



The John Fisher School Records Retention Policy

Responsible: Governors' Resources Committee

Next Review Date: June 2021

DOCUMENT RETENTION

1. INTRODUCTION

- 1.1. The main aim of this policy is to enable The John Fisher School to manage our records effectively and in compliance with data protection and other regulation. As an organisation we collect, hold, store and create significant amounts of data and information and this policy provides a framework of retention and disposal of categories of information and documents.
- 1.2. The John Fisher School is committed to the principles of data protection including the principle that information is only to be retained for as long as necessary for the purpose concerned.
- 1.3. The table below sets out the main categories of information that we hold, the length of time that we intend to hold them and the reason for this.
- 1.4. For information, the Document Retention Period table includes the legal requirements for certain categories of document. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table.
- 1.5. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The Office Manager shall be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.
- 1.6. If a document or piece of information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to the Office Manager, who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2. DOCUMENT RETENTION PERIOD

DOCUMENT TYPE	LEGISLATION / REASONS FOR RETENTION	RETENTION PERIOD	STAFF LEAD
CONSTITUTIONAL			
Principal (signed) minutes of Governors' meetings	Companies Act 2006 Charities Act 2011	Permanent	Clerk to the Governors

Documents of clear historical / archival significance	Data Protection regulation	Permanent if relevant data protection regulation provisions are met.	Headteacher
Contracts e.g. with suppliers or grant makers	Limitation Act 1980	Length of contract term plus 6 years	School Business Manager
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years	School Business Manager
IP records and legal files re provision of service	Limitation Act 1980	Life of service provision or IP plus 6 years	Headteacher
TAX AND FINANCE			
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006 Charities Act 2011	Current year plus 6 years	School Business Manager
Tax and accounting records	Finance Act 1998 Taxes Management Act 1970	6 years from end of relevant tax year	School Business Manager
Information relevant for VAT purposes	Finance Act 1998 and HMRC Notice 700/21	Minimum 6 years from end of relevant period	School Business Manager
Banking records / receipts book/sales ledger	Companies Act 2006 Charities Act 2011	6 years from transaction	School Business Manager
EMPLOYEE / ADMINISTRATION	See generally ICO Employment Practices Code		

Payroll / Employee / Income Tax and NI records: P45; P6; P11D; P60, etc.	Taxes Management Act 1970 / IT (PAYE) Regulations	6 years from end of current year	School Business Manager
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year. Payroll element 6 years from end of current year.	Office Manager
Sick pay	Statutory Sick Pay (General) Regulations	3 years after the end of the tax year. Payroll element 6 years from end of current year.	Office Manager
National Minimum wage records	National Minimum Wage Act	3 years after the end of the tax year	School Business Manager
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007	Minimum 2 years from end of employment	Office Manager
HR files and training records	Limitation Act 1970 and Data Protection regulation	Maximum 6 years from end of employment	Office Manager
Records re working time	Working Time Regulations 1998 as amended	2 years	Office Manager
Job applications (CVs and related materials re unsuccessful applicants)	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976	6-12 months from your notification of outcome of application	Office Manager

Pre-employment / volunteer vetting	ICO Employment Practice Code	6 months	Office Manager
Disclosure & Barring Service checks	Single Central Record Requirements under • for maintained schools: Regulations 12(7) and 24(7) and Schedule 2 to the School Staffing (England) Regulations 2009 and the School Staffing (England) (Amendment)	Record only satisfactory / unsatisfactory result and delete other information. If copy is kept, not to be retained beyond 6 months See further DfE statutory Guidance ' Working Together to safeguard children' https://www.gov.uk/government /publications/working-together- to-safeguard-children--2	Office Manager
Volunteer records		Maximum 6 years from end of volunteering	Office Manager
INSURANCE			
Employer's Liability Insurance	Employers' Liability (Compulsory Insurance Regulation) 1998	40 years	School Business Manager
Policies	Commercial	3 years after lapse	School Business Manager
Claims correspondence	Commercial	3 years after settlement	School Business Manager
HEALTH & SAFETY / MEDICAL			

