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DATA RETENTION & STORAGE POLICY

1. Aims

Woldingham School seeks to balance the benefits of keeping detailed and complete records, for the purposes of good practice, archives or general reference, with practical considerations of storage, space and accessibility. There are legal considerations in respect of retention of records and documents which must be borne in mind by all staff. All aspects of Data Protection are covered by Woldingham Schools Data Protection Policy.

2. Data Storage

Information and records relating to pupils, parents and staff will be stored securely and will only be accessible to authorised school staff. Information will be stored for only as long as it is needed or required statute and will be disposed of appropriately. See Appendix 1 for school guidelines.

It is Woldingham Schools responsibility, through the Director of IT, to ensure all personal and school data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party. This and other data and system security matters are covered in Woldingham Schools Information Security policies.

3. Child protection and document retention

In the light of the Independent Inquiry into Child Sexual Abuse and various high-profile safeguarding cases, all independent schools are aware of the emphasis currently being placed on long-term, lifetime or even indefinite keeping of full records related to incident reporting. Regardless of suggested retention timescales set out below, Woldingham School has extended this rule to any and / or all personnel and pupil files on a 'safety first' basis. These guidelines have been drafted in full awareness of these considerations. Data protection issues should never put child safety at risk, nor take precedence over the general prevention and processing of safeguarding

4. Meaning of "Record"

In these guidelines, "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.

Many new and recent records will be created, received and stored electronically. Others (such as Certificates, Registers, or older records) will be original paper documents. The format of the record is less important than its contents and the purpose for keeping it.

Both paper and digital records will be stored securely and all appropriate measures taken to ensure the security of the data at all times.

5. Personal Data.

Some records will contain information about individuals e.g. staff, pupils, consultants, parents, contractors - or indeed other individuals, whether they are a part of the school or some other third party

(for example, another school). That type of information is likely to amount to "personal data" for the purposes of the DPA and therefore be subject to data protection laws which *may*, in places, conflict with aspects of these guidelines.

As a general rule, statutory legal duties will 'trump' data protection concerns in the event of any contradiction. Certain personal data may legitimately need to be retained or disclosed subject to a private contractual duty (e.g. under a parent contract).

6. Secure disposals of documents

When data is to be destroyed, this may be carried out by an appropriately licenced third party. 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 will be shredded using a cross-cutting shredder; CDs / DVDs / memory sticks will be cut into pieces. Hard-copy images, AV recordings and hard disks will be dismantled and destroyed or have a certificate of data destruction provided. Where third party disposal experts are used they will be subject to adequate contractual obligations to the school to process and dispose of the information confidentially and securely.

7. Litigation. The school will be well placed to deal with claims if it has a strong corporate memory - including adequate records to support its position, or a decision that was made.

Records are not to be disposed of until the limitation period for bringing a claim has passed. For most contracts that will mean 6 years from any breach (or 12 years in case of, say, a witnessed deed), but the date to start counting from is the last day of the period under contract. Where there has been early termination, this will be the relevant date to apply (once the appeal process has been concluded): but for pupils, limitation periods will only apply from the age of 18 years.

The period of 6 years also applies to many claims outside contract (such as fraud, mistake or negligence). In the case of personal injury it is only 3 years. However, if the harm is only discovered later - eg 'latent' damage, or some unseen injury - then the timer only starts from the point of discovery: subject, in the case of latent property damage, to a 15-year backstop.

The most important steps Woldingham School takes to support our policy is:

- having adequate notices and consents in both staff and parent contracts;
- ensuring any long-term records worth keeping are kept very secure, accessible only by trained staff on a need-to-know basis. Insurance documents need to be kept in respect of historic policies for as long as a claim might arise.

8. Recording Information. It is important that all staff bear in mind, when creating documents and records of any sort (and particularly email), that at some point in the future those documents and records could be disclosed - whether as a result of litigation or investigation, or because of a subject access request under the DPA. **The watchwords of record-keeping are therefore accuracy, clarity, professionalism and objectivity.**

Appendices:

1. Woldingham School Document Retention Periods.
2. Woldingham School Exam Centre Requirements.

Appendix 1 - TABLE OF WOLDINGHAM SCHOOL RETENTION PERIODS

The timescales below are given as a guide for minimum retention periods. Figures given are not intended as a substitute to exercising thought and judgment, or taking specific advice, depending on the circumstances. The Bursar should be consulted to clarify any issues.

