



SARACENS MULTI-ACADEMY TRUST

DATA RETENTION POLICY

Responsibility of (<i>see policy tracking sheet</i>):	Trust Board
Approved by:	Trust Board
Date Approved (<i>by above</i>):	September 2024
Next Review due by:	September 2027

Contents

- 1. Data Retention Policy 2
- 2. Data Protection 2
- 3. Retention Schedule 2
- 4. Retention of Safeguarding Records 2
- 5. Archiving 3
- 6. Review and Monitoring Arrangements 3
- 7. Links with Other Policies 3
- Appendix 1 4

1. Data Retention Policy

The Trust has a responsibility to maintain its records and record keeping systems. When doing this, the Trust will take account of the following factors:

- The most efficient and effective way of storing records and information
- The confidential nature of the records and information stored
- The security of the record systems used
- Privacy and disclosure; and
- Accessibility of records and record keeping systems.

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 Trust's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the Trust from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. Trustees and Governors may also vary any parts of this procedure, including any time limits, as appropriate in any case.

2. Data Protection

This policy sets out how long employment-related and pupil data will normally be held by the Trust and when that information will be confidentially destroyed in compliance with the terms of the UK General Data Protection Regulation (UK GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of the Trust and its schools.

The Trust's Data Protection Policy outlines its duties and obligations under the UK GDPR.

3. Retention Schedule

Information (hard copy and electronic) will be retained for at least the period specified in the attached Retention Schedule (see Appendix 1). When managing records, the Trust will adhere to the standard retention times listed within that schedule.

The Retention Schedule refers to all records regardless of the media (e.g. paper, electronic, microfilm, photographic etc.) in/on which they are stored. All records will be regularly monitored by the Trust's staff.

3.1 Destruction of records

The Retention Schedule is a relatively lengthy document listing the many types of records used by the Trust and the applicable retention periods for each record type. The retention periods are based on business needs, safeguarding and legal requirements.

Where records have been identified for destruction, they should be disposed of in an appropriate way. Care is taken to try to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted.

4. Retention of Safeguarding Records

Any allegations made that are found to be malicious must not be part of the staff personnel records. For any other allegations made, the Trust must keep a comprehensive summary of the allegation made, details of how the investigation was looked into and resolved and any decisions reached. This should be kept on the personnel files of the accused.

Any allegations made of sexual abuse should be preserved by the Trust for the term of an inquiry by

the Independent Inquiry into Child Sexual Abuse. All other records (for 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 into 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 Trust may have in relation to an Inquiry.

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.

5. Archiving

Where hard copy records have been identified as being worthy of preservation over the longer term, arrangements may need to be made to transfer the records to the archives. A list of the records sent to the archives would be maintained by the Deputy Data Protection Officer (DDPO).

5.1 Transferring Information to Other Media

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.

5.2 Responsibility and Monitoring

The DDPO has primary and day-to-day responsibility for implementing this policy. The Data Protection Officer (DPO), in conjunction with the Trust is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The DPO will consider the suitability and adequacy of this policy and report proposed improvements directly to management.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy.

5.3 Emails

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.

5.4 Pupil Records

All schools with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. If a child changes schools, the responsibility for maintaining the pupil record moves to the next school. We retain the child's information on our Management Information System, Arbor until the child reaches the age of 25.

6. Review and Monitoring Arrangements

The DPO working with the DDPO is responsible for monitoring and reviewing this policy. Changes are approved by the Trust Board.

7. Links with Other Policies

This Data Retention Policy is linked to the:

- Child Protection and Safeguarding Policy
- Data Protection Policy
- Data Security Policy
- Freedom of Information Policy & Publication Scheme.

8. Appendix 1

Retention Schedule

File Description	Retention Period
Employment Records	
Job applications and interview records of unsuccessful candidates.	Six months after notifying unsuccessful candidates, unless the Trust has applicants' consent to keep their applications for future reference.
Job applications and interview records of successful candidates.	6 years after employment ceases.
Written particulars of employment, contracts of employment and changes to terms and conditions.	6 years after employment ceases.
Right to work documentation including identification documents.	6 years after employment ceases.
Immigration checks.	Two years after the termination of employment.
DBS checks and disclosures of criminal records forms.	In accordance with Handling DBS Disclosure Information Policy.
Change of personal details notifications.	No longer than 6 months after receiving this notification.
Emergency contact details.	6 years after employment ceases.
Personnel records.	While employment continues and up to six years after employment ceases (Limitation Act 1980).
Annual leave records.	Six years after the end of tax year they relate to or possibly longer if leave can be carried over from year to year.
Consents for the processing of personal and sensitive data.	For as long as the data is being processed and up to 6 years afterwards.
Working Time Regulations: <ul style="list-style-type: none"> • Opt out forms • Records of compliance with WTR. 	<ul style="list-style-type: none"> • Two years from the date on which they were entered into • 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 or other child related training.	Date of the training plus 40 years (This retention period reflects that the IICSA may wish to see training records as part of an investigation).
Annual appraisal/assessment records.	6 years after employment ceases.
Professional Development Plans.	6 years after employment ceases.