General records	Limitation Act 1970	Minimum 3 years	Headteacher
Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Up to 40 years.	Headteacher
Accident books / records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation	Headteacher
Medical Scheme documentation	Commercial	Permanent unless personal data is included	Headteacher
PREMISES / PROPERTY			
Original title deeds		Permanent / to disposal of property	School Business Manager
Leases	Limitation Act 1980	12 years after lease has expired	School Business Manager
Building records, plans, consents and certification and warranties etc	Limitations Act 1980	6 years after disposal or permanent if of historical / archival interest. Carry out review re: longer retention, e.g. if possible actions against contractors. All major building works records are stored indefinitely in case of possible actions.	School Business Manager
PENSION RECORDS	For all categories see:	All pension records are held by either the Local Government pension Scheme of the Teachers' Pension Scheme.	
Records about employees and			

workers	Detailed Guidance for Employers: (April 2017) pensions regulator.gov.uk		
Records re the Scheme			
Records re active members and opt in / opt out			
Trust Deed / Rules and HMRC approvals			
Trustees' Minutes and annual accounts			
Policies including investment policies			
PUPILS			
Educational Record	Pupil information Regulations 2005 (maintained schools only) Data Protection regulation	25 years from date of birth if this is the final school of the child but the pupil file should follow the pupil so it is likely to be difficult to justify the need for retention once the file has been passed to the pupil's new school	Office Manager
Child Protection information (on child's file)	"Keeping children safe in education Statutory guidance for schools and colleges September 2020"; "Working together to safeguard children. A guide to inter-agency	RETAIN UNTIL FURTHER RECOMMENDATIONS Subject to moratorium on destruction due to historic child abuse enquiry. See https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements	Designated Safeguarding Lead

	working to safeguard and promote the welfare of children February 2017”		
Child Protection Information in other files	<p>“Keeping children safe in education Statutory guidance for schools and colleges September 2020”;</p> <p>“Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017”</p>	<p>RETAIN UNTIL FURTHER RECOMMENDATIONS</p> <p>Subject to moratorium on destruction due to historic child abuse enquiry. See https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements</p>	Designated Safeguarding Lead
Special Educational needs			
SEN files	Limitation Act 1980	25 years from date of birth if this is the final school of the child but the pupil file should follow the pupil so it is likely to be difficult to justify the need for retention once the file has been passed to the pupil’s new school	SENDCo
Education Health and Care Plans	Special Educational Needs and Disability Regulations	25 years from date of birth if this is the final school of the child but the pupil file should follow the pupil so it is likely to be difficult to justify the need for	SENDCo

	2014 Children and families Act 2014, part 3	retention once the file has been passed to the pupil's new school	
Statements of Special Educational Needs (now historic)	Originally under Special Educational Needs and Disability Regulations 2001	25 years from date of birth if this is the final school of the child but the pupil file should follow the pupil so it is likely to be difficult to justify the need for retention once the file has been passed to the pupil's new school	SENDCo
Attendance registers	Pupil Registration Regulations 2006 Regulation 14	3 years from when the register entry was made if made in paper registers For computerised registers retain until 3 years after the end of the school year during which the entry was made. This applies to every back up copy.	SENDCo
Other items e.g. curriculum related, photographs, video recordings	Case by case basis	Curriculum related: up to 6 months following submission to examination boards. Leavers' photographs: Permanent. Team photographs: as required for maintaining the archive. Otherwise subject to case by case justification.	Office Manager
PARENTS	Pupil Registration Regulations 2006 For basic name and contact details. Otherwise usually operational in accordance with the statutory functions of the	For the duration that the parent has a pupil at the school. Otherwise subject to case by case justification.	Office Manager

	school		
ALUMNI / ALUMNAE AND THEIR PARENTS		No legal clarity at present.	
OTHER SCHOOL RELATED INFORMATION	various	Biometric scan prints: for the duration the pupil is at the school. CCTV Recordings: Up to 1 week. Available on the school server for 30 days. Sponsorship partners: Current year plus 6 years.	School Business Manager

3. DELETION OF DOCUMENTS

3.1. When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

Confidential waste

3.2. This should be made available for collection in the confidential waste bins or sacks located around the office or shredded.

3.3. Anything that contains personal information should be treated as confidential.

3.4. Where deleting electronically, please refer to Abbey Support to ensure that this is carried out effectively.

Other documentation

3.5. Other documentation can be deleted or placed in recycling bins where appropriate.

Automatic deletion

3.6. Certain information will be automatically archived by the computer systems, details of which are set out below. Should you want to retrieve any information, or prevent this happening in a particular circumstance, please contact Abbey Support.

Individual responsibility

3.7. Much of the retention and deletion of documents will be automatic, but when faced with a decision about an individual document, you should ask yourself the following:

3.7.1. Has the information come to the end of its useful life?

3.7.2. Is there a legal requirement to keep this information or document for a set period? (Refer to Appendix 1 for more information)

3.7.3. Would the information be likely to be needed in the case of any legal proceedings? In particular, is it potentially relevant to an historic child abuse enquiry? (Is the information contentious, does it relate to an incident that could potentially give rise to proceedings?)

3.7.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?

3.7.5. Is the document of historic or statistical significance?

3.8. If the decision is made to keep the document, this should be referred to The Data Protection Officer and reasons given.

The DPO's contact details are set out below:

Data Protection Officer: Craig Stilwell

Address: Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Telephone: 0203 326 9174