. When doing this, the Academy will take account of the following factors:
- x The most efficient and effective way of storing records and information
 - x The confidential nature of the records and information stored
 - x The security of the record systems used
 - x Privacy and disclosure
 - x Accessibility of records and record keeping systems
- 1.2. This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the Academy

- 5.1. This policy complies with the UK General Data Protection Regulation (UK GDPR) and the Freedom of Information Act 2000.
- 5.2. This policy complies with our funding agreement and articles of association.

6. Retention Schedule

- 6.1. Information (hard copy and electronic) will be retained for at least the period specified in

example, the personnel file of the accused) should be retained until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. Guidance from the Independent Inquiry Child Sexual Abuse states that prolonged retention of personal data at the request of an Inquiry would not contravene data protection regulation provided the information is restricted to that necessary to fulfil potential legal duties that a Academy may have in relation to an Inquiry.

- 8.4. Whilst the Independent Inquiry into Child Sexual Abuse is ongoing, it is an offence to destroy any records relating to it. At the conclusion of the Inquiry, it is likely that an indication regarding the appropriate retention periods of the records will be made.

9. Archiving

- 9.1. Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. A database of the records sent to the archives is maintained by the Academy Operations Manager. The appropriate staff member, when archiving documents should record in this list the following information:

- x File reference (or other unique identifier)
- x File title/description
- x Number of files
- x Name of the authorising officer

10. Transferring Information to Other Media

- 10.1. Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as digital media or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

11. Transferring Information to Another School/Academy

- 11.1. We retain the Pupil's educational record whilst the child remains at the Academy. Once a pupil leaves the Academy, the file should be sent to their next school/Academy. The responsibility for retention then shifts onto the next school/Academy. We retain the file for a year following transfer in case any issues arise as a result of the transfer.
- 11.2. We may delay destruction for a further period where there are special factors such as potential litigation.

12. Emails

- 12.1. Emails accounts are not a case management tool in itself. Generally, emails may need to fall under different retention periods (for example, an email regarding a health and safety report will be subject to a different time frame to an email which forms part of a pupil record). It is important to note that the retention period will depend on the content of the email and it is important that staff file those emails in the relevant areas to avoid the data becoming lost.

13. Pupil Records

- 13.1. All school and Academies, with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. Early Years have their own separate record keeping requirements. If a child changes Academy, the responsibility for maintaining the pupil record moves to the next

Working Time Regulations: <input checked="" type="checkbox"/> Opt out forms <input checked="" type="checkbox"/> Records of compliance with WTR	<input checked="" type="checkbox"/> Two years from the date on which they were entered into <input checked="" type="checkbox"/> Two years after the relevant period
Disciplinary records	6 years after employment ceases
Training	6 years after employment ceases or length of time required by the professional body

Staff training where it relates to safeguarding

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Insurance	Current year plus 6 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Overtime	Current year plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Annual accounts	Current year plus 6 years
Loans and grants managed by the Academy	Date of last payment on the loan plus 12 years
All records relating to the creation and management of budgets	Life of the budget plus 3 years

Invoices, receipts, order books and requisitions, delivery notices

Health and Safety Records	
Health and Safety consultations	Permanently
Health and Safety Risk Assessments	Life of the risk assessment plus 3 years
Health and Safety Policy Statements	Life of policy plus 3 years
Any records relating to any reportable death, injury, disease or dangerous occurrence	Date of incident plus 3 years provided that all records relating to the incident are held on personnel file
Accident reporting records relating to individuals who are under 18 years of age at the time of the incident	Until the child reaches the age of 25.
Accident reporting records relating to individuals who are over 18 years of age at the time of the incident	Accident book should be retained 3 years after last entry in the book. (Social Security (Claims and Payments) Regulations 1979; Social Security Administration Act 1992; Limitation Act 1980)
Fire precaution log books	Current year plus 3 years
Medical records and details of: - <ul style="list-style-type: none"> x control of lead at work x employees exposed to asbestos dust x records specified by the Control of Substances Hazardous to Health Regulations (COSHH) 	40 years from the date of the last entry made in the record (Control of Substances Hazardous to Health Regulations (COSHH); Control of Asbestos at Work Regulations)
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made
Temporary and Casual Workers	
Records relating to hours worked and payments made to workers	3 years
Governing Body Documents	
Instruments of government	For the life of the Academy
Meetings schedule	Current year
Minutes – principle set (signed)	Generally kept for the life of the organisation
Agendas – principle copy	Where possible the agenda should be stored with the principle set of the minutes

Agendas – additional copies	Date of meeting
Policy documents created and administered by the Trust Board	Until replaced
Register of attendance at full governing board meetings and trustee meetings	Date of last meeting in the book plus 6 years
Annual reports required by the Department of Education	Date of report plus 10 years

Records relating to complaints made to and investigated by the Trust Board, the local governing body or Principal

Major complaints: current year plus 6 years.
If negligence involved: current year plus 15 years.
If child protection or safeguarding issues are involved then: current year plus 40 years.

Correspondence relating to any absence (authorised or unauthorised)	Current academic year plus 2 years (Education Act 1996)
Special Educational Needs files, reviews and Education, Health and Care Plan, including advice and information provided to parents regarding educational needs and accessibility strategy	Date of birth of the pupil plus 31 years (Education, Health and Care Plan is valid until the individual reaches the age of 25 years – the retention period adds an additional 6 years from the end of the plan). (Children and Family's Act 2014; Special Educational Needs and Disability Act 2001)
Child protection information (to be held in a separate file).	DOB of the child plus 25 years then review Note: These records will be subject to any instruction given by IICSA
Exam results (pupil copy)	1-3 years from the date the results are released
Examination results (Academy's copy)	Current year plus 6 years
Allegations of sexual abuse	For the time period of an inquiry by the Independent Inquiry into Child Sexual Abuse
Records relating to any allegation of a child protection nature against a member of staff	Until the accused normal retirement age or 10 years from the date of the allegation (whichever is the longer)
Consents relating to Academy activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings)	Consent will last whilst the pupil attends the Academy.

Pupil's work

Where possible, returned to pupil at the end of the academic year (provided the Academy has their own internal procedure

Parental consent forms for Academy trips where there has been no major incident	End of the trip or end of the academic year (subject to a risk assessment carried out by the Academy)
Parental permission slips for Academy trips where there has been a major incident	Date of birth of the pupil involved in the incident plus 25 years. Permission slips for all the pupils on the trip should be retained to demonstrate the rules had been followed for all pupils
Other Records	
Emails	Up to 5 years
CCTV	One calendar month
Privacy notices	Until replaced plus 6 years
Inventories of furniture and equipment	Current year plus 6 years