

Moor House School and College

Data Retention & Archiving Policy



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This Policy Is to be read by:	All staff, students, trustees and governors handling data
Status:	Approved by FAC / Approved by FGB
Lead Manager:	Bursar
Responsible Committee:	Finance & HR Committee (with infringements reported to Trustees)
Next Review Date:	Summer term 2024

Summary

This policy has been written for all staff, students, Trustees and Governors at Moor House School & College (Moor House).

This policy should be read in conjunction with the CCTV Policy, E-Safety Policy, Acceptable Use of Technology and Networks Policy, and Data Protection Policy.

'Record' means any document or item of data which contains evidence or information relating to the school, its staff or pupils. Some of this material, but not all, will contain personal data of individuals as defined in the GDPR. Records may be paper or electronic.

Moor House has a responsibility to maintain its records and record keeping systems. When doing this, Moor House 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 Moor House's current practice, the requirements of current legislation and best practice and guidance. It may be amended by Moor House 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. Moor House School & College may also vary any parts of this procedure, including any time limits, as appropriate in any case.

Data Protection

This policy sets out how long employment-related and pupil data will normally be held by Moor House 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 Moor House. Moor House's Data Protection Policy outlines its duties and obligations under the UK GDPR.

Retention Schedule

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule (Appendix A). Except in the case of statutory obligations to destroy records, these periods are not intended to be prescriptive and specific circumstances may require staff to apply judgement to vary these periods. Not all records will contain personal data.

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 Bursar.

Destruction of Records

The schedule is a relatively lengthy document listing the many types of records used by Moor House and the applicable retention periods for each record type. The retention periods are based on operational needs and legal requirements.

Where records have been identified for destruction, they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

For confidential, sensitive or personal information to be considered securely disposed of, it must be in a condition where it cannot either be read or reconstructed. Skips and 'regular' waste disposal will not be considered secure.

Paper records must be shredded using a cross-cutting shredder; CDs/DVDs/diskettes should be cut into pieces. Hard-copy images, AV recordings and hard disks must be dismantled and destroyed.

Where third party disposal experts are used they should be supervised and retained under adequate contractual obligations to the school to process and dispose of the information.

Moor House School & College maintains a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list the following:

- File reference (or other unique identifier)
- File title/description
- Number of files
- Name of the authorising officer
- Date destroyed or deleted from system; and
- Person(s) who undertook destruction

Retention of Safeguarding Records

Any allegations made that are found to be malicious must not be part of the personnel records.

For any other allegations made, Moor House 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 Moor House School & College 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 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 school 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.

Archiving

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 Bursar. The appropriate staff member, when archiving documents should record in this list the following information:

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

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.

Responsibility and Monitoring

The Bursar has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with Moor House, is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The Data Protection Officer will consider the suitability and adequacy of this Policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it.

Emails

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.

Emails (whether they are retained electronically or printed out) are also 'records' and may be disclosable documents in any litigation, or represent personal data of the sender (or subject) for data protection/data privacy purposes. The format is secondary to the content and the purpose of keeping the document as a record.

Pupil Records

All schools with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. Early Years will have their own separate record keeping requirements. If a child changes schools, the responsibility for maintaining the pupil record moves to the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

Digital records

Digital records can be lost or misappropriated in huge quantities very quickly. Access to sensitive data – or any large quantity of data – should as a minimum be password-protected and held on a limited number of devices only, with passwords provided on a need-to-know basis and regularly changed. Where 'cloud storage' is used, appropriate security measures are required. Personal information kept in this way that is sensitive, or held in large quantities, must be digitally encrypted.

A digital document's original metadata may indicate the date of its creation, its author or the history of its changes: this information must be preserved.

Paper records

Paper records must be stored securely – especially if the materials contain legally or financially sensitive data, as well as data personal to individuals, in which case they should be locked in a secure cabinet.

Storage and Archiving of Records

Paper records may be damaged by damp or poor storage conditions. Moor House uses the Archive Room off the Gallery area of the Sports Hall to store archived documents. When archiving records, it is important to avoid storing papers with metals, rubber or plastic which might deteriorate or damage the paper.

