



Data Retention Policy

Version: 6.0

Date: 23/09/2024

thesovereigntrust.uk

The Sovereign Trust is a Multi Academy Trust registered in England No. 09666511. Registered Office: Manor Academy Sale, Manor Avenue, Sale M33 5JX




Document Control

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The Sovereign Trust is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with Trust's policy review schedule.

A current version of this document is available to all interested parties [The Sovereign Trust Website](#)

Signature: 

Date: 23/09/2024

Version History

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| Next Review Date | | 12/10/2023 | | |
| Version | Date | Amendments | Author | Status |
| 1.0 | 06/05/2018 | Initial Issue | CEO | Approved |
| 2.0 | 19/08/2021 | Updated reference to UK GDPR | CEO | Approved |
| 3.0 | | Updated with statutory references for certain retention periods. | CEO | Approved |
| 4.0 | November 2021 | Changed retention period for accident records for under 18s to age of 21 with a comment to explain why. | CEO | Approved |
| 5.0 | 04/08/2022 | Formatting amendments | CEO | Approved |
| 5.1 | 23/11/2023 | No changes | CEO | Approved |
| 6.0 | 23/09/2024 | Updated with statutory references for certain retention periods. Revised guidance on retention of pupil records. Additional categories of records are detailed in the retention schedule. Further information is detailed following the conclusion of ISCA. | CEO | Approved |
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Data Retention Policy

The Trust has a responsibility to maintain its records and record keeping systems. When doing this, the Trust will take into account of the following factors:

- The most efficient and effective way of storing records and information;
- The confidential nature of the records and information stored;
- The security of the record systems used;
- Privacy and disclosure; and
- Accessibility of records and record keeping systems.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the Trust's current practice, the requirements of current legislation and best practices and guidance. It may be amended by the Trust from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. The Trust may also vary any parts of this procedure, including any time limits, as appropriate in any case.

Data Protection

This policy sets out how long employment-related and pupil data will normally be held by the Trust and when that information will be confidentially destroyed in compliance with the terms of the UK General Data Protection Regulation (UK GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of the Trust. The Trust's Data Protection Policy outlines its duties and obligations under the UK GDPR.

Retention Schedule

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule. When managing records, the Trust will adhere to the standard retention times listed within that schedule.

The retention schedule refers to all records regardless of the media (e.g., paper, electronic, microfilm, photographic, etc.) in/on which they are stored. The Executive Headteacher/ Head of Schools and the Executive team will regularly monitor all records.

Destruction of Records

The schedule is a relatively lengthy document listing the many types of records used by the Trust and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.

Where records have been identified for destruction, they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information or sensitive policy information should be shredded before disposal where possible. An appropriate wastepaper merchant should dispose of all other paper records. All electronic information will be deleted.

The Trust maintains a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list the following: -

- File reference (or other unique identifiers);
- File title/description;
- Number of files;
- Name of the authorising officer;
- Date destroyed or deleted from the system; and
- Person(s) who undertook destruction.

Retention of Safeguarding Records

Any allegations made that are found to be malicious must not be part of the personnel records.

For any other allegations made, the Trust must keep a comprehensive summary of the allegation made, details of how the investigation was looked into and resolved and any decisions reached. This should be kept in the personnel files of the accused.

Any allegations made of sexual abuse should be preserved by the Trust for the term of an inquiry by the Independent Inquiry into Child Sexual Abuse. All other records (for example, the personnel file of the accused) should be retained until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. In 2022, the Independent Inquiry into Child Sexual Abuse (IICSA) concluded and published its final report, leaving a recommendation that all records relating to child sexual abuse should be retained for a period of 75 years.

The ICO has not currently produced guidance or frameworks regarding retention as recommended by the inquiry. Until this has been produced, records will still be retained for a prolonged period as recommended initially by IISCA in order to fulfil potential legal duties that a school may have in relation to the inquiry or any further guidance.

Archiving

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. The Chief HR Officer maintains a database of the records sent to the archives for all employees. The Executive Headteacher/Head of Schools maintains a database of the records sent to the archives for all students. The Chief Financial Officer maintains a database of the records sent to the archives for all financial matters. The appropriate staff member, when archiving documents, should record in this list the following information: -

- File reference (or other unique identifiers);
- File title/description;

- Number of files; and
- Name of the authorising officer.

