

Reigate Grammar School Group

Data Retention Policy

Including Early Years Foundation

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Introduction

In relation to the General Data Protection Regulations, Reigate Grammar School Group is required to have a clear Retention of Records Policy. Reference to this Policy is included in the schools Privacy Notice. This Policy is available via the Groups websites and on request to the school.

This Policy has been created from the template prepared by Farrer & Co LLP on behalf of the Independent Schools Bursars Association (ISBA).

Legal considerations in respect of retention of records and documents which have been considered whilst preparing this guidance include:

- disclosure requirements for potential future litigation.
- contractual obligations.
- the law of confidentiality and privacy.
- GDPR.

Type of Record/Document	Retention Period
School-Specific Records • Registration documents of School • Attendance Register • Minutes of Governors' meetings • Annual curriculum	Permanent (or until closure of the school) 6 years from last date of entry, then archive. Minimum - 10 Years From end of year: 3 years (or 1 year for other class records: e.g. marks/timetables/assignments)
Individual Pupil Records • Admissions: application forms, assessments, records of decisions • Examination results (external or internal) • Pupil file including: ○ Pupil reports ○ Pupil Performance records ○ Pupil medical records • Special educational needs records (<i>to be risk assessed individually</i>)	25 years from date of birth (or, if pupil not admitted, up to 7 years from that decision). 7 years from pupil leaving school ALL: 25 years from date of birth (subject to where relevant to safeguarding considerations: any material which may be relevant to potential claims should be kept for the lifetime of the pupil). Date of birth plus up to 35 years (allowing for special extensions to statutory limitation period)
Safeguarding • Policies and procedures • DBS disclosure certificates (if held) • Accident/Incident reporting • Child Protection files	Keep a permanent record of historic policies <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 Keep on record for as long as any living victim may bring a claim (NB civil claim limitation periods can be set aside in cases of abuse). Ideally, files to be reviewed from time to time if resources allow and a suitably qualified person is available. If a referral has been made/social care have been involved or child has been subject of a multi-agency plan – indefinitely If low level concerns, with no multi-agency act – apply applicable school low-level concerns policy rationale (this may be 25 years from date of birth OR indefinitely).

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Corporate Records (Where Applicable)	
• Certificates of Incorporation	Permanent (or until dissolution of the company)
• Minutes, Notes and Resolutions of Boards or Management Meetings	Minimum – 10 years
• Shareholder resolutions	Minimum – 10 years
• Register of Members/Shareholders	Permanent (minimum 10 years for ex-members/shareholders)
• Annual reports	Minimum – 6 years
Accounting Records	
• Accounting records	Minimum – 3 years for private UK companies (except where still necessary for tax returns) Minimum – 6 years for UK charities (and public companies) from the end of the financial year in which the transaction took place Internationally: can be up to 20 years depending on local legal/accountancy requirements
• Tax returns	Minimum – 6 years
• VAT returns	Minimum – 6 years
• Budget and internal financial reports	Minimum – 3 years
Contracts and Agreements	
• Signed or final/concluded agreements (<i>plus any signed or final/concluded variations or amendments</i>)	Minimum – 7 years from completion of contractual obligations or term of agreement, whichever is the later
• Deeds (or contracts under seal)	Minimum – 13 years from completion of contractual obligation or term of agreement
Intellectual Property Records	
• Formal documents of title (trademark or registered design certificates; patent or utility model certificates)	Permanent (in the case of any right which can be permanently extended, e.g. trademarks); otherwise, expiry of right plus minimum of 7 years.
• Assignments of intellectual property to or from the school	As above in relation to contracts (7 years) or, where applicable, deeds (13 years).
• IP/IT agreements (including software licences and ancillary agreements e.g. maintenance; storage; development; coexistence agreements; consents)	Minimum – 7 years from completion of contractual obligation concerned or term of agreement
Employee/Personnel Records	
• Single Central Record of employees	Keep a permanent record of all mandatory checks that have been undertaken (but <u>not</u> DBS certificate itself: 6 months as above)
• Contracts of employment	7 years from effective date of end of contract
• Employee appraisals or reviews	Duration of employment plus minimum of 7 years
• Staff personnel file	As above, but do not delete any information which may be relevant to historic safeguarding claims.
• Payroll, salary, maternity pay records	Minimum – 6 years
• Pension or other benefit schedule records	Possibly permanent, depending on nature of scheme
• Job application and interview/rejection records (unsuccessful applicants)	Minimum 3 months but no more than 1 year
• Immigration records	Minimum – 4 years
• Health records relating to employees	7 years from end of contract of employment

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Insurance Records	
Insurance policies (will vary whether private, public or professional indemnity)	Duration of policy (or as required by policy) plus a period for any run-off arrangement and coverage of insured risks: ideally, until it is possible to calculate that no living person could make a claim.
Correspondence related to claims/renewals/ notification re: insurance	Minimum – 7 years
Environmental, Health & Data	
Maintenance logs	10 years from date of last entry
Accidents to children	25 years from birth (longer for safeguarding)
Accident at work records (staff)	Minimum – 4 years from date of accident, but review case-by-case where possible
Staff use of hazardous substances	Minimum – 7 years from end of date of use
Risk assessments (carried out in respect of above)	7 Years from completion of relevant project, incident, event or activity
Data protection records documenting processing activity, data breaches	No limit as long as up-to-date and relevant (as long as no personal data held)
Foundation Records	
Foundation records are kept permanently. However, appropriate cleansing of data takes place regularly	