Wakefield Grammar School Foundation

Document Reference	**WGSF Data Retention Storage & Disposal Policy**
Version Number	V1.02
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Consultation	Director of Finance and Operations Director of IT
Name of Ratifying Committee **Date Ratified**	Risk and Compliance Committee 28.11.2023
Date of Next Review (Annually)	**November 2024**

VALIDITY – Policies should be accessed via FireFly to ensure the current version is used.

CHANGE RECORD - REVIEW PERIOD (Annually)

Version	Date	Change details
V1.01	Jan 2021	Reviewed (Sally Williams-McGlone)
V1.02	June 2023 Sept 2023	Reviewed and updated with processes for staff Vicky Weeks Reviewed, V Weeks

To be published on the following:

Staff shared	**X**	**School website**	**X**

WGSF Data Retention Storage & Disposal Policy

1. Introduction

Wakefield Grammar School Foundation (WGSF), referred to as 'the Foundation', is a family of single-sex independent day schools incorporating Queen Elizabeth Grammar School (QEGS), Wakefield Girls' High School (WGHS) and Wakefield Grammar Pre-Prep School delivering education to children aged 3 - 18.

Data protection is an important legal compliance issue for the Foundation. This policy details the expected behaviours of the Foundation's employees and third parties in relation to the storage, retention and disposal of any personal data record belonging pupils, parents, employees and other data subjects. It should be read in conjunction with other Foundation Policies including:

- Privacy Notices (various)
- Data Protection Policy
- CCTV Policy
- ICT Acceptable Use Policy

2. Meaning of 'Record'

In this policy, "record" means any document or item of data which contains evidence or information relating to pupils, parents, employees and other data subjects. Many, if not most, new and recent records will be created, received and stored electronically. Others including 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.

Digital records can be lost or misappropriated very quickly. Access to sensitive data or any large quantity of digital data should, as a minimum, be password protected and held on a limited number of devices only, with passwords provided on a need-to-know basis. If sensitive personal data is transferred outside the organisation, e.g. via email, it must be encrypted prior to transfer. As emails are records and maybe disclosable, staff should consider the content and purpose for keeping emails as records.

Paper records should be stored in appropriate, secure conditions, both in terms of accessibility and the climate in which they are stored (dry, cool, reasonable ventilation, no direct sunlight: avoid storing with metals, rubber or plastic which might deteriorate or damage the paper).

3. Records Management

All electronic records must be stored securely as above, including if possible with encryption. Similarly, paper records must be stored securely so that access is available only to authorised persons and the records themselves are available when required and where necessary searchable.

Important records and large or sensitive personal databases must not be taken home or, in respect of digital data, carried or kept on unencrypted portable devices unless absolutely necessary. If deemed necessary, a risk assessment will be required in line with the Foundation's ICT Acceptable Use policy.

Arrangements with external storage providers, whether physical or electronic (most particularly "cloud-based" storage) must be supported by robust contractual arrangements providing for security and access.

ANY INSTRUCTIONS RECEIVED FROM IICSA (Independent Inquiry into Child Sexual Abuse) WILL OVERRIDE THE RETENTION PERIOD CONTAINED HEREIN

4. Data Destruction

For confidential or 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.

Data should be disposed of on a timely and regular basis and include whenever practicable any duplicate copies including back-ups.

Paper records, including copies of photographs, should be disposed of using the Foundation's confidential waste contractors or shredded using a cross-cutting shredder. CDs / DVDS etc should be cut into pieces. Recordings and hard disks should also be destroyed.

All destruction or permanent erasure of records, if undertaken by a third-party, must be carried out securely, with no risk of the re-use or disclosure, or re-construction of any records or information contained in them. Where third party disposal experts are used, they should ideally be supervised but must be under adequate contractual obligations to the Foundation to process and dispose of the information. Written confirmation from the third-party that records have been permanently destroyed must be obtained for each occasion data is disposed of.

Staff should retain a log of the type of data, when it is disposed of, how it is disposed of and who disposed of it for future reference. See Appendix 1.

5. Responsibilities of all Staff

Staff must ensure the records for which they are responsible are complete, accurate records and they are maintained and disposed of in accordance with Appendix 2.

Any member of staff may seek clarification from the Compliance Manager.

