



Records Retention Policy

Last reviewed: May 2018

This document applies to all schools and operations of the Vale Academy Trust. www.vale-academy.org

Document Control			
Review period	24 Months	Next review	May 2020
Owner	Information Team	Approver	Board of Directors
Category	Public	Type	Global

SECTION 1: INTRODUCTION

- 1.1. The main aim of this policy is to enable the schools and operations of the Vale Academy Trust ('the 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.
- 1.2. 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. The Appendix 'Records Retention Table' in this document sets 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. For information, the Appendix sets out the statutory requirements for certain categories of document. If we decide to keep information longer than the statutory requirement, this will be explained in ***bold italics*** within the table.
- 1.5. Section 2 of this policy sets out the destruction procedure for documents at the end of their retention period. Any questions regarding this should be referred to the Trust's Information Team:

Email: InformationTeam@vale-academy.org

Or you can send a letter addressed to:

**Information Team
Vale Academy Trust
The Studio, St Mary's Convent
Denchworth Road
Wantage
OX12 9AU**

- 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 Information Team, using the contact information under para 1.5 above, who will consult with the appropriate personnel and make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

SECTION 2: DELETION OF DOCUMENTS

When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

2.1 Confidential waste

- 2.1.1 This should be made available for collection in the confidential waste bins or sacks located in school and Trust offices.
- 2.1.2 Alternatively, confidential waste can be shredded using the shredding machines available in some offices.
- 2.1.3 Anything that contains personal information should be treated as confidential.
- 2.1.4 Where deleting electronically, please refer to the Information Team, using the contact information under para 1.5 above, to ensure that this is carried out effectively.

2.2 Other documentation

- 2.2.1 Other documentation can be deleted or placed in recycling bins where appropriate.

2.3 Automatic deletion

- 2.3.1 Certain information will be automatically archived by the computer systems, details of which are set out in the Appendix. Should you want to prevent this happening in a particular circumstance, please contact the Information Team, using the contact information under para 1.5 above.

2.4 Individual responsibility

- 2.4.1 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:
 - a. Has the information come to the end of its useful life?
 - b. Is there a legal requirement to keep this information or document for a set period? (Refer to Appendix for more information)
 - c. 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?)
 - d. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
 - e. Is the document of historic or statistical significance?
- 2.4.2 If the decision is made to keep the document, this should be referred to the Information Team, using the contact information under para 1.5 above, and reasons given.

APPENDIX: RECORDS RETENTION TABLE

RECORD TYPE	LEGISLATION / REASONS FOR RETENTION	REQUIREMENT
COMPANY RECORDS		
Company Articles of Association, Rules / bylaws	Companies Act 2006 Charities Act 2011	Permanent
Academy funding agreement and any supplemental agreements	Charities Act 2011	Permanent
Member / trustee / director / governor minutes of meetings and written resolutions	Companies Act 2006 Charities Act 2011	Permanent. Retain one signed master copy, together with one copy of any related agenda
Confidential minutes of Member / trustee / director / meetings	Data Protection regulation Companies Act 2006 Charities Act 2011	Permanent, but consider possible data protection issues, redact if necessary, and retain one signed master copy and any related agenda
Documents of clear historical / archival significance	Data Protection regulation	Permanent if relevant data protection regulation provisions are met. This is subject to further legal advice that will be taken after the Data Protection Act 2018 is published.
Contracts e.g. with suppliers or grant makers	Limitation Act 1980	Length of contract term plus 6 years
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years
IP records and legal files re provision of service	Limitation Act 1980	Recommended: Life of service provision or IP plus 6 years
TAX AND FINANCE		
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006 Charities Act 2011	Minimum 6 years requirement <i>Following legal advice, The Trust has decided to keep these records permanently</i>

