Data Retention Policy	
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Policy Author	Sarah Jones
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Related policies/ documents	• Data Protection, • Information Security, • FOI

Document Control

Date	Version	Comments
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Contents

1. Purpose & Scope

This policy sets out how the Trust retains, reviews, archives and securely disposes of records (paper and digital) to comply with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA 2018), the Freedom of Information Act 2000 (FOIA), and sector-specific legislation for schools and academies. It applies to all records processed by the Trust and its schools, regardless of format, and to all people who create, access or manage records on the Trust's behalf.

2. Legal & Regulatory Framework

- UK GDPR (storage limitation, integrity & confidentiality, accountability).
- Data Protection Act 2018.
- Freedom of Information Act 2000 and Section 46 Code of Practice (records management).
- DfE Keeping Children Safe in Education (KCSIE) – safeguarding and staff allegations records.
- Working Time Regulations 1998 – record keeping requirements.
- HMRC PAYE record keeping rules and tax legislation.
- Health & Safety legislation including RIDDOR 2013 and COSHH (health surveillance records).
- DBS Code of Practice – handling and retention of certificate information.
- IRMS Information Management Toolkit for Schools – sector retention guidance.

3. Retention Principles

We retain personal data only for as long as necessary for the purposes for which it was collected, taking account of statutory minimums, limitation periods, and our educational, safeguarding and business needs. Where no law specifies a period, we set a justified period and record it in the retention schedule. At the end of the period we securely delete or anonymise the data unless a legal hold applies.

1.1 Key controls:

- Standard retention periods are set out in Annex A (Retention Schedule).
- Records must be scheduled for deletion/archiving and reviewed at least annually.
- Any legal hold (investigation, audit, complaint, litigation, inquiry) suspends destruction until lifted.
- Disposal actions must be logged (date, series, volume, method, authoriser).

4. Roles & Responsibilities

Trust Board approves this policy. The Chief Finance & Operating Officer (CFOO) and the Data Protection Officer (DPO) own and monitor the policy. Headteachers ensure local implementation. All staff must follow the retention schedule and complete relevant training. Third-party processors must meet the same standards under contract (UK GDPR Article 28).

5. Security, Storage & Access

- Apply proportionate access controls; keep safeguarding and HR files restricted on a need-to-know basis.
    - Encrypt portable media; use approved cloud services with retention controls.

- Store physical records in secure areas; maintain off-site archival inventories.
- Protect special category and criminal records data with enhanced safeguards.

6. Archiving & Transfer

Records identified as having long-term historical value may be transferred to an approved archive or local authority archive under an agreement. Pupil and staff records must be transferred securely to the next school/employer where required by law or guidance (e.g., pupil record and child protection file). An archive/transfer log must be maintained.

7. Secure Disposal

- Paper: cross-cut shredding or approved confidential waste service.
- Digital: sanitise media using approved methods; ensure deletion from backups per retention settings.
- DBS certificates: retain only as long as necessary (normally up to 6 months) unless a safeguarding audit requires longer; keep only minimal metadata thereafter.
- Maintain a destruction log including authorisation and method.

8. Data Subject Rights and Requests

Retention periods must enable compliance with rights of access, rectification and erasure where applicable. Where a record must be retained to comply with law or to establish, exercise or defend legal claims, erasure may be restricted.

9. Training, Monitoring & Audit

All relevant staff will receive annual refresher training on records management and secure disposal. Compliance will be monitored via periodic audits. KPI: % of records in scope reviewed and disposed in line with schedule; % completion of staff training; number of legal holds applied/lifted.

Annex A: Retention Schedule (condensed)

This schedule sets minimum/default periods. Where a statutory period is stated, it takes precedence. Where "legal hold" is noted, destruction must pause until the hold is lifted. Local variations must be documented with reasons.

Category / Record	Minimum Retention	Trigger	Notes
Recruitment unsuccessful candidates	6 months	Outcome notification	Extend only with explicit consent for talent pool.
Recruitment successful candidates (application/interview)	6 years	End of employment	Part of personnel file.
Contracts/terms & changes	6 years	End of employment	Limitation period for contract claims.
Right to Work checks	2 years	End of employment	Copy of check and follow-up.
Working Time records / opt-outs	2 years	Record date	WTR record-keeping.
Disciplinary & grievance (final outcome)	6 years	End of employment	Longer if relevant to safeguarding.
Safeguarding – allegations about staff (including unfounded)	10 years or to normal retirement age (whichever longer)	Date of allegation	Keep under review; malicious allegations removed; follow KCSIE.
DBS certificate data (certificate image)	Up to 6 months	Decision made	Retain only metadata thereafter unless audit requires longer.
Payroll and wages	3 years (minimum); 6 years recommended	End of tax year	HMRC minimum 3 years; many schools keep 6 years.
Pension records	12 years	End of scheme year/event	Scheme records and notifiable events.
SMP/SSP records	3 years	End of tax year	Statutory payments evidence.
Accident book / RIDDOR reports - adults	At least 3 years (6 years recommended)	Date of incident	Consider claims limitation periods.
Accident records – children	Until age 25	DOB	Retain longer if litigation anticipated.
Health surveillance (COSHH, asbestos, lead)	40 years	Last entry/exposure	Health records per COSHH.
Admissions register	3 years	Date of entry	Must be preserved three years.
Admissions – successful	Date of leaving + 1 year	Leaving date	Keep proofs of address only as long as needed.
Pupil record (core file)	DOB + 25 years	DOB	Transfer to next school when pupil leaves.

Child protection file	DOB + 25 years	DOB	Transfer securely to next school; mark as confidential.
SEN/EHCP files	Until 25th birthday	DOB	Or 6 years from cessation of plan – whichever is later locally.
Attendance registers	3 years	Date of entry	Statutory minimum.
School meals registers / Free School Meals	3 years / 6 years	End of year	Retention varies – finance vs eligibility.
Newsletters/circulars (routine)	1 year	Publication date	Non-record copies can be deleted sooner.
Emails (routine operational)	2–5 years (policy-defined)	Date received/sent	Apply mailbox retention labels; archive or delete per policy.

Note: Where the IRMS Toolkit specifies different periods, the Trust will align with the latest edition. Local authority or DfE directions (e.g., in response to public inquiries) may extend retention for specific record sets. All deviations must be documented in the Retention Register.