



Holmer Green Senior School

GDPR Protection and Retention  
Policy

June 2024

## **1. Introduction**

Holmer Green Senior School is committed to conducting its business in accordance with all applicable Data Protection laws and regulations and in line with the highest standards of ethical conduct.

This policy details expected behaviours of Holmer Green Senior School's Employees and third parties in relation to the collection, use, retention, transfer, disclosure and destruction of any Personal Data belonging to a pupil, parent or staff member of Holmer Green Senior School and irrespective of the media used to store the information.

Personal Data is any information (including opinions and intentions) which relates to an identified or Identifiable Natural Person. Personal Data is subject to certain legal safeguards and other regulations, which impose restrictions on how organisations may process Personal Data.

An organisation that handles personal data and makes decisions about its use is known as a Data Controller. Holmer Green Senior School, as a Data Controller, is responsible for ensuring compliance with the Data Protection requirements outlined in this policy.

Non-compliance may expose Holmer Green Senior School to complaints, claims, regulatory action, fines and/or reputational damage.

The Governing Body of Holmer Green Senior School is fully committed to ensuring continued and effective implementation of this policy and expects all Holmer Green Senior School employees and third parties to share in this commitment.

Any breach of this policy will be taken seriously and may result in disciplinary action.

## 1. Scope

- 1.1. This policy applies to all activities undertaken by Holmer Green Senior School where a Data Subject's personal data is processed in the context of the general educational activities of the school.
- 1.2. This policy applies to all processing of personal data in electronic form (including electronic mail and documents created with word processing software) or where it is held in manual files that are structured in a way that allows ready access to information about individuals.
- 1.3. This policy has been designed to establish a baseline standard for the processing and protection of personal data by all Holmer Green Senior School employees. Where national law imposes a requirement that is stricter than that imposed by this policy, the requirements in national law must be followed. Furthermore, where national law imposes a requirement that is not addressed in this policy, the relevant national law must be adhered to.
- 1.4. The protection of personal data belonging to Holmer Green Senior School employees is not within the scope of this policy.
- 1.5. The Data Protection Officer (DPO) is responsible for overseeing this policy and, as applicable, developing related policies and privacy guidelines. The DPO within our School is Lynda Jackson – [jacksonl@holmer.org.uk](mailto:jacksonl@holmer.org.uk)
- 1.6. Please contact the DPO with any questions about the operation of this policy or the GDPR, or if you have any concerns that this policy is not being, or has not been, followed. In particular, you must always contact the DPO in the following circumstances:
  - if you are unsure of the lawful basis which you are relying on to process Personal Data (including the legitimate interests used by the school)
  - if you need to rely on Consent and/or need to capture Explicit Consent
  - if you need to draft Privacy Notices or Fair Processing Notices
  - if you are unsure about the retention period for the Personal Data being processed
  - if you are unsure about what security or other measures you need to implement to protect Personal Data
  - if there has been a Personal Data breach
  - if you are unsure on what basis to transfer Personal Data outside the EEA
  - if you need any assistance dealing with any rights invoked by a Data Subject
  - whenever you are engaging in a significant new, or change in, processing activity which is likely to require a DPIA or plan to use Personal Data for purposes others than what it was collected for
  - if you plan to undertake any activities involving automated processing including profiling or automated decision-making
  - if you need help complying with applicable law when carrying out direct marketing activities; or
  - if you need help with any contracts or other areas in relation to sharing Personal Data with third parties.

## 2. Definitions

TERM	DEFINITION
<b>ANONYMISATION</b>	Data amended in such a way that no individuals can be identified from the data (whether directly or indirectly) by any means or by any person.
<b>CONSENT</b>	Any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to him or her.
<b>DATA CONTROLLER</b>	A natural or legal person, Public Authority, Agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.
<b>DATA PROCESSOR</b>	A natural or legal person, Public Authority, Agency or other body which Processes Personal Data on behalf of a Data Controller.
<b>DATA PROTECTION</b>	The process of safeguarding Personal Data from unauthorised or unlawful disclosure, access, alteration, Processing, transfer or destruction.
<b>DATA PROTECTION OFFICER (DPO)</b>	The person required to be appointed in specific circumstances under the GDPR. Where a mandatory DPO has not been appointed, this term means a data protection manager or other voluntary appointment of a DPO with responsibility for data protection compliance.
<b>DATA SUBJECT</b>	Anyone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

