

Beech Lodge

RECORDS AND INFORMATION RETENTION POLICY

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Last updated	November 2021
Update due	November 2024

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Information and Records Retention Policy

Introduction

As part of the data protection transparency requirements, the School is required to give Individuals certain information such as information about how their data is used by the School.

1. This policy sets out a structured approach to reviewing and destroying records in relation to Beech Lodge School (the School).
2. The retention period for each type of record is shown in the table below. In addition, data protection legislation makes it unlawful to keep the information when it is no longer needed for the purpose for which it is held. This requirement is uncertain and allows discretion and may vary according to the circumstances, but in practice it means that the School should promptly destroy the record once the retention period in the table below has been reached. Occasionally there may be special circumstances which mean that a record should be kept for longer (for example where there is a risk of litigation or a request from an outside body such as the Independent Inquiry into Child Sexual Abuse (IICSA see below) The School should refer to its insurance policies and further legal advice should be sought in these circumstances.
3. The retention periods stated in the table below are the minimum storage requirements, in practice the School carries out a data cleanse of its files every 12 months. Accordingly, a 3 year retention period means 3 years plus up to 12 months to allow the School to securely dispose of the information.
4. Information must be securely deleted. This applies to paper records, electronic information and biometric information.
5. This policy does not apply to records connected with commercial activities.
6. The School will discuss document retention with its insurers (who may specify longer retention periods). If there is any conflict, then any longer retention periods specified by the insurers should prevail.
7. If an email falls into one of the categories set out in the table then it should be filed centrally as soon as possible.
8. "Routine" emails which do not fall into any of the categories in the table may be kept in inboxes for up to six months and should then be deleted. An example of a routine email is an internal email advising staff that the weekly meeting is cancelled.
9. Independent Inquiry into Child Sexual Abuse (IICSA):
 - a. The IICSA has issued retention instructions to a range of institutions regarding records relating to the care of children. In light of this, we are advising schools to temporarily cease the routine destructions of those records which might be relevant to the Inquiry in case they are requested by the Inquiry or made subject to a disclosure order. This means that before destroying any document the School should consider if it contains information that may fall within the Inquiry's remit.
 - b. The range of documentation which might need to be kept is wide. It will include any information linked to alleged or established child sexual abuse, whether by staff volunteers or pupils with no limitation date. For example, a list of pupils who attended an overnight trip or admission registers which show which pupils were at the School at a given time. As such, documents should be kept for longer than the retention periods listed in the policy if they concern information which might be relevant to the inquiry. The School should therefore review the retention periods under each of the rows below in case they are relevant to IICSA.
 - c. Please note that the School should keep this under review so that it recommences document destruction at the appropriate time.

	Record	Retention Period	Action at the end of Retention Period	Retention Period required by Law?
1	Pupils			
1.1	Admissions register (however held)	Three years from the date of the last entry	Review for further retention in case of contentious dispute SHRED / DELETE or delete including back-ups and copies	Yes
1.2	Attendance registers (however held)	Three years from date of the last entry	Review for further retention in the case of contentious dispute SHRED / DELETE or delete including back-ups and copies	Yes
1.3	Child protection records	Dob of the pupil + 50 years	Review for further retention in the case of contentious dispute SHRED / DELETE Notes <ol style="list-style-type: none"> 1. Child protection information must be copied and sent under separate cover to the new school whilst the child is still under 18. The School should ensure secure transit and confirmation of receipt should be obtained 2. Where a child is removed from roll to be educated at home the file should be copied to the Local Authority (LA) 3. In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; institutional failures to protect children from sexual abuse or other exploitation. 50 years from date of birth of the pupil involved should be a sufficient period of retention but this should be kept under review. 	No
1.4	Medical records held by the School	DOB of the pupil + 24 years; or 6 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident whichever is longer.	Review for further retention in the case of contentious disputes SHRED / DELETE Note: The 24 year period is based on the fact that once the child turns 18 years old they have a certain amount of time (known as a limitation period) in which to bring claims against the School. The longest of these limitation periods is 6 years, albeit that some periods can be extended by courts.	No
1.5	Counselling records held by the school	DOB of the pupil + 24 years; or 6 years from the date of an incident which may become contentious if the pupils was 18 years old at	Review for further retention in the case of contentious disputes SHRED / DELETE	No