To archive documentation, remove it from ring binders/lever arch files and place in an archiving bag(s) (available from Admin). Student documentation must be filed by student name - the label on the archiving bag(s) should contain the following information: name of student, date of birth and destruction date (E.g. Joe Bloggs - D.O.B: 12/12/2012 – DESTROY 2037). Once complete the archive bags can then be placed on the appropriate shelf according to their destruction year.

Any emails between staff should be shredded in departments, only correspondence which specifically details a pupil should be kept in their archiving bag.

Training

All staff will receive basic training in data management – issues such as security, recognising and handling sensitive personal data, safeguarding etc. Staff given specific responsibility for the management of records will have specific training and must ensure, as a minimum, the following:

- That records – whether electronic or hard copy – are stored securely as above, including if possible with encryption, so that access is available only to authorised persons and the records themselves are available when required and (where necessary) searchable
- That important records, and large or sensitive personal databases, are not taken home or – in respect of digital data – carried or kept on portable devices (whether CDs or data sticks, or mobiles and handheld electronic tablets) unless absolutely necessary, *in which case* it should be subject to a risk assessment and in line with the Acceptable Use of Technology and Networks Policy
- That questions of back-up or migration are likewise approached in line with Moor House policy (such as professional storage solutions or IT systems) and not individual *ad hoc* action
- That arrangements with external storage providers – whether physical or electronic (in any form, but most particularly ‘cloud-based’ storage) – are supported by robust contractual arrangements providing for security and access
- That reviews are conducted on a regular basis, in line with the guidance below, to ensure that all information being kept is still relevant and – in the case of personal data – necessary for the purposes for which it is held (and if so, that it is accurate and up-to-date); and
- That all destruction or permanent erasure of records, if undertaken by a third party, is carried out securely – with no risk of the re-use or disclosure, or re-construction, of any records or information contained in them.

Contacts

The Bursar has lead responsibility for Data Protection and Retention within Moor House. If you have any enquiries in relation to this policy please contact the Data and IT Manager or the Bursar.

With the assistance of the IT and Data Manager, the Bursar is responsible for the review of compliance with this policy to ensure deployment of training, protection, disposal and the reviews referred to above are conducted.