<b>EEA</b>	The 27 countries in the EU, and Iceland, Liechtenstein and Norway.
<b>EMPLOYEE</b>	An individual who works part-time or full-time for Holmer Green Senior School under a contract of employment, whether oral or written, express or implied, and has recognised rights and duties – includes temporary employees and independent contractors.
<b>ENCRYPTION</b>	The process of encoding a message or information in such a way that only authorised parties can access it.
<b>INFORMATION COMMISSIONER'S OFFICE (ICO)</b>	An independent Public Authority in the UK responsible for monitoring the application of the relevant Data Protection regulation set forth in national law.
<b>PERSONAL DATA BREACH</b>	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise Processed.
<b>PROCESS, PROCESSED, PROCESSING</b>	Any operation or set of operations performed on Personal Data or on sets of Personal Data, whether or not by automated means. Operations performed may include collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
<b>PROFILING</b>	Any form of automated processing of Personal Data, where Personal Data is used to evaluate specific or general characteristics relating to a data subject. In particular to analyse or predict certain aspects concerning that natural person's performance at work, economic situations, health, personal preferences, interests, reliability, behaviour, location or movement.
<b>PSEUDONYMISATION</b>	Data amended in such a way that no individuals can be identified from the data (whether directly or indirectly) without a 'key' that allows the data to be re-identified.
<b>SPECIAL CATEGORIES OF DATA</b>	Personal Data pertaining to or revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, data concerning health or sex life and sexual orientation, genetic data or biometric data.

### **3. Policy**

#### **3.1. Governance**

##### **3.1.1. Policy Dissemination and Enforcement**

The Governing Body of Holmer Green Senior School must ensure that all its employees responsible for the processing of personal data are aware of, and comply with, the contents of this policy. In addition, Holmer Green Senior School will make sure all third parties engaged to process personal data on their behalf (i.e. their Data Processors) are aware of, and comply with, the contents of this policy. Assurance of such compliance must be obtained from all third parties, whether companies or individuals, prior to granting them access to personal data controlled by Holmer Green Senior School.

##### **3.1.2. Data Protection by Design**

Holmer Green Senior School must ensure that a Data Protection Impact Assessment (DPIA) is conducted for all new and/or revised systems or processes for which it has responsibility where the system or process stores personal data. The DPO of Holmer Green Senior School shall advise on how to conduct the DPIA. The subsequent findings of the DPIA must then be submitted to the senior management team/Governors for review and approval. Where applicable, the Information Technology (IT) Department, as part of its IT system and application design review process, will cooperate with the Data Protection subject matter expert to assess the impact of any new technology uses on the security of Personal Data.

##### **3.1.3. Compliance Monitoring**

To ensure that an adequate level of compliance is being achieved by Holmer Green Senior School in relation to this policy, Holmer Green Senior School will carry out an annual Data Protection compliance audit. Each audit will, as a minimum, assess compliance with this policy and the operational practices in relation to the protection of Personal Data, including:

- the assignment of responsibilities
- raising awareness
- training of Employees
- adequacy of organisational and technical controls to protect Personal Data
- records management procedures (including data minimisation)
- adherence to the qualified rights of the Data Subject
- Privacy by Design and Default
- consent for direct marketing
- Personal Data transfers
- Personal Data incident management (including Personal Data breaches)
- Personal Data complaints handling
- the currency of Data Protection policies and Privacy Notices
- the accuracy of Personal Data being stored
- the conformity of Data Processor activities
- the adequacy of procedures for redressing poor compliance.

Any major deficiencies identified will be reported to and monitored by the Governors. The School shall take all reasonable efforts to remedy any deficiencies identified in a timely manner.

## 3.2. Principles

### 3.2.1. Data Protection

Holmer Green Senior School has adopted the following principles to govern its collection, use, retention, transfer, disclosure and destruction of Personal Data.

PRINCIPLE	DEFINITION
<b>PRINCIPLE 1:</b> Lawfulness, Fairness and Transparency	Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject. This means Holmer Green Senior School must tell the Data Subject what processing will occur (transparency), the processing must match the description given to the Data Subject (fairness), and it must be for one of the purposes specified in the applicable Data Protection regulation (lawfulness).
<b>PRINCIPLE 2:</b> Purpose Limitation	Personal Data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. This means Holmer Green Senior School must specify exactly what the personal data collected will be used for and limit the processing of that personal data to only what is necessary to meet the specified purpose.
<b>PRINCIPLE 3:</b> Data Minimisation	Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. This means Holmer Green Senior School must not store any personal data beyond what is strictly required.
<b>PRINCIPLE 4:</b> Accuracy	Personal data shall be accurate and kept up to date. This means Holmer Green Senior School must have in place processes for identifying and addressing out-of-date, incorrect and redundant personal data.
<b>PRINCIPLE 5:</b> Storage Limitation	Personal data shall be kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the personal data is processed. This means Holmer Green Senior School must, wherever possible, store personal data in a way that limits or prevents identification of the Data Subject.
<b>PRINCIPLE 6:</b> Integrity & Confidentiality	Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, and against accidental loss, destruction or damage. Holmer Green Senior School must use appropriate technical and organisational measures to ensure the integrity and confidentiality of personal data are maintained at all times.

### 3.2.2. Accountability

The Data Controller shall be responsible for, and be able to demonstrate, compliance. This means Holmer Green Senior School must demonstrate that the six Data Protection Principles (outlined above) are met for all Personal Data for which it is responsible.

## 3.3. Data Collection

Personal Data should be collected only from the Data Subject/parent/carer of the Data Subject unless one of the following applies:

- The nature of the business purpose necessitates collection of the Personal Data from other persons or bodies.
- The collection must be carried out under emergency circumstances in order to protect the vital interests of the Data Subject or to prevent serious loss or injury to another person.