Transferring Information to Other Media

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media, such as digital media or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

Transferring Information to Another Establishment

We retain the pupil's educational record while the child remains at the Trust. Once a pupil leaves the Trust, the file should be sent to their next School or establishment. The responsibility for retention then shifts to the next establishment. We retain the file for a year following the transfer in case any issues arise as a result of the transfer.

We may delay destruction for a further period where there are special factors such as potential litigation.

Responsibility and Monitoring

The Executive Headteacher/Head of Schools and the Executive team have primary and day-to-day responsibility for implementing this policy. The Data Protection Officer, in conjunction with the Trust, is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The Data Protection Officer will consider the suitability and adequacy of this policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to ensure their effectiveness in creating, maintaining, and removing records.

Management at all levels is responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

Emails

Emails accounts are not a case management tool in itself. Generally, emails may need to fall under different retention periods (for example, an email regarding a health and safety report will be subject to a different time frame than an email which forms part of a pupil record). It is important to note that the retention period will depend on the content of the email, and it is important that staff file those emails in the relevant areas to avoid the data becoming lost.

Pupil Records

All Trusts, with the exception of independent Trusts, are under a duty to maintain a pupil record for each pupil. Early Years will have their own separate record keeping requirements. If a child changes Trusts, the responsibility for maintaining the pupil record moves to the next Trust. We retain the file for a year following the transfer in case any issues arise as a result of the transfer.

Retention Schedule

| FILE DESCRIPTION | RETENTION PERIOD |
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| Employment Records | |
| Job applications and interview records of unsuccessful candidates | Six months after notifying unsuccessful candidates, unless the Trust has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained. |
| Job applications and interview records of successful candidates | Added to staff personnel file and retained in line with that record 6 years after employment ceases |
| Written particulars of employment, contracts of employment and changes to terms and conditions | Added to staff personnel file and retained in line with that record 6 years after employment ceases |
| Right-to-work documentation, including identification documents and immigration checks. | Added to staff personnel file and retained in line with that record 6 years after employment ceases |
| DBS checks and disclosures of criminal records forms | DBS certificates should be destroyed as soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, for no longer than 6 months |
| Change of personal details notifications | No longer than 6 months after receiving this notification |
| Emergency contact details | Destroyed on termination |
| Personnel records | While employment continues and up to six years after employment ceases (Limitation Act 1980) |
| Annual leave records | Six years after the end of the tax year, they relate to or possibly longer if leave can be carried over from year to year. |

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| Consent for the processing of personal and sensitive data | For as long as the data is being processed and up to 6 years afterwards |
| <p>Working Time Regulations:</p> <ul style="list-style-type: none"> • Opt-out forms • Records of compliance with WTR | <ul style="list-style-type: none"> • Two years from the date on which they were entered into • Two years after the relevant period |
| Disciplinary records | 6 years after employment ceases (Limitation Act 1980) |
| Grievance records | 6 years after employment ceases (Limitation Act 1980) |
| Training | 6 years after employment ceases (Limitation Act 1980) or the length of time required by the professional body |
| Staff training where it relates to safeguarding or other child-related training | Date of the training plus 40 years (This retention period reflects that the IICSA may wish to see training records as part of an investigation) |
| Annual appraisal/assessment records | Current year plus 3 years |
| Professional Development Plans | Life of the plan or plan superseded + 6 years |
| Allegations of a child protection nature against a member of staff, including where the allegation is founded | <p>10 years from the date of the allegation or the person's normal retirement age (whichever is longer). This should be kept under review.</p> <p>Malicious allegations should be removed.</p> |
| Financial and Payroll Records | |
| Pension records | 12 years |
| Retirement benefits schemes – notifiable events (for example, relating to incapacity) | 6 years from the end of the scheme year in which the event took place |
| Payroll and wage records | 6 years after the end of the tax year, they relate to (Taxes Management Act 1970; Income and Corporation Taxes 1988) |