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		the date of the incident. Whichever is longer.		
2.	Pupil Files			
2.1	Pupil files (including public examination scripts, marks and results)	DOD of the pupil + 24 years; or 6 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident Whichever is the longer	Review for further retention in the case of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests SHRED / DELETE Notes 1. When reviewing pupil files, the School should have regard to other sections of this policy. 2. Any examination certificates left unclaimed should be returned to the appropriate Examination Board.	No
2.2	Internal examination scripts, marks & results	Scripts: Scripts from weekly or monthly tests: Keep until the end of the next term. Whichever is the longer. Scripts from termly or yearly tests: Keep until the end of the next academic year. Marks & results: If the purpose of the test is to progress the child (either internally or externally) then keep marks & results in accordance with the retention periods and guidance set out in row 2.1 above. If the purpose of the test is for general internal assessment of academic performance then keep marks & results for the same period as the scripts themselves.	Keep for longer in accordance with the retention periods and guidance set out in row 2.1 above if risk of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests.	No

2.3	Special Educational Needs files, reviews and Individual Educational Plans	DOB of the pupil +24 years; or Sig years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident. Whichever is longer.	Review for further retention in the case of contentious disputes SHRED / DELETE	No
2.4	Statement of Special Education Needs (SEN) and Education Health & Care (EHC) Plans	Statements of SEN (including appendices) and EHC Plans should never be retained once the pupil has left the School.	SHRED / DELETE unless legal action pending The Statement / Plan belongs to the LA which makes and maintains the Statement / Plan	Yes
2.3	Letters authorising absence	Three years from the date of the last entry on the attendance register	SHRED / DELETE	No
3.	Permissions			
3.1	Parental permission slips for trips – where there has been no major incident, accident, injury or near miss involving anyone on the trip.	Conclusion of the trip + 3 years	Review for further retention in the case of contentious disputes. SHRED / DELETE	No
3.2	Parental permission slips for trips – where there has been a major incident, accident, injury or near miss involving anyone on the trip.	Six years from the date of the incident if the pupil was 18 years old at the date of the incident. Whichever is the longer. The permission slips for all pupils on the trip may need to be retained to show that the rules have been followed for all pupils.	Review for further retention in the case of relevance to contentious disputes. SHRED / DELETE	No
4.	Admissions Department and bursarial records			
4.1	Admission and parent contract	Six years from date of leaving the school	Review for further retention in the case of contentious disputes. SHRED / DELETE	No

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	documents including registration form, letter of offer and acceptance form.			
4.2	Admissions documents relating to applicants who did not join the School.	One year from the date of rejection letter	SHRED / DELETE	No
4.3	Financial information in respect of fees	Six years from date of leaving the school	Review for further retention in the case of contentious disputes. SHRED / DELETE	No
5.	Employment			
5.1	Employment or personnel records including recruitment information, contracts of employment, changes to terms and condition, disciplinary matters, grievance procedures.	For at least 6 years after date of termination of employment. For at least 12 years after date of termination if any of the documents were signed as a deed.	If on a date no earlier than 6 years after the termination date there has been no recent contact from the relevant individual and no apparent breach of contract claim, dispose securely of documentation unless any child protection concerns. Records of anyone with child protection concerns. Records of anyone with child protection concerns (even if not proved) should be retained.	No
5.2	Single central record (SCR)	The SCR entry for each former member of staff is retained indefinitely on an archive SCR or within the personnel file	Review whether further retention is necessary. If so, these reasons must be documented. If not SHRED / DELETE	No
5.3	Records and documents relating to membership of and contributions to the Teacher's Pension Scheme	Indefinitely	Review whether further retention is necessary. Decisions in relation to the Teachers' Pension Scheme may have ramifications beyond six years, and may be queried at any time by members and the Teachers' Pension Scheme.	No
5.4	Employment references received and references	While employment continues and at least up to	Consider whether any recent reference requests for the relevant individual have been received.	No

	provided (where no safeguarding concerns have arisen or are known)	6 years after employment terminates.	If any concerns are / have been raised by social services or other agencies see 5.5 below. If none SHRED / DELETE	
5.5	Employment reference where an individual's employment ended for a safeguarding reason or where safeguarding was outstanding at the time of termination	At least for 10 years after the person has retired or until the individual reaches the age of 75, whichever is the later.	Consider whether any recent reference requests for the relevant individual or new concerns raised by social services or other agencies. If none, SHRED / DELETE	Yes
5.6	Working time opt-out forms	Two years from the date on which they were entered into	SHRED / DELETE	Yes
5.7	Records to show compliance with the Working Time Regulations	Two years after the relevant period	SHRED / DELETE	Yes
5.8	Payroll and wage records. These include records of: <ul style="list-style-type: none"> • Details on overtime • Bonuses • Expenses • Benefit in kind 	Six years from the financial year end in which payments are made.	SHRED / DELETE	Yes
5.9	PAYE Records	Three years in addition to the current year (however it may be sensible to keep them for 6 years as they may fall within the definition of payroll and wage records)	SHRED / DELETE	Yes