- If Personal Data is collected from someone other than the Data Subject, the Data Subject must be informed of the collection unless one of the following apply:
- the Data Subject has received the required information by other means
- the information must remain confidential due to a professional secrecy obligation
- a national law expressly provides for the collection, Processing or transfer of the Personal Data.

Where it has been determined that notification to a Data Subject is required, notification should occur promptly, but in no case later than:

- one calendar month from the first collection or recording of the Personal Data
- at the time of first communication, if used for communication with the Data Subject
- at the time of disclosure, if disclosed to another recipient.

#### 3.3.1. Data Subject Consent

Holmer Green Senior School will obtain Personal Data only by lawful and fair means and, where appropriate, with the knowledge and consent of the individual concerned.

Holmer Green Senior School shall establish a system for obtaining and documenting Data Subject consent for the collection, processing, and/or transfer of their personal data. The system must include provisions for:

- ensuring the request for consent is presented in a manner which is clearly distinguishable from any other matters
- ensuring the request for consent is made in an intelligible and easily accessible form, and uses clear and plain language
- ensuring the consent is freely given
- documenting the date, method and content of the disclosures made, as well as the validity, scope, and volition of the Consents given
- providing a simple method for a Data Subject to withdraw their consent at any time.

#### 3.3.2. External Privacy Notices

The school website will include an online 'Privacy Notice' fulfilling the requirements of applicable law.

### 3.4. Data Use

#### 3.4.1. Data Processing

Holmer Green Senior School will process personal data in accordance with data protection regulations and applicable contractual obligations. The school will not process personal data unless at least one of the following requirements are met:

- The Data Subject has given consent to the processing of their personal data for a specific purpose.
- Processing of the personal data is necessary for the performance of a contract to which the Data Subject is party or in order to take steps at the request of the Data Subject prior to entering into a contract.
- Processing is necessary for compliance with a legal obligation to which the Data Controller is subject.
- Processing is necessary in order to protect the vital interests of the Data Subject or of another natural person.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller.
- Processing is necessary for the purposes of the legitimate interests pursued by the Data Controller or by a third party (except where such interests are overridden by the interests or fundamental rights and freedoms of the Data Subject, in particular where the Data Subject is a child).



### 3.4.2. Sensitive Personal Data

Sensitive personal data include the following:

- SEND
- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- data concerning sex life, sexual orientation or health
- genetic data
- biometric data, where processed in a manner that will uniquely identify a person.

Holmer Green Senior School will only process sensitive personal data where the Data Subject expressly consents to such processing or where one of the following conditions apply:

- the processing is necessary for the school to discharge its legal duty
- the processing is specifically authorised or required by law
- the processing is necessary to protect the vital interests of the Data Subject or of another natural person where the Data Subject is physically or legally incapable of giving consent.

Where sensitive personal data is being processed, Holmer Green Senior School will adopt additional protection measures.

### 3.4.3. Data Quality

Holmer Green Senior School will adopt all necessary measures to ensure that the personal data it collects and processes is complete and accurate in the first instance, and is updated to reflect the current situation of the Data Subject.

The measures adopted by Holmer Green Senior School to ensure data quality include:

- correcting personal data known to be incorrect, inaccurate, incomplete, ambiguous, misleading or outdated, even if the Data Subject does not request rectification
- keeping personal data only for the period necessary, to satisfy the permitted uses or applicable statutory retention period
- the removal of personal data if in violation of any of the Data Protection principles or if the personal data is no longer required
- restriction, rather than deletion of personal data, insofar as:
  - a law prohibits erasure
  - erasure would impair legitimate interests of the Data Subject
  - the Data Subject disputes that their Personal Data is correct and it cannot be clearly ascertained whether their information is correct or incorrect.

### 3.4.4. Direct Marketing

As a general rule, Holmer Green Senior School will not send promotional or direct marketing material to parents, pupils, staff or stakeholders through digital channels such as mobile phones, email and the Internet, without first obtaining their consent.

The GDPR and Privacy and Electronic Communications Regulation (PECR) (which governs Direct Marketing Activities within the EU) imports the GDPR standard for consent. That is:

- The consent must be freely given, specific, informed and unambiguous.
- The consent must be expressed by a statement or clear affirmative action. Silence, pre-ticked boxes or inactivity should therefore not constitute consent.
- The consent must be as easy to withdraw as it was to provide consent in the first place.
- The organisation must be able to demonstrate that the individual has consented.
- The consent language must be intelligible and use clear and plain language.

Contacting recipients via email to establish whether consent is in place also constitutes direct marketing and is prohibited without first obtaining consent from the Customer. The request for consent must be clearly distinguished from other matters. Prior consent, before sending electronic communications for direct marketing purposes will be required. This would mean if Holmer Green Senior School were proposing to email parents or prospective donors of financial or material donations Holmer Green Senior School would have to obtain prior consent.

