



*Dynamic, empowered learners who thrive and lead in
their communities: locally, nationally and globally*

DOCUMENT AND PERSONAL DATA RETENTION POLICY

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| THIS POLICY WAS APPROVED: | AUTUMN 2022 |
| POLICY VERSION: | 3.0 |
| THIS POLICY WILL BE REVIEWED: | AUTUMN 2025 |
| MEMBER OF STAFF WITH RESPONSIBILITY FOR REVIEW: | HEAD OF GOVERNANCE, COMPLIANCE AND RISK |
| THIS POLICY WAS CONSULTED WITH: | DPO |
| THIS POLICY WAS DISTRIBUTED TO: | UPLOADED TO CONNECT |

1. Introduction

The main aim of this policy is to enable Anglian Learning (Trust) 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.

- 1.1. When compiling the policy on retention of documents and personal data Anglian Learning has considered guidance from a number of sources including:
 - 1.1.1. The Department for Education
 - 1.1.2. Information and Record Management Society
 - 1.1.3. The National Archives
 - 1.1.4. HMRC Compliance Handbook Manual CH15400
 - 1.1.5. Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000
 - 1.1.6. ICO's Retention Policy
 - 1.1.7. The Pension Regulators Code of Practice 14 for public service pension scheme.
- 1.2. The Trust 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. Retention schedules for personal information and other documents can be found in appendices A and B. The schedules set 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. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The CEO shall be responsible for ensuring that this is carried out appropriately and delegating responsibilities, and any questions regarding this policy should be referred to them.
- 1.5. The policy applies to all physical and digital information, regardless of storage location.
- 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 Head of Governance, Compliance and Risk who will consult with the DPO and make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2. Roles and Responsibilities

- 2.1. The Trust has a corporate responsibility to maintain its records and records management systems in accordance with legislation.
- 2.2. The Trust Data Protection Officer is responsible for providing guidance and advice on good records management practice and promoting compliance with this policy. Such guidance is formulated within the context of existing Trust policies and guidelines regarding data protection, national legislation and sector-wide standards.
- 2.3. The Headteacher at each academy is responsible for ensuring this policy is implemented and that all records are stored securely, in accordance with the retention periods outlined, recorded, and are disposed of correctly.
- 2.4. All Trust staff are responsible for ensuring that any records for which they are responsible or which they process are accurate, maintained securely and disposed of correctly, in line with the provisions of this policy.
- 2.5. Each school within the Trust is individually responsible for the management of their records generated by its activities.

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.

3.2. Confidential waste

This should be made available for collection in the confidential waste bins or sacks located in office areas and these will then be collected and confidentially shredded.

- 3.3. Anything that contains personal information should be treated as confidential.
- 3.4. Where deleting electronically, please refer to Technical Services to ensure that this is carried out effectively.
- 3.5. Other documentation can be deleted or placed in recycling bins where appropriate.

3.6. Individual Responsibility

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:

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

- 3.6.2. Is there a legal requirement to keep this information or document for a set period?
- 3.6.3. 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?)
- 3.6.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
- 3.6.5. Is the document of historic or statistical significance?
- 3.7. If the decision is made to keep the document, this should be referred to the Head of Governance, Compliance and Risk and reasons given.

Appendix A – Document and Data Retention of the Academy Trust

| DOCUMENT CATEGORY | RETENTION PERIOD | STATUTORY PROVISIONS |
|--|--|--|
| Governance | | |
| Governance Statement | 6 years from end of relevant year | Companies Act 2006 |
| Articles of Association | Permanent | Companies Act 2006 Charities Act 2011 |
| Member, Trustee and minutes of meetings and written resolutions | 10 years | Companies Act 2006 Charities Act 2011 |
| Membership lists for Trustees and Members | Life of appointment + 6 years | Companies Act 2006 Charities Act 2011 |
| Trustee records | 1 year from end of volunteer period | |
| Applications relating to unsuccessful Trustee applications | 6 months from notification of outcome? | |
| Declarations of Interest Statements for Members, Trustees and senior leaders | 6 years | Charities Act 2011 |
| Documents of clear historical/archival significance | Permanent | |
| Funding and Finance | | |
| Academy funding agreement and any supplemental agreements | Permanent | Companies Act 2006 Charities Act 2011 |

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| Annual accounts and review (inc transferred records on amalgamation) | Permanent | Companies Act 2006 Charities Act 2011 |
| Tax and accounting records | 6 years from end of relevant year | Finance Act 1998 Taxes Management Act 1970 |
| Information relevant for VAT purposes | 6 years from end of relevant year | Finance Act 1998 HMRC Notice 700/21 |
| Banking records/receipts books/sales ledger | 6 years from transaction | Companies Act 2006 Charities Act 2011 |
| Insurance | | |
| Employer's Liability Insurance | 40 years | Employers' Liability (Compulsory Insurance Regulations) 1998 |
| Policies | 3 years after lapse | Commercial |
| Claims Correspondence | 3 years after settlement | Commercial |
| Pension Records | | |
| Records about employees and workers | 15 years | The Pension Regulator |
| Records re active members and opt in/opt out | 15 years | The Pension Regulator |
| Employees | | |
| Payroll / Employee / Income Tax and NI records P45;P6; P11D; P60 etc | 6 years from end of current year | Taxes Management Act 1970 / IT (PAYE) Regulations |