5.10	<p>Maternity / paternity records</p> <p>These include:</p> <ul style="list-style-type: none"> Records regarding maternity payments made save for those include payroll and wage records Maternity certificates showing the expected week of confinement. 	Three years after the end of the tax year in which the maternity pay period ends	SHRED / DELETE	Yes
5.11	Sickness records required for the purposes of Statutory Sick Pay (SSP)	During employment and for a period of three years after employment has ended and to be kept separate from absence records which merely demonstrate the dates absent and not the health issue.	SHRED / DELETE	Yes
5.12	Records in relation to hours worked and payments made to workers	For a period of 3 years beginning with the last day of the following month to which the records relate.	SHRED / DELETE	Yes
5.13	Consents for the processing of personal data and sensitive personal data (known as special category personal data under the GDPR)	For as long as the data is being processed and up to 6 years afterwards	SHRED / DELETE	Yes

5.14	Disclosure and Barring Service (DBS) checks and disclosures of criminal record forms	Dispose of securely after the recruitment process unless assessed as relevant to ongoing employment relationship. Once the conviction is spent, should be deleted unless it is an excluded profession.	Enter DBS certificate number, date, initials on Single Central Register SHRED / DELETE	Yes
5.15	Immigration Checks	Throughout employment and then retained for two years after the termination of employment.	SHRED / DELETE	Yes
5.16	Recruitment records of unsuccessful candidates	Six months after notifying unsuccessful candidates in order to demonstrate, if required, the fairness and transparency of the recruitment process.	SHRED / DELETE	No
5.17	Personnel and training records	Whilst employment continues and up to six years after employment ceases	SHRED / DELETE	No
5.18	Annual leave records	Six years or possibly longer if leave can be carried over from year to year	SHRED / DELETE	NO
5.19	Collective / workforce agreements	Permanently or 6 years after the agreement comes to an end.	SHRED / DELETE	No
5.20	Works Council minutes	Permanently	N/A	No
5.21	An Employee's bank details	Until last payment made	SHRED / DELETE	No
5.22	Travel and subsistence claims	Whilst employment continues and up to 6 years after employment ends	SHRED / DELETE	

5.23	Records of advances for season tickets and loans to employees	Whilst employment continues and up to 6 years after repayment or end of employment	SHRED / DELETE	No
5.24	Death Benefit Nomination and revocation forms	Whilst employment continues and up to 6 years after payment of benefit	SHRED / DELETE	No
6	Health and Safety Information – employees			
6.1	Reportable injuries, diseases and dangerous occurrences (RIDDOR) reports or own record	Three years from the date of record if disease – indefinitely (recommended)	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	Yes
6.2	First aid / Accident book entry	Three years from the date of injury or last record in the book If disease – indefinitely	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	Yes
6.3	Records of maintenance, examination and test control measures relating to substances hazardous to health under the Control of substances Hazardous to Health (COSHH) regime	Five years	Review for further retention in the case of enforcement action contentious disputes SHRED / DELETE	Yes
6.4	Examination / report of defect for power presses	Two years	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	Yes
6.5	Records of water monitoring, inspection, testing, checks and control	Five years from the date of the last entry	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	Yes

	measures for legionellosis			
7	Health and Safety Information – Pupils			
7.1	Accident reports including first aid / accident book	DOB of the pupil involved in the incident + 21 years; or Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident.	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	No
7.2	Reportable injuries, diseases and dangerous occurrences (RIDDOR) reports or own record	Minimum statutory retention period is at least 3 years but, we recommend that the record is kept for DOB of the pupil involved in the incident + 21 years or 3 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident.	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	Yes
7.3	Incident investigations and reports, risk, assessments and other relevant documents where there has been an accident or incident	DOB of the pupil involved in the incident + 21 years; or 3 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident.	Review for further retention in the case of enforcement action or civil claims for personal injury SHRED / DELETE	No
8.	Generic health and safety records			
8.1	Risk assessments, records of health and safety arrangements, copies of policies and procedures. General records of health and	Three years (in the absence of a specific accident, incident, dangerous occurrence or notifiable disease)	Review for further retention in the case of enforcement action or contentious disputes SHRED / DELETE	No