Where personal data of pupils, including photographs, is used for digital marketing purposes such as an online prospectus and school website, the Data Subject must be informed at the point of initial contact that they have the right to object, at any stage, to having their data processed for such purposes. Where an objection is made all marketing-related processing of the personal data shall cease immediately and details will be kept on a suppression list with a record of the decision.

### 3.5. Data Retention

To ensure fair processing, personal data will not be retained by Holmer Green Senior School for longer than necessary in relation to the purposes for which it was originally collected, or for which it was further processed.

The length of time for which Holmer Green Senior School needs to retain personal data is set out in the Holmer Green Senior School 'Personal Data Retention Schedule'. This takes into account the legal and contractual requirements, both minimum and maximum, that influence the retention periods. All personal data should be securely deleted or destroyed as soon as possible where it has been confirmed that there is no longer a need to retain it. Please see Appendix 1 for Data Retention Schedule.

### 3.6. Data Protection

3.6.1. Holmer Green Senior School will adopt physical, technical, and organisational measures to ensure the security and protect the confidentiality, integrity and availability of the personal data, defined as follows:

- Confidentiality means that only people who have a need to know and are authorised to use the personal data can access it.
- Integrity means that personal data is accurate and suitable for the purpose for which it is processed.
- Availability means that authorised users are able to access the Personal Data when they need it for authorised purposes

This includes the prevention of loss or damage, unauthorised alteration, access or Processing, and other risks to which it may be exposed by virtue of human action or the physical or natural environment.

3.6.2. A summary of the personal data related security measures is provided below:

- Prevent unauthorised persons from gaining access to data processing systems in which personal data is processed.
- Prevent persons entitled to use a data processing system from accessing personal data beyond their needs and authorisations.
- Ensure that personal data in the course of electronic transmission during transport cannot be read or copied
- Ensure that access logs are in place to establish whether, and by whom, the personal data was entered into, modified or removed from a data processing system.
- Ensure that in the case where processing is carried out by a Data Processor, the data can be processed only in accordance with the instructions of the Data Controller.
- Ensure that personal data is protected against undesired destruction or loss.
- Ensure that personal data is not kept longer than necessary.
- Regularly evaluate and test the effectiveness of safeguards to ensure security of processing of personal data.

### 3.7. Data Subject Rights

3.7.1. The process for attending to the following Data Subject rights is outlined in the Data Subject Access Policy:

- information access
- objection to Processing.
- objection to automated decision-making and Profiling
- restriction of Processing
- data portability
- data rectification
- data erasure.

No administration fee will be charged for considering and/or complying with such a request unless the request is deemed to be unnecessary or excessive in nature.

3.7.2. Data Subjects are entitled to, based upon a request made and upon successful verification of their identity, the following information about their own personal data:

- the purposes of the collection, processing, use and storage of their personal data
- the source(s) of the personal data, if it was not obtained from the Data Subject
- the categories of personal data stored for the Data Subject
- the recipients, or categories of recipients, to whom the personal data has been or may be transmitted, along with the location of those recipients
- the envisaged period of storage for the personal data or the rationale for determining the storage period
- the retention periods applied to the data
- a summary of the security measures in place to protect the data
- request to erase personal data, if it is no longer necessary in relation to the purposes for which it was collected or processed, or to rectify inaccurate data or to complete incomplete data. Please see Subject Access Request Policy

3.7.3. A response to each request will be provided within 30 days of the receipt of the written request from the Data Subject. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

3.7.4. Appropriate verification must confirm that the requestor is the Data Subject or their authorised legal representative. Data Subjects shall have the right to require Holmer Green Senior School to correct or supplement erroneous, misleading, outdated, or incomplete personal data.

3.7.5. Please refer to the Individuals Rights Policy for detailed guidance and procedures for responding to such requests.

#### Third-Party Data

3.7.6. It should be noted that situations may arise where providing the information requested by a Data Subject would disclose personal data about another individual. In such cases, information must be redacted or withheld as may be necessary or appropriate to protect that person's rights.

3.7.7. When personal data is collected indirectly (for example, from a third party or publicly available source), Holmer Green Senior School will provide the Data Subject with all the information required by the GDPR as soon as possible after collecting/receiving the data. Holmer Green Senior School will also check that the personal data was collected by the third party in accordance with the GDPR and on a basis which contemplates proposed processing of that personal data.

### 3.8. Law Enforcement Requests and Disclosures

3.8.1. In certain circumstances, it is permitted that Personal Data be shared without the knowledge or consent of a Data Subject. This is the case where the disclosure of the personal data is necessary for any of the following purposes:

- the prevention or detection of crime;
- the apprehension or prosecution of offenders
- the assessment or collection of a tax or duty
- by order of a court or by any rule of law.

### 3.9. Data Protection Training

3.9.1. All Holmer Green Senior School employees and employees of Third Parties (Data Processors) that have access to personal data will have their responsibilities under this policy outlined to them as part of their staff induction training. In addition, Holmer Green Senior School and Third Parties will provide regular Data Protection training and procedural guidance for their staff.