Allegations of a child protection nature against a member of staff including where the allegation is founded.	10 years from the date of the allegation or the person's normal retirement age (whichever is longer). This should be kept under review. Malicious allegations should be removed from personnel files.
---	--

Financial and Payroll Records	
Pension records.	12 years.
Retirement benefits schemes – notifiable events (for example, relating to incapacity).	6 years from the end of the scheme year in which the event took place.
Payroll and wage records.	6 years after end of tax year they relate to (Taxes Management Act 1970; Income and Corporation Taxes 1988).
Maternity/Adoption/Paternity Leave records.	6 years after employment ceases.
Statutory Sick Pay.	6 years after employment ceases.
Current bank details.	6 years after employment ceases.
Bonus Sheets.	6 years after employment ceases.
Time sheets.	6 years after employment ceases.
National Insurance (schedule of payments).	Current year plus 6 years (Taxes Management Act 1970; Income and Corporation Taxes 1988).
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 Trust.	Date of last payment on the loan plus 6 years.
All records relating to the creation and management of budgets.	Current financial year plus 6 years.
Invoices, receipts, order books and requisitions, delivery notices.	Current financial year plus 6 years.
Grant applications.	Current financial year plus 6 years.
Pupil Premium Fund records.	Date pupil leaves the Trust plus 6 years.
Trust fund documentation (including but not limited to invoices, cheque books, receipts, bank statements etc.).	Current year plus 6 years.
Free School meals registers (where the register is used as a basis for funding).	Current year plus 6 years.

Agreements and Administration Paperwork

Collective workforce agreements and past agreements that could affect present employees.	Permanently.
Trade union agreements.	10 years after ceasing to be effective.
Trust Development Plans.	3 years from the life of the plan.
Visitors Log.	6 years.
Newsletters and circulars to staff, parents and pupils.	1 year (and the Trust may decide to archive one copy).
Minutes of Senior Leadership Team meetings.	Date of the meeting plus 3 years or as required
Reports created by the Principal or the Senior Leadership Team.	Date of the report plus a minimum of 3 years or as required.
Records relating to the creation and publication of the Trust prospectus.	Current academic year plus 3 years.

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.	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 plus 6 years.
Accident reporting records relating to individuals who are over 18 years of age at the time of the incident.	Accident book should be retained 6 years after last entry in the book. (Social Security (Claims and Payments) Regulations 1979; Social Security Administration Act 1992; Limitation Act 1980).
Fire safety log books.	Current year plus 3 years.
Medical records and details of: <ul style="list-style-type: none"> • control of lead at work. • employees exposed to asbestos dust 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).

Temporary and Casual Workers

Records relating to hours worked and payments made to workers.	3 years.
--	----------

Trust Board and its committees including Local Governing Body Documents

Governance documentation.	For the life of the Trust.
Minutes – principal set (signed).	Generally kept for the life of the organisation.
Agendas – principal copy.	Where possible the agenda should be stored with the principal set of the minutes.
Policy documents created and administered by the governing body.	For the life of the school.
Records relating to complaints made to and investigated by the 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.
Records relating to the terms of office of serving trustees and governors, including evidence of appointment.	Date appointment ceases plus 1 year.
Register of business interests.	Date appointment ceases plus 1 year.
Records relating to the training required and received by trustees and governors.	Date appointment ceases plus 1 year.
Records relating to the appointment of the governance professional and clerks.	Date on which governance professional or clerk appointment ceases plus 6 years.
Trustee and governor personnel files.	Date appointment ceases plus 6 years.

Pupil Records

Details of whether admission is successful/unsuccessful.	1 year from the date of admission/non-admission.
Proof of address supplied by parents as part of the attendance process.	Until the child reaches the age of 25 (Limitation Act 1980).
Admissions register.	Entries to be preserved for six years from date of entry.

Pupil Record.	Until the child reaches the age of 25 (Limitation Act 1980).
Attendance registers.	Until the child reaches the age of 25 (Limitation Act 1980).
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.
Examination results (Trust's copy).	Current year plus 6 years.
Allegations of sexual abuse.	On CPOMS indefinitely.
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 Trust activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings).	Consent will last whilst the pupil attends the Trust.
Pupil's work.	Where possible, returned to pupil at the end of the academic year (provided the Trust have their own internal policy to this effect). Otherwise, the work should be retained for the current year plus 1 year.
Photographs of pupils.	For the time the child is at the Trust and for a short while after. Please note select images may also be kept for longer (for example to illustrate history of the Trust).
Parental consent forms for Trust 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 Trust).
Parental permission slips for Trust 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.	2 years. Pupil related safeguarding matters should be moved to CPOMS.
CCTV.	Three calendar months.

Privacy notices.	Until replaced plus 6 years.
Inventories of furniture and equipment.	Current year plus 6 years.
All records relating to the maintenance of the Trust carried out by contractors or employees of the Trust.	Whilst the building belongs to the Trust.
Records relating to the letting of Trust premises.	Current financial year plus 6 years.
Records relating to the creation and management of Parent Teacher Associations and/or Alumni Associations.	Current year plus 6 years then review.
Referral forms.	While the referral is current.