TABLE OF SUGGESTED RETENTION PERIODS

FILE DESCRIPTION	RETENTION PERIOD
<u>Employment Records</u> NB this will contain personal data	
Job applications and interview records of unsuccessful candidates	Six months after notifying unsuccessful candidates, unless Moor House School & College has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained
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
Single Central Record of employees	Keep a permanent record of all mandatory checks that have been undertaken (but not the DBS certificate itself – see below)
DBS checks and disclosures of criminal records forms	As soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, for no longer than 6 months.
Change of personal details notifications	No longer than 6 months after receiving this notification
Emergency contact details	Destroyed on termination
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 longer if leave has been 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 Opt-out forms	Two years from the date on which they were entered into
Records of compliance with WTR	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	Current year plus 6 years
Professional Development Plans	6 years from the life of the plan
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.
<u>Financial and Payroll Records</u>	
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	3 years after end of tax year they relate to
Statutory Sick Pay	3 years after the end of the tax year they relate to
Current bank details	Until updated plus 3 years
Bonus Sheets	Current year plus 3 years
Pupil Premium Fund records	Date pupil leaves the provision plus 6 years
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 Moor House School & College	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	Current financial year plus 6 years
Student Grant applications	Current year plus 3 years
Pupil Premium Fund records	Date pupil leaves Moor House School & College plus 6 years
Free school meals registers (where the register is used as a basis for funding)	Current year plus 6 years
<u>Agreements and Administration Paperwork</u>	
Collective workforce agreements and past agreements that could affect present employees	Permanently
School Development Plans	3 years from the life of the plan
Visitors Book and Signing In Sheets	6 years
Newsletters and circulars to staff, parents and pupils	1 year (and Moor House School & College may decide to archive one copy)
Minutes of Senior Management Team meetings	Date of the meeting plus 3 years or as required
Reports created by the Head Teacher or the Senior Management Team.	Date of the report plus a minimum of 3 years or as required
Records relating to the creation and publication of the Moor House School & College prospectus	Current academic year plus 3 years
Contracts and Agreements: <ul style="list-style-type: none"> • Signed or final/concluded agreements (plus and signed or final/concluded variations or amendments) • Deeds (or contracts under seal) • Building Project Documentation 	<ul style="list-style-type: none"> • Minimum of 7 years from completion of contractual obligations or term of agreement, whichever is the later • Minimum of 13 years from completion of contractual obligation or term of agreement • Should be retained for 10 years with plans retained for the life of the building
<u>Health and Safety Records</u>	
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 21
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: control of lead at work and 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)
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made
<u>Temporary and Casual Workers</u>	
Records relating to hours worked and payments made to workers	3 years
<u>Governing Body Documents</u>	
Instruments of government	For the life of Moor House
Meetings schedule	Current year
Minutes – principal set (signed)	A minimum of 6 years from the date of the meeting
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	Until replaced
Register of attendance at full governing board meetings	Date of last meeting in the academic year 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 governing body or head teacher	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 sent and received by the governing body or head teacher	General correspondence should be retained for current year plus 3 years
Records relating to the terms of office of serving governors, including evidence of appointment	Date appointment ceases plus 6 years
Register of business interests	Date appointment ceases plus 6 years
Records relating to the training required and received by governors	Date appointment ceases plus 6 years
Records relating to the appointment of a clerk to the governing body	Date on which clerk appointment ceases plus 6 years
Governor personnel files	Date appointment ceases plus 6 years
<u>Pupil Records</u> NB – this will generally be personal data	
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 admissions process	Current year plus 1 year
Admissions register	Entries to be preserved for three years from date of entry
Pupil Record	Until the child reaches the age of 25 (Limitation Act 1980)
Attendance Registers	3 years from the date of entry
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 (school'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 school activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings)	Consent will last whilst the pupil attends the school.
Pupil's work	Where possible, returned to pupil at the end of the academic year (provided Moor House School & College has its own internal policy to this effect). Otherwise, the work should be retained for the current year plus 1 year
Mark books	Current year plus 1 year
Schemes of work	Current year plus 1 year
Timetable	Current year plus 1 year
Class record books	Current year plus 1 year
Record of homework set	Current year plus 1 year
Photographs of pupils	For the time the child is at Moor House School & College and for a short while after. Please note select images may also be kept for longer (for example to illustrate history of Moor House School & College)
Parental consent forms for school 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 Moor House School & College)
Parental permission slips for school 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
<u>Other Records</u>	
Log Books – log books should be filed onto the correct shelf for their destruction date – please file all log books from each academic year into one box then place onto corresponding shelves	25 years from the start date
Diaries <ul style="list-style-type: none"> • Therapy diaries • Professional diaries • Medical diaries These should be filed at the end of each academic year into boxes, clearly labelled with the type of diary, start date and destroy date	<ul style="list-style-type: none"> • 25 years from the start date • 6 years from the start date • 25 years from the start date

Emails	Refer to the relevant record type that the e-mail relates to
CCTV	CCTV footage should not be held for longer than two calendar months, unless it is being held as evidence of an incident being investigated, in which case it will be held until the investigation is completed.
Privacy notices	Until replaced plus 6 years
Inventories of furniture and equipment	Current year plus 6 years
<p>Intellectual Property Records</p> <ul style="list-style-type: none"> • Formal documents of title (trade mark or registered design certificates; patent or utility model certificates) • Assignments of intellectual property to/from Moor House • IP/IT agreements (including software and ancillary agreements e.g. maintenance, storage, development, coexistence agreements, consents) 	<ul style="list-style-type: none"> • Permanent (in the case of any right which can be permanently extended e.g. trade marks), otherwise expiry of right plus minimum of 7 years • As above in relation to contracts (7 years) or for deeds (13 years) • Minimum of 7 years from completion of contractual obligation concerned or term of agreement
All records relating to significant maintenance projects of Moor House School & College carried out by contractors or employees of the school	Whilst the building belongs to Moor House
Records relating to the letting of school premises	Current financial year plus 6 years
Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	Current year plus 6 years then review
Referral forms	While the referral is current
Contact data sheets	Current year then review, if contact is no longer active then destroy