3.9.2. The training and procedural guidance set forth will consist of, at a minimum, the following elements:

- the Data Protection Principles set forth in Section 4.2 above
- each Employee's duty to use and permit the use of personal data only by authorised persons and for authorised purposes
- the need for, and proper use of, the forms and procedures adopted to implement this policy
- the correct use of passwords, security and other access mechanisms
- the importance of limiting access to personal data, such as by using password protected screen savers and logging out when systems are not being attended by an authorised person
- securely storing manual files, printouts and electronic storage media
- information on how to detect a phishing email
- proper disposal of personal data by using secure shredding facilities
- any special risks associated when conducting educational activities or duties.

### 3.10. Data Transfer

3.10.1. Holmer Green Senior School may transfer personal data to internal or Third-Party recipients located in another country where that country is recognised as having an adequate level of legal protection for the rights and freedoms of the relevant Data Subjects.

3.10.2. Where transfers need to be made to countries lacking an adequate level of legal protection (i.e. Third Countries), they must be made in compliance with an approved transfer mechanism.

3.10.3. Holmer Green Senior School may only transfer personal data where one of the transfer scenarios listed below applies:

- the Data Subject has given Consent to the proposed transfer.
- the transfer is necessary for the performance of a contract with the Data Subject
- the transfer is necessary for the implementation of pre-contractual measures taken in response to the Data Subject's request
- the transfer is necessary for the conclusion or performance of a contract concluded with a Third Party in the interest of the Data Subject.
- the transfer is legally required on important public interest grounds
- the transfer is necessary for the establishment, exercise or defence of legal claims
- the transfer is necessary in order to protect the vital interests of the Data Subject.

## Transfers to Third Parties

- 3.10.4. Holmer Green Senior School will only transfer personal data to, or allow access by, Third Parties when it is assured that the information will be processed legitimately and protected appropriately by the recipient. Where Third-Party processing takes place, Holmer Green Senior School will first identify if, under applicable law, the Third Party is considered a Data Controller or a Data Processor of the Personal Data being transferred.
- 3.10.5. Where the Third Party is deemed to be a Data Controller, Holmer Green Senior School will enter into an appropriate agreement with the Controller to clarify each party's responsibilities in respect to the personal data transferred.
- 3.10.6. Where the Third Party is deemed to be a Data Processor, Holmer Green Senior School will enter into an adequate processing agreement with the Data Processor. The agreement must require the Data Processor to protect the personal data from further disclosure and to only process personal data in compliance with Holmer Green Senior School instructions. In addition, the agreement will require the Data Processor to implement appropriate technical and organisational measures to protect the personal data, as well as procedures for providing notification of Personal Data Breaches.
- 3.10.7. When outsourcing services to a Third Party (including Cloud Computing services), Holmer Green Senior School will identify whether the Third Party will process personal data on its behalf and whether the outsourcing will entail any Third Country transfers of Personal Data.
- 3.10.8. Regular audits of processing of personal data performed by Third Parties, especially in respect of technical and organisational measures they have in place, should be undertaken. Any major deficiencies identified will be reported to and monitored by the Governing Body Holmer Green Senior School.

## 3.11. Complaints Handling

- 3.11.1. Data Subjects with a complaint about the processing of their personal data should put forward the matter in writing. An investigation of the complaint will be carried out to the extent that is appropriate based on the merits of the specific case. Holmer Green Senior School will inform the Data Subject of the progress and the outcome of the complaint within a reasonable period.
- 3.11.2. If the issue cannot be resolved through consultation with the Data Subject, then the Data Subject should be advised that they may, at their option, seek redress a complaint to the Information Commissioner's Office (ICO).

## 3.12. Breach Reporting

- 3.12.1. Any individual who suspects that a Personal Data Breach has occurred due to the theft or exposure of personal data must immediately notify the Breach Incident Manager, Liz Plascott providing a description of what occurred. Notification of the incident can be made via e-mail to [plascottl@holmer.org.uk](mailto:plascottl@holmer.org.uk) or by calling 01494 712219. The Breach Incident Manager should update the internal breach log, including pertinent facts relating to the incident, effects and remedial actions taken and notify the GDPR Lead, Lynda Jackson. The DPO must be notified of all Data Breaches and involved in the decision process and any remedial action.
- 3.12.2. All reported incidents will be investigated to confirm whether or not a Personal Data Breach has occurred. For severe Personal Data Breaches, Holmer Green Senior School must inform the ICO within 72 hours of becoming aware of the breach. Where there is a risk of damage to the Data Subject, the affected Data Subjects should be advised of the personal data breach. All reportable breaches will be notified to the Governing Body

3.12.3. Guidance can be found in the GDPR Data Breach Policy which all staff must follow. Failure to do so could result in a disciplinary action.

#### **4. Policy Maintenance and Publication**

4.1. This policy shall be available to all Employees through the Holmer Green Senior School intranet. A hard copy will also be available in the staff room to facilitate classroom-based staff with limited PC access.

