

# I.W.Y.S. – It's What You Say - CIC

## Data Retention Policy

I.W.Y.S. – It's What You Say - CIC has a responsibility to maintain its records and record keeping systems. When doing this, I.W.Y.S. – It's What You Say - CIC 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
- Their accessibility.

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 I.W.Y.S. – It's What You Say - CIC current practice, the requirements of current legislation and best practice and guidance. It may be amended by I.W.Y.S. – It's What You Say - CIC 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. It's What You Say - CIC 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 us and when that information will be confidentially destroyed in compliance with the terms of the General Data Protection Regulation (GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of It's What You Say - CIC. It's What You Say - CIC's Data Protection Policy outlines its duties and obligations under the GDPR.

### **RETENTION SCHEDULE**

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule. When managing records, It's What You Say - CIC will adhere to the standard retention times listed within that schedule.

Paper records will be regularly monitored by the Directors.

Electronic records will be regularly monitored by the Directors.

The schedule is a relatively lengthy document listing the many types of records used by It's What You Say - CIC and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.

## **DESTRUCTION OF RECORDS**

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.

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate wastepaper merchant. All electronic information will be deleted.

It's What You Say - CIC 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 at least: -

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

## **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 It's What You Say - CIC administrator. 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
- 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 Directors have a primary and day-to-day responsibility for implementing this Policy. The Directors are responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The Directors 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.

## RETENTION SCHEDULE

| FILE DESCRIPTION  | RETENTION PERIOD  |
|---|---|
| <b>Employment Records</b>   |   |
| Job applications and interview records of unsuccessful candidates   | Six months after notifying unsuccessful candidates, unless It's What You Say - CIC 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  | 2 years after employment ceases   |
| Immigration checks  | Two years after the termination of employment   |
| 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 and training records  | While employment continues and up to six years after employment ceases  |
| Annual leave records  | Six years after the end of tax year they relate to or possibly longer if leave can be 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: <ul style="list-style-type: none"> <li>• Opt out forms</li> <li>• Records of compliance with WTR</li> </ul> | <ul style="list-style-type: none"> <li>• Two years from the date on which they were entered into</li> <li>• Two years after the relevant period</li> </ul>  |

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| Disciplinary and training records  | 6 years after employment ceases   |
| 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.<br><br>Malicious allegations should be removed. |
| <b>Financial and Payroll Records</b>   |   |
| 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  |
| 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   | No longer than necessary  |
| <b>Agreements and Administration Paperwork</b>   |   |
| Collective workforce agreements and past agreements that could affect present employees                      | Permanently   |
| Trade union agreements   | 10 years after ceasing to be effective  |
| School Development Plans   | 3 years from the life of the plan   |
| Professional Development Plans   | 6 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  |
| <b>Health and Safety Records</b>   |   |
| Health and Safety consultations  | Permanently   |
| Health and Safety Risk Assessments   | 3 years from the life of the risk assessment  |
| Any reportable accident, death or injury in connection with work   | For at least twelve years from the date the report was made   |
| Accident reporting   | Adults – 6 years from the date of the incident  |

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|   | Children – when the child attains 25 years of age.   |
| Fire precaution log books   | 6 years  |
| Medical records and details of: - <ul style="list-style-type: none"> <li>• control of lead at work</li> <li>• employees exposed to asbestos dust</li> <li>• records specified by the Control of Substances Hazardous to Health Regulations (COSHH)</li> </ul> | 40 years from the date of the last entry made in the record                                  |
| Records of tests and examinations of control systems and protection equipment under COSHH   | 5 years from the date on which the record was made   |
| <b>Temporary and Casual Workers</b>   |  |
| Records relating to hours worked and payments made to workers   | 3 years  |
| <b>Pupil Records</b>  |  |
| Admissions records  | 1 year from the date of admission  |
| Admissions register   | Entries to be preserved for three years from date of entry                                   |
| School Meals Registers  | 3 years  |
| Free School Meals Registers   | 6 years  |
| Pupil Record  | Transferred to next school   |
| Attendance Registers  | 3 years from the date of entry   |
| Special Educational Needs files, reviews and individual education plans (this includes any statement and all advice and information shared regarding educational needs)   | Until the child turns 25.  |
| <b>Emails</b>   |  |
| <b>Other Records</b>  |  |
| Child Protection Records  | Transferred to the child's next school where the documents must be signed for upon delivery. |