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| Maternity Pay | 3 years after the end of the tax year | Statutory Maternity Pay Regulations |
| Sick Pay | 3 years after the end of the tax year | Statutory Sick Pay |
| 3 years after the end of the tax year | 3 years after the end of the tax year | National Minimum Wage Act |
| Foreign national ID documents | 2 years from the end of employment | Immigration (Restrictions on Employment) Order 2007 |
| HR files and training records | 6 years from the end of employment | Limitation Act 1970 Data Protection Regulations |
| Records re working time | 2 years from the end of employment | Working Time Regulations 1998 as amended |
| Job applications (CVs and related materials re unsuccessful applicants) | 6 months from notification of outcome | ICO Employment Practices Code (Recruitment and Selection), Disability Discrimination Act 1995 and Race Relations Act 1976 |
| Pre-employment/volunteer vetting | 6 months | ICO Employment Practice Code Independent School Standards Regulations |
| Disclosure and Barring Service Checks Result | Permanent | Part 4 Schedule to the Education (Independent School Standards) Regulations 2014 |

Appendix B – Document and Data Retention of Individual Academies

| DOCUMENT CATEGORY | RETENTION PERIOD | STATUTORY PROVISIONS |
|--|--|---|
| Governance | | |
| Minutes of Governor meetings | 10 years | Companies Act 2006 Charities Act 2011 |
| Membership lists for Governors | Life of appointment + 6 years | Companies Act 2006 Charities Act 2011 |
| Governor records | 1 year from end of volunteer period | |
| Applications relating to unsuccessful Governor applications | 6 months from notification of outcome? | |
| Declarations of Interest Statements for Governors and senior leaders | 6 years? | |
| Documents of clear historical/archival significance | Permanent | |
| Funding and Finance | | |
| Tax and accounting records | 6 years from end of relevant year | Finance Act 1998 Taxes Management Act 1970 |
| Information relevant for VAT purposes | 6 years from end of relevant year | Finance Act 1998 HMRC Notice 700/21 |

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| Banking records/receipts books/sales ledger | 6 years from transaction | Companies Act 2006 Charities Act 2011 |
| Insurance | | |
| Employer's Liability Insurance | 40 years | Employers' Liability (Compulsory Insurance Regulations) 1998 |
| Policies | 3 years after lapse | Commercial |
| Claims Correspondence | 3 years after settlement | Commercial |
| Health & Safety | | |
| Accident books/records and reports | 3 years post last entry | Reporting of injuries, Diseases and Dangerous occurrences Regulations 1995 |
| Pension Records | | |
| Records about employees and workers | 15 years | The Pension Regulator |
| Records re active members and opt in/opt out | 15 years | The Pension Regulator |
| Employees | | |
| Payroll / Employee / Income Tax and NI records P45;P6; P11D; P60 etc | 6 years from end of current year | Taxes Management Act 1970 / IT (PAYE) Regulations |
| Maternity Pay | 3 years after the end of the tax year | Statutory Maternity Pay Regulations |
| Sick Pay | 3 years after the end of the tax year | Statutory Sick Pay |
| 3 years after the end of the tax year | 3 years after the end of the tax year | National Minimum Wage Act |

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| Foreign national ID documents | 2 years from the end of employment | Immigration (Restrictions on Employment) Order 2007 |
| HR files and training records | 6 years from the end of employment | Limitation Act 1970 Data Protection Regulations |
| Records re working time | 2 years from the end of employment | Working Time Regulations 1998 as amended |
| Job applications (CVs and related materials re unsuccessful applicants) | 6 months from notification of outcome | ICO Employment Practices Code (Recruitment and Selection), Disability Discrimination Act 1995 and Race Relations Act 1976 |
| Pre-employment/volunteer vetting | 6 months | ICO Employment Practice Code Independent School Standards Regulations |
| Disclosure and Barring Service Checks Result | Permanent | Part 4 Schedule to the Education (Independent School Standards) Regulations 2014 |
| Volunteer Records | 1 year from end of volunteer period | |
| Policies including investment policies | 15 years | The Pension Regulator |
| Students | | |
| Educational Record | 25 years from date of birth / follow student | Pupil Information Regulations 2005 Data Protection Regulation |

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| Safeguarding and Child Protection Information | Permanent | KCSIE |
| Special Educational Needs information | 25 years from date of birth | Limitation Act 1980 |
| Education Health and Care Plans | 25 years from date of birth | SEN and Disability Regulations 2014 Children and Families Act 2014, pt 3 |
| Statements of Special Educational Needs (now historic) | 25 years from date of birth / passed to new school | SEN and Disability Regulations 2001 |
| Attendance registers | 3 years after end of academic year | Pupil Registration Regulations 2006 Regulation 14 |
| Any other records created in the course of contact with pupils | 3 years after end of academic year | |
| Examination certificates | 12 months | Exam boards |
| Personal data of non-enrolling applicants | 3 months after decision not to enrol | Data Protection Regulation |
| Other items eg curriculum, photographs, videos etc | Case by Case. See relevant policies | |
| Parents and community | | |
| Contact Information | Duration of student's attendance. 3 months where students do not enrol. | Data Protection Regulation |
| Consent forms for trips/extended school activities | Duration of trip/ activity | |

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| Parental consent for school trips – where there has been a major incident | 25 years from date of birth | Limitation Act 1980 |
| Management of complaints | Date complaint resolved + 6 years | |
| Visitor records | 1 year | |