**Data Protection Officer: Lynda Jackson, [jacksonl@holmer.org.uk](mailto:jacksonl@holmer.org.uk)**

#### **Holmer Green Senior School GDPR Team**

GDPR Lead: Lynda Jackson, Director of Finance, HR and Resources

Breach Incident Manager/Subject Access Request Manager: Liz Barber, Headteacher's PA and Director of Communications

Data Manager: Corall McCormack

ICT Support: EAC - email: IT Support

Review June 2024

Next Review June 2025

HOLMER GREEN SENIOR SCHOOL  
 INFORMATION RETENTION SCHEDULE  
 JUNE 2024

1. **Governance, Funding and Financial Management of the Academy Trust**

Academies are governed by the Academy Trust, which will usually be a company limited by guarantee<sup>1</sup>. The Academy Trust may also be a charitable trust.

1.1 Governance of the Academy Trust					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.1	Governance Statement	No		Life of governance statement + 6 years	SECURE DISPOSAL
1.1.2	Articles of Association	No		Life of the Academy	
1.1.3	Memorandum of Association	No		This can be disposed of once the Academy has been incorporated	SECURE DISPOSAL
1.1.4	Memorandum of Understanding of Shared Governance among Schools	No	<i>Companies Act 2006 section 355</i>	Life of Memorandum of Understanding + 6 years	SECURE DISPOSAL
1.1.5	Constitution	No		Life of the Academy	

<sup>1</sup> A **company limited by guarantee** does not usually have a share capital or shareholders, but instead has members who act as guarantors. The guarantors give an undertaking to contribute a nominal amount (typically very small) in the event of winding up of the **company**. In the case of an Academy, the guarantors will guarantee the sum of £10 each.

## 1.1 Governance of the Academy Trust

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.6	Special Resolutions to amend the Constitution	No		Life of the Academy	
1.1.7	Written Scheme of Delegation	No	<i>Companies Act 2006 section 355</i>	Life of Written Scheme of Delegation + 10 years	SECURE DISPOSAL
1.1.8	Directors – Appointment	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.9	Directors – Disqualification	No	Company Directors Disqualification Act 1986	Date of disqualification + 15 years	SECURE DISPOSAL
1.1.10	Directors – Termination of Office	No		Date of termination + 6 years	SECURE DISPOSAL
1.1.11	Annual Report – Trustees Report	No	<i>Companies Act 2006 section 355</i>	Date of report + 10 years	SECURE DISPOSAL
1.1.12	Annual Report and Accounts	No	<i>Companies Act 2006 section 355</i>	Date of report + 10 years	SECURE DISPOSAL
1.1.13	Annual Return	No	<i>Companies Act 2006 section 355</i>	Date of report + 10 years	SECURE DISPOSAL
1.1.14	Appointment of Trustees and Governors and Directors	Yes		Life of appointment + 6 years	SECURE DISPOSAL
1.1.15	Statement of Trustees Responsibilities	No		Life of appointment + 6 years	SECURE DISPOSAL



1.1.16	Appointment and removal of Members	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.17	Strategic Review	No		Date of the review + 6 years	SECURE DISPOSAL
1.1.18	Strategic Plan [also known as School Development Plans]	No		Life of plan + 6 years	SECURE DISPOSAL
1.1.19	Accessibility Plan	There may be if the plan refers to specific pupils	Limitation Act 1980 (Section 2)	Life of plan + 6 years	SECURE DISPOSAL

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<b>Board of Directors</b>				
1.2.1	Board Meeting Minutes	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting	OFFER TO ARCHIVES
1.2.2	Board Decisions	Could be if the decisions refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES
1.2.3	Board Meeting: Annual Schedule of Business	No		Current year	SECURE DISPOSAL
1.2.4	Board Meeting: Procedures for conduct of meeting	No	Limitation Act 1980 (Section 2)	Date procedures superseded + 6 years	SECURE DISPOSAL
	<b>Committees<sup>2</sup></b>				
1.2.5	Minutes relating to any committees set up by the Board of Directors	Could be if the minutes refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES
	<b>General Members' Meeting</b>				

<sup>2</sup> The board can establish any committee and determine the constitution, membership and proceedings that will apply.

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.6	Records relating to the management of General Members' Meetings	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting <sup>3</sup>	OFFER TO ARCHIVES
1.2.7	Records relating to the management of the Annual General Meeting <sup>4</sup>	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting <sup>5</sup>	OFFER TO ARCHIVES
	<b>Governors</b>				
1.2.8	<b>Agendas for Governing Body meetings</b>	May be data protection issues, if the meeting is dealing with confidential issues relating to staff		One copy should be retained with the master set of minutes. All other copies can be disposed of	SECURE DISPOSAL <sup>6</sup>

<sup>3</sup> The signed minutes must be kept securely together with the notice and agenda for the meeting and supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

<sup>4</sup> Not all Academies are required to hold an Annual General Meeting for the Members – the requirement will be stated in the Constitution.

<sup>5</sup> The signed minutes must be kept securely together with the notice and agenda for the meeting and any supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

<sup>6</sup> In this context, SECURE DISPOSAL should be taken to mean disposal using confidential waste bins, or if the school has the facility, shredding using a cross-cut shredder.

