

# DATA RETENTION POLICY



Blundell's

PREPARATORY SCHOOL



Blundell's

FOUNDED 1604

## DATA RETENTION POLICY

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<b>Policy Name:</b>	Data Retention Policy
<b>Applicable to:</b>	Preparatory School and Senior School
<b>Name of Sponsor:</b>	Data Protection and Privacy Lead (DDPL)
<b>Date of Policy:</b>	1st November 2024
<b>Date for Review:</b>	1st November 2026
<b>Governing Body Oversight:</b>	Yes
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<b>Published Internally:</b>	Policy Library and Staff Handbook
<b>Published on School Website:</b>	Yes



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## DATA RETENTION POLICY

### BACKGROUND

1. Data protection law is based on the principles that:
  - a. **Personal Data** (that is, data by which a living individual or 'data subject' may be identified) **must not be held for longer than is necessary** for the **specific lawful purpose** for which it was collected; and
  - b. Data controllers, such as schools, should not keep more personal data than is necessary for that purpose.
2. In this way, UK GDPR requires schools to set policies reflecting these key data protection principles.
3. Schools need to balance the benefits of keeping detailed and complete records – for the purposes of good practice, archives or general reference – with practical considerations of storage, space and accessibility.
4. The longer potentially relevant personal data is retained, and the more sensitive material is kept on file, the greater the administrative burden on schools, in terms of both secure storage and individual subject access rights.
5. The following legal considerations apply to independent schools in respect of retention of records and documents which must be borne in mind. These include:
  1. statutory duties and government guidance relating to schools, including e.g. KCSIE;
  2. disclosure and evidence requirements for potential future litigation;
  3. contractual and insurance obligations;
  4. the laws of confidentiality and privacy; and
  5. The General Data Protection Regulation (GDPR) and the Data Protection Act 2018, which enshrines it in UK law.
6. These inform the minimum and maximum retention periods set out in this policy, as well as what personal data to keep and who should be able to access it.

### TRAINING

7. All School staff receive basic training in data management, which covers issues such as security, recognising and handling sensitive personal data and safeguarding.
8. All School staff are advised of their obligation to act in accordance with this policy.

### **DATA PROTECTION & PRIVACY LEAD**

9. You can contact the DPPL using these details:
  - a. Email: DDPL@blundells.org
  - b. Address: DPPL, The Bursary, Blundell's School, Tiverton, Devon, EX16 4DN.

### **RESPONSIBILITIES**

10. Staff given specific responsibility for the management of records receive specific training to ensure, as a minimum, the following:
  - a. That records – whether electronic or hard copy – are stored securely so that access is available only to authorised persons and the records themselves are available when required and (where necessary) searchable;
  - b. That important records, and large or sensitive personal databases, are not taken home or – in respect of digital data – carried or kept on portable devices (whether CDs or data sticks, or mobiles and handheld electronic tablets) unless absolutely necessary, in which case this is subject to a risk assessment and in line with the IT Acceptable Use Policy;
  - c. That back-up and migration processes are likewise conducted in line with the IT Acceptable Use Policy and are not individual ad hoc action;
  - d. That arrangements with external storage providers – whether physical or electronic (in any form, but most particularly "cloud-based" storage) – are supported by robust contractual arrangements providing for security and access;
  - e. That reviews are conducted on a regular basis, to ensure that all information being kept is still relevant and – in the case of personal data – necessary for the purposes for which it is held (and if so, that it is accurate and up-to-date); and
  - f. That all destruction or permanent erasure of records, if undertaken by a third party, is carried out securely – with no risk of the re-use or disclosure, or re-construction, of any records or information contained in them.

### **RETENTION OF RECORDS**

11. All School staff are required to manage records in accordance with the Retention Schedule at Annex A.

**END**

## ANNEX A | RETENTION SCHEDULE

Type of Record	Specific Records/Documents	Retention Period
Emails on Server	Pupil email account	Delete upon leaving school, or within one year
	Staff emails	Routine deletion of historic emails after 2-3 years, and delete account within 1 year of leaving school
Individual Pupil Records	Admissions: application forms, assessments, records of decisions	25 years from date of birth (or up to 7 years from the pupil leaving). If unsuccessful: up to 1 year
	Student immigration records	Duration of student sponsorship plus min. 1 year
	Examination results (external or internal)	7 years from pupil leaving school
	Pupil file including: Pupil reports and performance records Pupil medical records (not accidents)	25 years from date of birth (subject where relevant to any material that may be relevant to potential historic claims)
	Special educational needs records	Date of birth plus up to 35 years (risk assessed)
Corporate Records	Certificates of Incorporation	Permanent (or until dissolution of the company)
	Minutes, Notes and Resolutions of Boards or Management Meetings	Minimum – 10 years
	Register of Members	Permanent (minimum 10 years for ex-members)
	Annual reports	Minimum – 6 years

Safeguarding	Policies, procedures and insurance	Permanent record of historic policies
	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 have been involved / child has been subject of a multi-agency plan; or if any risk of future claim(s): 75 years
	Video recordings of 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
Accounting records	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)	Minimum – 6 years for UK charities (and public companies) from the end of the financial year in which the transaction took place
	Tax returns	Minimum – 6 years
	VAT returns	Minimum – 6 years
	Budget and internal financial reports	Minimum – 3 years
Contracts and Agreements	Signed or final/concluded agreements (plus any signed or final/concluded variations or amendments)	Minimum – 7 years from completion of contractual obligations or term of agreement, whichever is the later
	Deeds (or contracts under seal)	Minimum – 13 years from completion of contractual obligation or term of agreement

Intellectual Property Records	Formal documents of title (trademark or registered design certificates; patent or utility model certificates)	Permanent (in the case of any right which can be permanently extended, eg trademarks); 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 – 7 years from completion of contractual obligation concerned or term of agreement
Employee / Personnel Records	Single Central Record of employees	Keep a permanent record that mandatory checks have been undertaken
	Contracts of employment	7 years from effective date of end of contract
	Employee appraisals or reviews	Duration of employment plus 7 years
	Staff personnel file	Duration of employment plus minimum of 7 years <u>but do not delete any information which may be relevant to historic safeguarding claims</u>
	Payroll, salary, maternity pay records	Minimum – 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)	1 year
	Staff immigration records (Right to work, etc.)	Duration of employment plus 7 years
	Health records relating to employees	7 years from end of employment
	Records of low-level concerns about adults	At least until 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 – 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	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 – 4 years from date of accident, but review case-by-case where possible
	Staff use of hazardous substances	Minimum – 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
GDPR	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

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