The essence of this guidance can be boiled down to the necessity of exercising thought and judgment – practical considerations mean that case-by-case 'pruning' of records may be impossible. It is therefore accepted that sometimes a more systemic or broad-brush approach is necessary.

| Type of Record/Document | Retention Period | Lead: |
|---|--|------------------------|
| SCHOOL-SPECIFIC RECORDS | | |
| Registration documents of School | Permanent (or until closure of the school) | Registrar |
| Attendance Register | 6 years, then archive. | Registrar |
| Minutes of Governors' meetings | 6 years from date of meeting | Bursar |
| Annual curriculum | From end of year: 3 years (or 1 year for other class records: e.g. marks / timetables / assignments) | Deputy Head Academic |
| INDIVIDUAL PUPIL RECORDS | | |
| Admissions: application forms, assessments, records of decisions | Permanent | Registrar / Head's PA |
| Examination results (external or internal) | Permanent | Exams Officer |
| Pupil file including: <ul style="list-style-type: none"> ○ Pupil reports ○ Pupil performance records ○ Pupil medical records/record of accidents | Permanent | Registrar / Head's PA |
| Special educational needs records (<i>to be risk assessed individually</i>) | Permanent | HoD / SEN |
| SAFEGUARDING | | |
| Policies and procedures | Permanent | Deputy Head Operations |
| DBS disclosure certificates | No longer than 6 months from decision on recruitment, unless directed by Bursar | Head of HR |
| Accident / Incident reporting | Permanent | Bursar |
| Child Protection files | Permanent | DSL |
| ACCOUNTING RECORDS | | |

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|---|---|---------------------|
| Accounting records | Current records plus 6 years | Head of Finance |
| Tax and VAT returns | Current records plus 6 years | Head of Finance |
| Budget and internal financial reports | Minimum - 3 years | Head of Finance |
| INTELLECTUAL PROPERTY RECORDS | | |
| Formal documents of title (trade mark or registered design certificates; patent or utility model certificates) | Permanent (in the case of any right which can be permanently extended, eg trade marks); otherwise expiry of right plus minimum of 7 years | Bursar |
| EMPLOYEE / PERSONNEL RECORDS | | |
| Staff personnel file – including Contracts of employment, Employee appraisals or reviews, health records, immigration records etc | Permanent | Bursar / Head of HR |
| Payroll, salary, maternity pay records | Permanent | Head of Finance |
| Pension or other benefit schedule records | Permanent | Head of Finance |
| Unsuccessful job applicant - interview & rejection records | Minimum - 3 years (but see note of DBS disclosure certificates above) | Head of HR |
| INSURANCE RECORDS | | |
| Insurance policies (will vary - private, public, professional indemnity) | Duration of policy (or as required by policy). Ideally, until it is possible to calculate that no living person could make a claim. | Bursar |
| Correspondence related to claims/ renewals/ notification re: insurance | Minimum - 7 years | Bursar |
| ENVIRONMENTAL & HEALTH RECORDS | | |
| Maintenance logs | 10 years from date of last entry | Estate Manager |
| Accident at work records (staff) | Minimum - 4 years | Bursar |
| Staff use of hazardous substances | Minimum 7 years from end of date use | Estate Manager |
| Risk assessments (carried out in respect of above) | Minimum - 7 years from end of date of use 7 years from completion of relevant project, incident, event or activity. | Estate Manager |

Appendix 2 - Woldingham School Exam Centre Requirements.

As an Approved Exam Centre Woldingham School follows the General Regulations from the Joint Council for Qualifications (JCQ). This requires all candidates to sign a Data Protection Notice to acknowledge the use of the following personal data by Woldingham School and the exchange of personal data with various exam boards relating to exam entries.

- a. Personal data relating to the name(s), date of birth, gender, unique candidate identifier (UCI) and unique learner number (ULN) of an individual candidate will always be collected by an awarding body for the purposes of examining and awarding qualifications. In some cases, additional information, which may include sensitive personal data relating to health, will also be collected to support requests for access arrangements and reasonable adjustments and/or special consideration. Such personal data will be supplemented by the results of examinations and assessments undertaken by the respective candidate.
- b. A candidate's personal data will only be collected from registered examination centres in the context of examination entries and/or certification claims.
- c. Such data collected will not be used by an awarding body other than for the administration of the examinations process, conducting assessments and the certification of results claims.
- d. Personal data within candidates' work will be collected and processed by an awarding body for the purposes of marking, issuing of examination results and providing candidates with access to post-results services. Examination results will be retained for a minimum of forty years.
- e. In order for an awarding body to achieve this, some personal information may be transferred to third parties such as examiners, who may in some instances, reside outside the European Economic Area.
- f. Awarding bodies may be required to provide a candidate's personal data to educational agencies such as DfE, WG, DENI, The Skills Funding Agency, Ofqual, HESA, UCAS, Local Authorities, EFA and Learning Records Service (LRS). Additionally, candidates' personal data may be provided to a central record of qualifications approved by the awarding bodies for statistical and policy development purposes.⁶ Some of the information candidates supply will be used by the Skills Funding Agency to fulfil its statutory functions, issue/verify a candidate's Unique Learner Number (ULN) and update/check a candidate's Personal Learning Record.
- g. The Skills Funding Agency may share a candidate's ULN and Personal Learning Record with other education related organisations, such as a careers service, a candidate's school or college, Government Departments and public bodies responsible for education. Further details of how information is processed and shared can be found at: <http://www.learningrecordsservice.org.uk/>
- h. Awarding bodies are obliged to confirm what personal data is held, what it is held for, to whom the data are to/may be disclosed, and disclose the information that they hold about data subjects, (e.g. the candidates) within 40 days of receiving a formal request for disclosure, subject to the application of any relevant exemptions under the Data Protection Act 2018.