

RECORDS RETENTION POLICY

CONTENTS

1. Introduction	1
2. Deletion of Documents	1
3. Document Retention Period	3

1. INTRODUCTION

- 1.1 The main aim of this policy is to enable Future Academies Trust and its Academies to manage its records effectively and in compliance with data protection and other regulations. 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 Future Academies 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 Section 2 of this policy sets out the destruction procedure for documents at the end of their retention period. Heads of Service shall be responsible for ensuring that this is carried out appropriately. Any questions regarding this policy should be referred to the Data Protection Officer.
- 1.4 The table in section 3 sets out the main categories of information that we hold, the length of time that we intend to hold them, and the reason for retention. Where we decide to keep information longer than the statutory requirement, an explanation of the rationale will be provided.
- 1.5 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 Data Protection Officer, who will offer guidance as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2. DELETION OF DOCUMENTS

Record Retention

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

Confidential paper waste

- 2.2 Small amounts of confidential documents should be shredded and placed in the bins located around the office.
- 2.3 Large amounts of confidential documents should be made available for collection in the confidential waste sacks, on request from the Facilities Department.
- 2.4 Anything that contains personal or commercially sensitive information should be treated as confidential.

Confidential Electronic Waste

- 2.5 Where deleting electronically, please refer to the IT Department to ensure that this is carried out effectively.

Other Documentation

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

Automatic Deletion

- 2.7 Certain information will be automatically archived by the computer systems, details of which are set out below. Should individuals want advice on retrieval of information, or prevent this happening in a particular circumstance, the Data Protection Officer should be contacted.

Individual Responsibility

- 2.8 Much of the retention and deletion of documents will be automatic, but every individual in the organisation may be faced with a decision to make about an individual document. The following questions should be asked:
 - a. Has the information come to the end of its useful life?
 - b. Is there a legal requirement to keep this information or document for a set period? Refer to section 3 for more information.
 - c. 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?
 - d. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
 - e. Is the document of historic or statistical significance?
- 2.9 If the document meets these criteria and the decision is made to keep the document, this should be referred to the Data Protection Officer and reasons given.

3. DOCUMENT RETENTION PERIOD

The documents listed in this section cover categories of documents with legal requirements to keep them for a set period. Where the Trust have decided to keep information longer than the statutory requirement or where non-statutory documents have been included, this will be explained.

DOCUMENT TYPE	LEGISLATION / REASONS FOR RETENTION	REQUIREMENT
COMPANY RECORDS		
Company Articles of Association, rules / bylaws	Companies Act 2006 Charities Act 2011	Permanent
Academy funding agreement and any supplemental agreements	Charities Act 2011	Permanent
Trustee / director minutes of meetings and written resolutions	Companies Act 2006 Charities Act 2011	Permanent
Members' meetings etc. Minutes / resolutions	Companies Act 2006 Charities Act 2011	Permanent
Documents of clear historical / archival significance	Data Protection Regulation	Permanent
Contracts (e.g. with suppliers or grant makers)	Limitation Act 1980	Length of contract term plus 6 years
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years
IP records and legal files re provision of service	Limitation Act 1980	Life of service provision or IP plus 6 years
TAX AND FINANCE		
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006 Charities Act 2011	Minimum 6 years Recommended: permanent record
Tax and accounting records	Finance Act 1998 Taxes Management Act 1970	6 years from end of relevant tax year
Information relevant for VAT purposes	Finance Act 1998 and HMRC Notice 700/21	Minimum 6 years from end of relevant period
Banking records / receipts book/sales ledger	Companies Act 2006 Charities Act 2011	6 years from transaction

EMPLOYEE / ADMINISTRATION (Reference: 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
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year
Sick pay	Statutory Sick Pay (General) Regulations	3 years after the end of the tax year
National Minimum wage records	National Minimum Wage Act	3 years after the end of the tax year
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007 Independent School Standards Regulations	Minimum 2 years from end of employment
HR files and training records	Limitation Act 1970 and Data Protection regulation	Maximum 6 years from end of employment
Records re working time	Working Time Regulations 1998 as amended	2 years
Job applications (CVs and related materials re unsuccessful applicants)	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976	6 months from your notification of outcome of application
Pre-employment / volunteer vetting	ICO Employment Practice Code Independent School Standards Regulations	6 months
Disclosure & Barring Service checks	Single Central Record Requirements under Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014	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

INSURANCE		
Employer's Liability Insurance	Employers' Liability (Compulsory Insurance Regulation) 1998	40 years
Policies	Commercial	3 years after lapse
Claims correspondence	Commercial	3 years after settlement
HEALTH & SAFETY / MEDICAL		
General records	Limitation Act 1970	Minimum 3 years
Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Permanent
Accident books / records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation
Medical Scheme documentation	Commercial	Permanent unless personal data is included
PREMISES / PROPERTY		
Original title deeds		Permanent / to disposal of property
Leases	Limitation Act 1980	12 years after lease has expired
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
PENSION RECORDS		
Records re active members and opt in / opt out	For all categories see: Detailed Guidance for Employers: (April 2017) pensions regulator.gov.uk	5 years

PUPILS		
Attendance registers	Pupil Registration Regulations 2006 Regulation 14	Retain until 3 years after the end of the school year from when the register entry was made. This applies to paper registers, computerised registers and every back up copy.
Child Protection information (on child's file)	"Keeping children safe in education Statutory guidance for schools and colleges September 2016"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017"	Permanent See: https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements
Child Protection Information in other files	"Keeping children safe in education Statutory guidance for schools and colleges September 2016"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017"	Permanent See: https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements
Education Health and Care Plans	Special Educational Needs and Disability Regulations 2014 Children and families Act 2014, part 3	25 years from date of birth of the pupil
Educational Record	Pupil information Regulations 2005 Data Protection regulation	25 years from date of birth if this is the final school of the child. If the pupil changes schools, the pupil file should follow the pupil.
SEN files	Limitation Act 1980	25 years from date of birth of the pupil
Statements of Special Educational Needs (now historic)	Originally under Special Educational Needs and Disability Regulations 2001	25 years from date of birth of pupil unless passed to new school (usually on the pupil's file)
Other items e.g. curriculum related, photographs, video recordings	Case by case basis	Look at why you are processing this and how long you need it for. Make sure you have a good justification for keeping it as long as you do. Set out the items and the justification.

PARENTS		
Name and contact details (operational in accordance with the statutory function)	Pupil Registration Regulations 2006	For the duration that the parent has a pupil at the school. Otherwise subject to case by case justification.
OTHER SCHOOL RELATED INFORMATION		
Photography	To celebrate student achievement and progress and to use images for positive aspects of student learning.	Image will not be re-used more than 2 years after the pupil or staff member has left.
BIOMETRIC	Cashless Catering Systems	Retained for the duration that the person is on roll or employed at the Academy.

Document control table			
Document Suite:	Data Non-statutory	Document Title:	Record Retention Policy
Document Type:	Policy (Internal)	Version number:	v1
Author (Job role):		Chief Operating Officer	
Staff responsibility: (Post)		Chief Operating Officer	
Date Formally approved:	24.5.18	Formal Approval by:	Finance and Audit Committee (on behalf of the Board of Directors)
Review information:	<i>Scheduled</i>	Next Review Due By	
<i>Internal Review</i>	Annually	May 2019	
<i>Formal Approval</i>	Every two years	May 2020	
Document History			
<i>Version</i>	<i>Date</i>	<i>Reviewer</i>	<i>Note of revisions</i>
v1	24.5.18	VJG	Created