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| Maternity/Adoption/Paternity Leave records | 3 years after the end of the tax year, they relate to (Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)) |
| Statutory Sick Pay | 3 years after the end of the tax year they relate to (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Current bank details | Until updated plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Bonus Sheets | Until updated plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Timesheets/clock cards/flexitime | Until updated plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Pupil Premium Fund records | Date pupil leaves the provision plus 6 years. |
| National Insurance (schedule of payments) | Current year plus 6 years (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Insurance | Current year plus 6 years (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Overtime | Current year plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988) |
| Annual accounts | Current year plus 6 years |
| Loans and grants managed by the Trust | Date of last payment on loan + 6 years if the loan is under 10,000 or date of last payment on loan + 12 years if the loan is over 10,000. |
| All records relating to the creation and management of budgets | Life of the budget plus 3 years. |
| Invoices, receipts, order books and requisitions, delivery notices | Current financial year plus 6 years. |
| Student Grant applications | Current year plus 3 years |

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| Pupil Premium Fund records | Date pupil leaves the Trust plus 6 years. |
| Trust fund documentation (including but not limited to invoices, chequebooks, receipts, bank statements etc.). | Current year plus 6 years |
| Free Trust meals registers (where the register is used as a basis for funding) | Current year plus 6 years |
| Trust meal registers and summary sheets | Current year plus 3 years |
| Agreements and Administration Paperwork | |
| Collective workforce agreements and past agreements that could affect present employees | Permanently |
| Trade union agreements | 10 years after ceasing to be effective |
| Strategic Plan or School Development Plans | Life of plan or until plan superseded + 3 years. If major changes are made to the plan then an archive copy of previous plans should be retained |
| Visitors Book and Signing In Sheets | 6 years |
| Newsletters and circulars to staff, parents and pupils | 1 year (and the Trust may decide to archive one copy) |
| Minutes of Senior Management Team meetings | Date of the meeting plus 3 years or as required |
| Reports created by the Head Teacher or the Senior Management Team. | Date of the report plus a minimum of 3 years or as required |
| Records relating to the creation and publication of the Trust prospectus | Current academic year plus 3 years |
| Health and Safety Records | |
| Health and Safety consultations | Permanently |

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| Health and Safety Risk Assessments | Life of the risk assessment plus 3 years |
| Health and Safety Policy Statements | Life of policy plus 3 years |
| Any records relating to any reportable death, injury, disease or dangerous occurrence | Date of incident plus 3 years provided that all records relating to the incident are held on the personnel file |
| Accident reporting records relating to individuals who are under 18 years of age at the time of the incident | Until the child reaches the age of 21. |
| Accident reporting records relating to individuals who are over 18 years of age at the time of the incident | Date of last entry in the accident book + 3 years but if there is possibility of negligence allegation then date of incident + 15 years or date of settlement + 6 years. (Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980) |
| Fire precaution logbooks | Current year plus 6 years |
| Medical records and details of: - <ul style="list-style-type: none"> control of lead at work employees exposed to asbestos dust records specified by the Control of Substances Hazardous to Health Regulations (COSHH) | 40 years from the date of the last entry made in the record (Control of Substances Hazardous to Health Regulations (COSHH); Control of Asbestos at Work Regulations) |
| Records of tests and examinations of control systems and protection equipment under COSHH | 5 years from the date on which the record was made |
| Temporary and Casual Workers | |
| Records relating to hours worked and payments made to workers | 3 years |
| Governing Body Documents | |

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| Instruments of government | For the life of the Trust. Consult local archives before disposal. |
| Meetings schedule | Current year |
| Minutes – principal set (signed) | Date of meeting + 10 years |
| Agendas – principal copy | Where possible, the agenda should be stored with the principal set of minutes |
| Agendas – additional copies | Date of meeting |
| Policy documents created and administered by the governing body | Until replaced |
| Register of attendance at full governing board meetings | Date of the last meeting in the book plus 6 years |
| Annual reports required by the Department of Education | Date of report plus 10 years |
| Records relating to complaints made to and investigated by the governing body or head teacher | Major complaints: current year plus 6 years. If negligence is involved: current year plus 15 years. If child protection or safeguarding issues are involved, then: current year plus 40 years. If the complaint relates to child sexual abuse, then indefinitely. (Based on recommendations left by the IICSA, will be reviewed upon publication of ICO guidance) |
| Correspondence sent and received by the governing body or head teacher | General correspondence should be retained for the current year plus 3 years |
| Records relating to the terms of office of serving governors, including evidence of appointment | Date appointment ceases plus 6 years except where there have been allegations concerning children. In this case, retain for 25 years. |
| Register of business interests | Date appointment ceases plus 10 years (|