Appendix 1 - Log for destruction of data

File Title / Brief Description of Records Being Disposed of	Retention Period	Covering Dates	Quantity / Number of Volumes	Date Disposed	Name of Staff Disposing Data	Disposal Method (eg shredded, deleted, security waste sack)	Name of Person Destroying / Contractor
e.g. "hirer of facilities application forms"	*current academic year plus 6 years*	*1/9/2012 - 31/8/2013*	*10 forms or 1 folder*	*06/09/2019*	*A N Other*	*Security Waste Sack*	*Sheard Packaging*
e.g. "Hirer of facilities booking forms"	*current academic year plus 6 years*	*01/09/2013 - 31/08/2016*	*30 forms / 3 folders*	*06/09/2022*	*A N Other*	*Deleted off Google*	*A N Other*

Appendix 2 - Retention Period

Type of Record / Document	Retention Period
School Specific Records	
Registration documents of school	Permanent (or until closure of the school)
Trusts and Endowments managed by the governors	Permanent (or until closure of the school)
Attendance Registers / correspondence	6 years from last date of entry, then archive
Minutes of Governor's meetings	6 years from date of meeting
Reports presented to governors	6 years from date of meeting (unless direct reference to an individual when reports should be retained permanently)
Annual curriculum	3 years from the end of year (or 1 year for other class records: e.g. marks / timetables / assignments)

Individual Pupil Records	***NB these records will contain personal data***
Admissions: application forms, bursary applications, assessments, records of decisions	25 years from date of birth (or up to 7 years from the pupil leaving) subject where relevant to any material that may be relevant to potential historic claims. If admission was unsuccessful: up to 1 year* (WGSF will keep records up to the end of the academic year of the proposed entry and then cleanse the data). *Unsuccessful applications: schools may wish to retain data of applicants for future years owing to staggered entry points. This may be justifiable but consider what information needs to be kept and what will be out of date for future intakes. The purpose of retaining such data, and for how long, should be notified to applicants / parents with the chance to object.
Student Immigration records	7 years from pupil leaving school
Examination results (external or internal)	25 years from date of birth subject where relevant to any material that may be relevant to potential historic claims.
Pupil file including: ● Pupil reports and performance records ● Pupil medical records (*not accidents*)	Date of birth plus up to 35 years (risk assessed)
Special Educational Needs Records	Date of birth plus up to 35 years (risk assessed)
Alumni Records	Lifetime of alumni (subject to review of consent / legitimate interest)

Safeguarding	The High Court has found that **a retention period of 35 years** was within the bracket of legitimate approaches for retaining safeguarding records. IICSA has recommended that, **for child sexual abuse records, the period should be 75 years, and subject to regular review**. The ICO also expects to see a regular review policy in place (e.g. every 6 years), although the High Court also held that could be a disproportionate use of resource for many organisations' safeguarding teams. The position is likely to be different for records of low-level concerns about adults, which should only be kept in line with employment records unless likely to be relevant for historic abuse claims or a specific safeguarding need.
Safeguarding Policies, procedures and insurance	Keep a permanent record of historic policies
DBS disclosure certificates (if held)	No longer than 6 months from decision on recruitment, unless police specifically consulted. A record of the checks being made must be kept on SCR / personnel file, but not the certificate itself.
Safeguarding Accident / incident reporting	Keep on record for as long as any living victim may bring a claim (NB civil claim limitation periods can be set aside in cases of abuse). Ideally, files to be reviewed from time to time if resources allow and a suitably qualified person is available.
Child Protection files and specific records of child sexual abuse	If a referral has been made / social care has been involved / child has been subject of a multi-agency plan; or if any risk of future claim(s): 75 years.
Video recordings of safeguarding / child protection meetings	Where any one-on-one meetings of classes, counselling, or application interviews are recorded (e.g. for safeguarding purposes), a shorter-term retention policy is acceptable based on the DSL's view of how quickly a concern will likely be raised: e.g. 3-6 months or immediately upon DSL review.

