

Data Retention Policy

Approved and Adopted at a Governing Body Resources Meeting

held on 14th June 2018 & Reviewed on 17th June 2021

1. Introduction

This policy applies to all employees, workers and contractors.

1.1. The Governing Body Ely St John's School are committed to retaining personal data (which may be held on paper, electronically, or otherwise) about our employees for no longer than necessary for the purpose or purposes for which they were collected. All steps will be reasonably taken to securely destroy or erase from systems, all data which is no longer required.

1.2. The Governing Body recognise the need to process data in an appropriate and lawful manner, in accordance with the General Data Protection Regulation (GDPR). The purpose of this policy is to set out the principles by which we will retain your personal data.

1.3. Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action, including dismissal.

1.4. The Governing Body is responsible for ensuring compliance with the GDPR and this policy. Any questions about the operation of this policy or concerns that there has been a breach of this policy should be referred in the first instance to the School Business Manager,

2. Responsibilities

The Governing Body understand their legal responsibility to comply with the law, including the General Data Protection Regulation. The individual with overall responsibility for this policy is the Data Protection Officer.

3. Retention of Data

3.1. The Governing Body will state the purposes for which it holds personal information, and will register with the Data Protection Commissioner all the purposes for which it processes personal data.

3.2. Personal data will be retained for employment purposes, to assist in the running of the business and/or to enable individuals to be paid. In such cases we will apply the 'recommended' retention period. Some personal data is retained for statutory purposes, in which case we will apply the 'statutory' retention period.

3.3. The Governing Body commit to retaining the minimum amount of personal data that is necessary for the purpose for which it is held and access to the personal data will be restricted so that it is used only for the specific purpose.

3.4. Personal data will be held as indicated in Appendix 1 and for no longer than the period specified below. All personal data will be destroyed securely at the end of the retention period.

Appendix 1: Retention of Personal Data

This schedule lists the principal documents held on an employee's file. The list is not exhaustive, and other documents relating to employment may be also held. Personnel files will be held for the length of employment + 6 years at which time they will be securely shredded. Documents relating to child protection or accidents at work may be held for a period of up to 25 years, in accordance with the DFE "Data protection: a toolkit for schools" and the employee will be advised of this.

Document	Period of Retention
Application Process	
Application forms and interview notes (for unsuccessful candidates)	Six months. *Recommended.*
Original job application form for successful candidate	Termination + 6 years *Recommended*
Documents Relating to Appointment Process	
Confirmation of pre-employment medical check clearance	Termination + 6 years *Recommended*
DBS certificates/copies	No requirement to retain *Recommended* If retained, maximum period six months and if, in very exceptional circumstances, it is considered necessary to retain a copy of the original certificate for longer than six months, consent should be sought from the applicant & retained on file.
Confirmation of DBS outcome and any associated docs (e.g. risk assessment or certificate of good conduct)	Termination + 25 years *Recommended* within the DFE guidance, 'Data Protection: a toolkit for schools', April 2018
Barred list clearance	Termination + 25 years *Recommended* within the DFE guidance, 'Data Protection: a toolkit for schools', April 2018

Prohibition check	Termination + 25 years *Recommended* within the DFE guidance, 'Data Protection: a toolkit for schools', April 2018
Copies of documents used for identity authentication for DBS and Asylum and Immigration Act purposes	Termination + 2 years *Recommended* within Home Office 'An Employers Guide to Right to Work Checks', August 2017
UK Border Agency Documentation (Work permit)	Termination + 2 years *Recommended* within Home Office 'An Employers Guide to Right to Work Checks', August 2017
Records relating to employees from outside of the UK e.g. visa, work permits, etc.	Termination + 2 years *Recommended* within Home Office 'An Employers Guide to Right to Work Checks', August 2017
Copies of qualifications certificates relevant to employment	Termination + 6 years *Recommended*
NQT – Satisfactory completion of skills tests.	Termination + 6 years *Recommended*
Two original references	Termination + 6 years *Recommended*
Original contract acceptance	Termination + 6 years *Recommended*
Copy of Contract of employment and any variation letters or side letters	Termination + 6 years *Recommended*

Disciplinary Records	
Formal disciplinary warnings – child protection related	Termination + 25 years *Recommended* within the DFE guidance, 'Data Protection: a toolkit for schools', April 2018
Formal disciplinary warnings – not child protection related	Termination + 6 years *Recommended.*
Accidents at Work	
Accident books, accident records, accident reports	Three years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches age 21) *Statutory*
Records relating to accident/injury at work	Termination + 12 years *Recommended* In the case of serious accidents a further retention period may need to be considered
Financial Information	
Inland Revenue/HMRC correspondence	Termination + 6 years *Statutory*
National minimum wage records	Three years after the end of the pay reference period following the one that the records cover. *Statutory*
Wage/salary records (also overtime, bonuses, expenses)	Termination + 6 years *Statutory*
Time sheets	Current year + 6 years *Recommended*

Sickness and Maternity Information	
Medical certificates/ Occupational Health reports and sickness absence record	Current year + 6 years *Recommended*
SMP, SAP, SSPP records, calculations, certificates (Mat B1s) or other medical evidence, notifications, declarations and notices	Three years after the end of the tax year in which the leave period ends *Statutory*
Statutory Sick Pay records, calculations, certificates, self-certificates	Six years after the employment ceases *Recommended*
Parental leave records	Eighteen from birth/adoption of the child or if the child receives a disability living allowance *Recommended*
Other special leave of absence including parental leave, maternity leave	Current year + 6 years *Recommended*
Leavers Information	
Letter of resignation and acceptance of resignation or other documentation relating to the termination of employment.	Termination + 7 years *Recommended*
Exit interview notes	Termination + 7 years *Recommended*
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	Six years from the date of redundancy *Recommended*
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	Six years from the end of the scheme year in which the event took place *Statutory*

Additional Employee Information	
Salary assessment forms – teachers	Current year + 6 years *Recommended*
Appraisal information	Current year + 6 years *Recommended*
Staff induction including NQTs Induction	Completion + 6 years *Recommended* within DFE statutory guidance 'Induction for newly qualified teachers (England)', April 2018
Working time records	Two years from date on which they were made *Statutory*