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| | Companies Act 2006). |
| Records relating to the training required and received by governors | Date appointment ceases plus 6 years |
| Records relating to the appointment of a clerk to the governing body | Date on which clerk appointment ceases plus 6 years |
| Governor personnel files | Date appointment ceases plus 6 years. |
| Pupil Records | |
| Details of whether admission is successful/unsuccessful | 1 year from the date of admission/non-admission (School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels) |
| Proof of address supplied by parents as part of the admissions process | School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools adjudicators, and admission appeals panels) |
| Admissions register | Entries are to be preserved for six years from the date of entry (Working together to improve school attendance, Section 36, 2024 Statutory guidance) |
| Pupil Record including non-child protection safeguarding records. | <p>Primary – Whilst the child attends the School (The Education (Pupil Information) (England) Regulations 2005, The Pupil Information (Wales) Regulations 2011)</p> <p>Secondary – until the child reaches the age of 25 (Limitation Act 1980, Section 2)</p> |
| Attendance Registers | Six years from the date of entry (Working together to improve school attendance, Section 36, 2024 Statutory guidance) |

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| Correspondence relating to any absence (authorised or unauthorised) | Current academic year plus 2 years (Education Act 1996, Section 7) |
| Special Educational Needs files, reviews and Education, Health and Care Plans, including advice and information provided to parents regarding educational needs and accessibility strategy | <p>Primary school - whilst the child attends the school.</p> <p>Secondary - Date of birth of the pupil plus 31 years (Education, Health and Care Plan is valid until the individual reaches the age of 25 years – the retention period adds an additional 6 years from the end of the plan). (Children and Family's Act 2014; Special Educational Needs and Disability Act 2001)</p> |
| Child protection information (to be held in a separate file). | DOB of the child plus 25 years, then review. If aspects of the record relate to child sexual abuse, then these records should be retained indefinitely. (Based on recommendations left by the IICSA, will be reviewed upon publication of ICO guidance) |
| Exam results (pupil copy) | This information should be added to the pupil file and retained in line with that record. |
| Examination results (Trust's copy) | Current year plus 6 years. |
| Allegations of sexual abuse | If the complaint relates to child sexual abuse then indefinitely. (Based on recommendations left by the IICSA, will be reviewed upon publication of ICO guidance). |
| Records relating to any allegation of a child protection nature against a member of staff | Until the accused reaches a normal retirement age or 10 years from the date of the allegation (whichever is longer) (Retention period informed by the guidance of KCSIE). |
| Consents relating to Trust activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings) | Evidence of consent will be retained while the pupil attends school or until withdrawn, whichever is shorter. |

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| Pupil's work | Where possible, returned to pupil at the end of the academic year (provided the School have their own internal policy to this effect). Otherwise, the work should be retained for the current year plus 1 year. |
| Mark books | Current year plus 1 year |
| Schemes of work | Current year plus 1 year |
| Timetable | Current year plus 1 year |
| Class record books | Current year plus 1 year |
| Record of homework set | Current year plus 1 year |
| Photographs of pupils | For the time, the child is at the Trust and for a short while after. Please note select images may also be kept for longer (for example, to illustrate the history of the Trust) |
| Parental consent forms for Trust trips where there has been no major incident | End of the trip or end of the academic year (subject to a risk assessment carried out by the Trust) |
| Parental permission slips for Trust trips where there has been a major incident | Date of birth of the pupil involved in the incident plus 25 years. Permission slips for all the pupils on the trip should be retained to demonstrate that all pupils have followed the rules. |
| Other Records | |
| Emails | 3 years |
| CCTV | 30 days |
| Privacy notices | Until replaced, plus 6 years |
| Inventories of furniture and equipment | Current year plus 6 years |

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| All records relating to the maintenance of the Trust carried out by contractors or employees of the Trust. | Whilst the building belongs to the Trust. |
| Records relating to the letting of Trust premises | Current financial year plus 6 years |
| Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations | Current year plus 6 years, then review |
| Referral forms | While the referral is current |
| Contact data sheets | Current year, then review; if contact is no longer active, then destroy |