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.9	Minutes of, and papers considered at, meetings of the Governing Body and its committees	May be data protection issues, if the meeting is dealing with confidential issues relating to staff			
	Principal Set (signed)			Life of Academy	
	Inspection Copies <sup>7</sup>			Date of meeting + 3 years	SECURE DISPOSAL
1.2.10	Reports presented to the Governing Body	May be data protection issues, if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports, then the reports should be kept for the life of the Academy	SECURE DISPOSAL or retain with the signed set of minutes

<sup>7</sup> These are the copies which the clerk to the Governor may wish to retain, so that requestors can view all the relevant information, without the clerk needing to print off and collate redacted copies of the minutes each time a request is made.

<b>1.2 Board of Directors, Members Meetings and Governing Body</b>					
	<b>Basic file description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period [Operational]</b>	<b>Action at end of administrative life of the record</b>
1.2.11	Meeting papers relating to the annual parents' meeting held under Section 33 of the Education Act 2002	No	Education Act 2002, Section 33	Date of the meeting + a minimum of 6 years	SECURE DISPOSAL
1.2.12	Trusts and Endowments managed by the Governing Body	No		PERMANENT	
1.2.13	Records relating to complaints dealt with by the Governing Body	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes	SECURE DISPOSAL
1.2.14	Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002	No	Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002 No 1171	Date of report + 10 years	SECURE DISPOSAL

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<b>Statutory Registers<sup>8</sup></b>				
1.2.15	Register of Directors		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.16	Register of Directors' interests [this is not a statutory register]			Life of the Academy + 6 years	SECURE DISPOSAL
1.2.17	Register of Directors' residential addresses		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.18	Register of gifts, hospitality and entertainments		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.19	Register of members		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.20	Register of secretaries		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.21	Register of Trustees interests			Life of the Academy + 6 years	SECURE DISPOSAL
1.2.22	Declaration of Interests Statements [Governors] [this is not a statutory register]			Life of the Academy + 6 years	SECURE DISPOSAL

<sup>8</sup> Academies are required by law to keep specific records, collectively known as statutory registers or the statutory books. The registers record information relating to the Academy's operations and structure, such as the current directors. Records should be kept up-to-date to reflect any changes that take place.

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<b>Strategic Finance</b>				
1.3.1	Statement of financial activities for the year	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.2	Financial planning	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.3	Value for money statement	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.4	Records relating to the management of VAT	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.5	Whole of government accounts returns	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.6	Borrowing powers	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.7	Budget plan	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.8	Charging and remissions policy	No		Date policy superseded + 3 years	SECURE DISPOSAL
	<b>Audit Arrangements</b>				
1.3.9	Audit Committee and appointment of responsible officers	No		Life of the Academy	SECURE DISPOSAL
1.3.10	Independent Auditor's report on regularity	No		Financial year report relates to + 6 years	SECURE DISPOSAL

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.11	Independent Auditor's report on financial statements	No		Financial year report relates to + 6 years	SECURE DISPOSAL
	<b>Funding Agreements</b>				
1.3.12	Funding Agreement with Secretary of State and supplemental funding agreements <sup>9</sup>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.13	Funding Agreement – Termination of the funding agreement <sup>10</sup>			Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.14	Funding Records – Capital Grant	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.15	Funding Records – Earmarked Annual Grant (EAG)	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.16	Funding Records – General Annual Grant (GAG)	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.17	Per pupil funding records	No		Date of last payment of funding + 6 years	SECURE DISPOSAL

<sup>9</sup> Where there is multi-Academy governance.

<sup>10</sup> Either party may give not less than 7 financial years' written notice to terminate the Agreement, such notice to expire on 31 August. Or, where the Academy has significant financial issues or is insolvent, the Agreement can be terminated by the Secretary of State to take effect on the date of the notice.



### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.18	Exclusions agreement <sup>11</sup>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.19	Funding records <sup>12</sup>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.20	Gift Aid and Tax Relief	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.21	Records relating to loans	No		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	SECURE DISPOSAL
	<b>Payroll and Pensions</b>				
1.3.22	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	SECURE DISPOSAL

<sup>11</sup> The Academy can enter into an arrangement with a Local Authority (LA), so that payment will flow between the Academy and the LA, in the same way as it would do were the Academy a maintained school.

<sup>12</sup> Funding agreement which says that the Academy can receive donations and can only charge where the law allows maintained schools to charge [see Charging and Remission Policy].