	safety auditing and monitoring including fire risk assessments, electrical testing, PAT testing and gas appliance testing. Training records and copies of instructions or information. Maintenance logs and / or records of plant and / or equipment plus safety manuals / notices / instructions. Records of emergency evacuations and fire drills, fire safety risk assessments and fire safety policy / fire arrangements			
8.2	Copies of documents including health and safety files, prepared pursuant to the Construction (Design and Management) Regulations 2015	Six years minimum from the date of completion of the project. Can be kept for longer if required for future reference in relation to the project itself, or other projects.	SHRED / DELETE	N/A
9.	Insurance			
9.1	Insurance certificates and schedules of cover.	Indefinitely	N/A	No
9.2	Correspondence with insurers related to	Three years generally. If the incident involved a pupil – DOB of the pupil	Review for further retention in the case of civil claims for disease or personal injury. SHRED / DELETE	No

	specific accidents or incidents	involved in the incident + 21 years; or Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident. Disease claims or where they have been allegations of abuse – indefinitely.		
10.	Investigations, reviews and inquiries			
10.2	Internal reports and investigations into accidents / incidents Copies of reports submitted to external agencies / regulators such as Independent Schools Inspectorate, Health and Safety Executive, Local Authority, Charity Commission etc External reports, reviews, investigations and inquiries for example inquests and public inquiries.	Where the investigation / inquiry / report has been necessitated as a result of a specific incident, retention will be for three years where there is a risk of enforcement action and / or criminal prosecution and / or a civil claim. Where this relates to a pupil then retain for DOB + 21 years); or 3 years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident. Whichever is longer	SHRED / DELETE	No
11.	Alumni records			
11.1	We recommend that alumni should be treated as employees for the purposes of health and safety records. Although	Six years after the last time the individual contacted the school. This is subject to any longer retention period set out above. For example, records relating to a	SHRED / DELETE	No

	this is not strictly necessary, (some of the health and safety requirements relating to employees do not apply to alumni), treating them the same can be considered good practice and may be more straightforward to implement in practice.	reportable disease should be kept indefinitely.		
12	Keeping information for longer			
12.1	Records which do not contain personal data, for example, old photographs of School buildings, title deeds etc	Can be kept indefinitely	N/A	No
12.2	Records relating to a number of pupils, or the School generally, such as old class photographs, lists of pupils attending the School in any given year, School prospectuses, newspaper cuttings etc.	Can be kept indefinitely provided the School is satisfied (1) there is a legitimate reason to do so, (2) keeping the record is necessary for that legitimate interest, and (3) the legitimate interest is not overridden by the interests, rights or freedoms of the individuals concerned. For example, the School may have a legitimate interest in building up a picture of the history of the School.	N/A	No

12.3	Records concerning specific pupils kept for a valid reason. For example, a poem written by an exceptionally gifted pupil.	Please note that this does not apply to more routine pupil records. Routine work produced by pupils should not be kept for longer than the retention period set out in section 2.1 above unless the School has a specific reason for keeping it and that decision can be justified on the basis of the legitimate interests test. For example, if the school wished to retain the essays written by pupils which were submitted to an essay competition about growing up in the 2010s. This will usually be permissible but further legal advice should be sought.	N/A	No
13.	CCTV, videos and photographs			
13.1	CCTV footage	14 days	<p>DELETE</p> <p>Review for further retention if the recording may be required for any reason such as in relation to an incident or accident involving any person.</p> <p>CCTV footage may also be needed in relation to parental complaints, disciplinary matters, pupil exclusions, bullying incidents or health and safety matters.</p> <p>If a subject access request has been made for the footage it must be retained.</p> <p>The School should consider the relevant limitation periods for claims being brought against the School and seek advice as necessary.</p>	No
13.2	Photographs of pupils for internal administration purposes e.g. to identify the pupil or	These photographs should be retained for as long as they are required for the purpose for which they were taken	<p>SHRED / DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes</p>	No

	photographs used on security passes			
13.3	Photographs or videos of pupils taken for marketing reasons e.g. photographs for use in the School prospectus or a video of pupils on the School's website	These photographs and videos should be retained for as long as they are required for the purpose for which they were taken. If the School would like to retain the images for historical reasons please see the comments at 12.3 above.	SHRED / DELETE Review for further retention in the case of relevance to contentious disputes.	No
13.4	Photographs or videos of pupils used as part of the curriculum e.g. a video of a drama lesson / performance part of an art project.	These photographs and videos should be retained for as long as they are required for the purpose for which they were taken. If the School would like to retain the images for historical reasons please see the comments at 12.3 above.	SHRED / DELETE Review for further retention in the case of relevance to contentious disputes.	No