Corporate Records ***(where applicable)***	***eg. where schools have trading arms***
Certificates of Incorporation	Permanent (or until dissolution of the company)
Minutes, Notes and Resolutions of Boards or Management Meetings	Minimum of 10 years
Shareholders resolutions	Minimum of 10 years
Register of Members / Shareholders	Permanent (minimum of 10 years for ex members / shareholders)
Annual Reports	Minimum of 6 years
Accounting Records	Retention periods for tax purposes should <u>always</u> be made by reference to specific legal or accountancy advice.
Accounting records (normally taken to mean records which enable a company's accurate financial position to be ascertained & which give a true and fair view of the company's financial state) NB <u>specific ambit to be advised by an accountancy expert</u>	Minimum of 3 years for private UK companies (except where still necessary for tax returns) Minimum of 7years for UK charities (and public companies) from the end of the financial year in which the transaction took place Internationally: can be up to 20 years depending on local legal/accountancy requirements

Tax Returns	Minimum of 6 years
VAT Returns	Minimum of 6 years
Budget and internal financial reports	Minium of 3 years
Contracts and Agreements	
Signed or final / concluded agreements (plus any signed or final / concluded variations or amendments)	Minimum of 7 years from completion of contractual obligations or term of agreement, whichever is the later
Deeds (or contracts under seal)	Minimum of 13 years from of contractual obligations or term of agreement
Hirers of Facilities application / booking forms	Current academic year plus 6 years
Visitor signing in records	Current academic year plus 6 years

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.
Assignments of intellectual property to or from the school	As above in relation to contracts (7 years) or, where applicable, deeds (13 years).
IP / IT agreements (including software licences and ancillary agreements e.g. maintenance; storage; development; coexistence agreements; consents)	Minimum of 7 years from completion of contractual obligation concerned or term of agreement.
Employee / Personnel Records	***NB these records will contain personal data*** **PLEASE NOTE: All staff files held at Foundation schools should be returned to the HR Manager at Green House when a member of staff leaves the employment of the school to ensure records are held at a central point.**
Single Central Record of Employees	Keep a permanent record that mandatory checks have been undertaken (but do not keep DBS certificate information itself: 6 months as above)
Contracts of employment	7 years from effective date of end of contract

Employee appraisals or reviews	Duration of employment plus minimum of 7 years
Staff Personnel File	As above, but do not delete any information which may be relevant to historic safeguarding claims
Payroll, salary, maternity pay records	Minimum of 6 years
Pension or other benefit schedule records	Potentially permanent (ie lifetimes of those involved), depending on nature of scheme
Job application and interview / rejection records (unsuccessful applicants)	Minimum of 3 months but no more than 1 year
Staff immigration records (Right to Work etc)	Minimum of 2 years from end of employment
Tier 2 migrant worker sponsor records	Minimum of 1 year from end of employment
Health records relating to employees	7 years from end of employment
Records of low-level concerns about adults	At least until the end of employment (as recommended by KCSIE), then subject to review for relevance: e.g. 7 years from end of employment if they have ongoing relevance for employment claims, longer if necessary for safeguarding purposes / claims.

Insurance Records	
Insurance policies (will vary – private, public, professional indemnity)	Duration of policy (or as required by policy) plus a period for any run-off arrangement and coverage of insured risks: ideally, until it is possible to calculate that no living person could make a claim.
Correspondence related to claims/ renewals/ notification re: insurance	Minimum of 7 years (*but this will depend on what the policy covers and whether e.g. historic claims may still be made*)
Environmental, Health and Data	Be aware that latent injuries can take years to manifest, and the limitation period for claims reflects this. Therefore keep a note of all procedures as they were at the time, plus a record that they were followed, and relevant insurance documents.
Maintenance logs	10 years from date of last entry
Accidents to children	25 years from birth (longer for safeguarding)
Accident at work records (staff)	Minimum of 4 years from date of accident, but review case-by-case where possible
Staff use of hazardous substances	Minimum of 7 years from end of date of use
Covid-19 risk assessments, consents etc. (for now: this to be subject to further review)	Retain for now legal paperwork (consents, notices, risk assessments) but not individual test results

Risk assessments (carried out in respect of above)	7 years from completion of relevant project, incident, event or activity
Art.30 UK GDPR records of processing activity (**ROPAs**), data breach records, data protection impact assessments	No limit (as long as no personal data held), but must be kept up-to-date, accurate and relevant Recommend current academic year plus 3 years then review

Photographs	Data protection law is likely to apply if photos or videos are taken for official school use, such as for inclusion in a prospectus or other promotional material. Pupils or a parent or guardian, depending on the pupil's age, must be informed how the photos or videos will be used. WGSF will ask parents to specify annually whether they allow pictures to be taken of their child and use for school's publicity / social media. Photographs will be stored securely and will be reviewed regularly to ensure excessive photographs are not kept longer than necessary. However it is also understood that some photographs will be kept for historic reference.