Tax and accounting records	Finance Act 1998 Taxes Management Act 1970	6 years from end of relevant tax year
Information relevant for VAT purposes	Finance Act 1998 and HMRC Notice 700/21	Minimum 6 years from end of relevant period
Banking records / receipts book/sales ledger	Companies Act 2006 Charities Act 2011	6 years from transaction
EMPLOYEE / ADMINISTRATION		
Payroll / Employee / Income Tax and NI records: P45; P6; P11D; P60, etc.	Taxes Management Act 1970 / IT (PAYE) Regulations	6 years from end of current year
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year
Sick pay	Statutory Sick Pay (General) Regulations	3 years after the end of the tax year
National Minimum wage records	National Minimum Wage Act	3 years after the end of the tax year
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007 Independent School Standards Regulations	Minimum 2 years from end of employment
HR files and training records	Limitation Act 1970 and Data Protection regulation	Maximum 6 years from end of employment
Records re working time	Working Time Regulations 1998 as amended	2 years
Job applications (CVs and related materials re unsuccessful applicants)	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976	Recommended: 6-12 months from your notification of outcome of application
Pre-employment / volunteer vetting	ICO Employment Practice Code Independent School Standards Regulations	6 months
Disclosure & Barring Service checks	Single Central Record Requirements under Part 4 of the Schedule to the Education (Independent	Record only satisfactory / unsatisfactory result and delete other information. If

	School Standards) Regulations 2014	copy is kept, not to be retained beyond 6 months
Volunteer records		Assessment required to decide on retention period taking account of risk (e.g. safeguarding re work with children)
INSURANCE		
Employer's Liability Insurance	Employers' Liability (Compulsory Insurance Regulation) 1998	40 years
Policies	Commercial	3 years after lapse
Claims correspondence	Commercial	3 years after settlement
HEALTH & SAFETY / MEDICAL		
General records	Limitation Act 1970	Minimum 3 years
Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	<i>Following legal advice, The Trust has decided to keep these records permanently</i>
Accident books / records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation
Medical Scheme documentation	Commercial	Permanent unless personal data is included
PREMISES / PROPERTY		
Original title deeds		Permanent / to disposal of property
Leases	Limitation Act 1980	12 years after lease has expired
Building records, plans, consents and certification and warranties etc.	Limitations Act 1980	6 years after disposal or permanent if of historical / archival interest. Carry out review re: longer retention, e.g. if possible actions against contractors
PENSION RECORDS		

Records about employees and workers	For all categories, see detailed Guidance for Employers: (April 2017) http://www.thepensionsregulator.gov.uk/	RETAINED UNTIL FURTHER RECOMMENDATIONS
Records re the Scheme		
Records re active members and opt in / opt out		
Trust Deed / Rules and HMRC approvals		
Trustees' Minutes and annual accounts		
Policies including investment policies		
PUPILS		
Secondary School Educational Record	Pupil information Regulations 2005 Data Protection regulation	25 years from the date of birth of the pupil.
Primary School Educational Record	Pupil information Regulations 2005 Data Protection regulation	The file should follow the pupil when he/she leaves the primary school. This will include: <ul style="list-style-type: none"> • to another primary school • to a secondary school • to a pupil referral unit If the pupil dies whilst at primary school the file should be returned to the Local Authority to be retained for the statutory retention period. If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be returned to the Local Authority to be retained for the statutory retention period.
Examination results	Retained as part of the Educational Record, above	Retained as part of the Educational Record, above
Child Protection information (on child's file)	"Keeping children safe in education Statutory guidance for schools and	RETAINED UNTIL FURTHER RECOMMENDATIONS

	colleges September 2016”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017”	Subject to moratorium on destruction due to historic child abuse enquiry. See https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements
Child Protection Information in other files	“Keeping children safe in education Statutory guidance for schools and colleges September 2016”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017”	RETAIN UNTIL FURTHER RECOMMENDATIONS Subject to moratorium on destruction due to historic child abuse enquiry. See https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements
Special Educational Needs files	Limitation Act 1980	25 years from date of birth of the pupil
Education Health and Care Plans	Special Educational Needs and Disability Regulations 2014 Children and families Act 2014, part 3	25 years from date of birth of the pupil
Statements of Special Educational Needs (now historic)	Originally under Special Educational Needs and Disability Regulations 2001	25 years from date of birth of pupil unless passed to new school (usually on the pupil’s Educational Record)
Attendance registers	Pupil Registration Regulations 2006 Regulation 14	Retain until 3 years after the end of the school year during which the entry was made. This applies to every backup copy.
Other items e.g. curriculum related,	Possible data protection regulation issues	Case by case basis, with due consideration given to data protection regulations

photographs, video recordings		
PARENTS AND CARERS		
Name, contact details and correspondence	Pupil Registration Regulations 2006	Usually, for the duration that the parent/carer has a pupil at the school. Otherwise subject to case by case justification.
ALUMNI / ALUMNAE AND THEIR PARENTS		
		No legal clarity at present. The Trust will seek further advice after the Data Protection Act 2018 comes into force

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