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.23	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes	Regulation 15 Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)	From the end of the year in which the accounts were signed for a minimum of 6 years	SECURE DISPOSAL
1.3.24	Management of the Teachers' Pension Scheme	Yes		Date of last payment on the pension + 6 years	SECURE DISPOSAL
1.3.25	Records relating to pension registrations	Yes		Date of last payment on the pension + 6 years	SECURE DISPOSAL
1.3.26	Payroll records	Yes		Date payroll run + 6 years	SECURE DISPOSAL
	<b>Risk Management and Insurance</b>				
1.3.27	Insurance policies	No		Date the policy expires + 6 years	SECURE DISPOSAL
1.3.28	Records relating to the settlement of insurance claims	No		Date claim settled + 6 years	SECURE DISPOSAL
1.3.29	Employer's Liability Insurance Certificate	No		Closure of the school + 40 years	SECURE DISPOSAL
	<b>Endowment Funds and Investments</b>				

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.30	Investment policies	No		Life of the investment + 6 years	SECURE DISPOSAL
1.3.31	Management of Endowment Funds	No		Life of the fund + 6 years	
	<b>Accounts and Statements</b>				
1.3.32	Annual accounts	No		Current year + 6 years	STANDARD DISPOSAL
1.3.33	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then REVIEW	SECURE DISPOSAL
1.3.34	Student Grant applications	Yes		Current year + 3 years	SECURE DISPOSAL
1.3.35	All records relating to the creation and management of budgets, including the Annual Budget statement and background papers	No		Life of the budget + 3 years	SECURE DISPOSAL
1.3.36	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.37	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.38	Records relating to the identification and collection of debt	No		Current financial year + 6 years	SECURE DISPOSAL
	<b>Contract Management</b>				
1.3.39	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years	SECURE DISPOSAL
1.3.40	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years	SECURE DISPOSAL
1.3.41	Records relating to the monitoring of contracts	No		Current year + 2 years	SECURE DISPOSAL
	<b>Asset Management</b>				
1.3.42	Inventories of furniture and equipment	No		Current year + 6 years	SECURE DISPOSAL
1.3.43	Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.44	Records relating to the leasing of shared facilities, such as sports centres	No		Current year + 6 years	SECURE DISPOSAL
1.3.45	Land and building valuations	No		Date valuation superseded + 6 years	SECURE DISPOSAL
1.3.46	Disposal of assets	No		Date asset disposed of + 6 years	SECURE DISPOSAL
1.3.47	Community School leases for land	No		Date lease expires + 6 years	SECURE DISPOSAL
1.3.48	Commercial transfer arrangements	No		Date of transfer + 6 years	SECURE DISPOSAL
1.3.49	Transfer of land to the Academy Trust	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
1.3.50	Transfers of freehold land	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
	<b>School Fund</b>				
1.3.51	School Fund – Cheque books	No		Current year + 6 years	SECURE DISPOSAL
1.3.52	School Fund – Paying in books	No		Current year + 6 years	SECURE DISPOSAL
1.3.53	School Fund – Ledger	No		Current year + 6 years	SECURE DISPOSAL

### 1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.54	School Fund – Invoices	No		Current year + 6 years	SECURE DISPOSAL
1.3.55	School Fund – Receipts	No		Current year + 6 years	SECURE DISPOSAL
1.3.56	School Fund – Bank statements	No		Current year + 6 years	SECURE DISPOSAL
1.3.57	School Fund – Journey books	No		Current year + 6 years	SECURE DISPOSAL
	<b>School Meals<sup>13</sup></b>				
1.3.58	Free school meals registers	Yes		Current year + 6 years	SECURE DISPOSAL
1.3.59	School meals registers	Yes		Current year + 3 years	SECURE DISPOSAL
1.3.60	School meals summary sheets	No		Current year + 3 years	SECURE DISPOSAL

As a charity, an Academy is not permitted to trade and make a profit. It is, however, possible to set up a subsidiary trading company, which can sell products or services and Gift Aid profits back to the Academy. If the Academy operates a subsidiary company, it is expected that these records will be managed in line with standard business practice.

<sup>13</sup> Unless it would be unreasonable to do so, school lunches should be provided when they are requested by, or on behalf of, any pupil. A school lunch must be provided free of charge to any pupil entitled to free school lunches. From September 2014, free school lunches must be provided to all KS1 pupils.

## 1.4 Policies, Frameworks and Overarching Requirements

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.4.1	Data Protection Policy, including data protection notification	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.2	Freedom of Information Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.3	Information Security Breach Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.4	Special Educational Needs Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.5	Complaints Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.6	Risk and Control Framework	No		Life of framework + 6 years	SECURE DISPOSAL
1.4.7	Rules and Bylaws	No		Date rules or bylaws superseded + 6 years	SECURE DISPOSAL
1.4.9	Home School Agreements <sup>14</sup>	No		Date agreement revised + 6 years	SECURE DISPOSAL
1.4.10	Equality Information and Objectives (public sector equality duty) Statement for publication	No		Date of statement + 6 years	SECURE DISPOSAL

<sup>14</sup> This should be drawn up in consultation with parents and should apply to all pupils.

## 2. Human Resources

2.1 Recruitment <sup>15</sup>					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.1.1	All records leading up to the appointment of a new Head Teacher	Yes		Date of appointment + 6 years	SECURE DISPOSAL
2.1.2	All records leading up to the appointment of a new member of staff – unsuccessful candidates	Yes		Date of appointment of successful candidate + 6 months	SECURE DISPOSAL
2.1.3	All records leading up to the appointment of a new member of staff – successful candidate	Yes		All relevant information should be added to the Staff Personal File (see below) and all other information retained for 6 months	SECURE DISPOSAL
2.1.4	Pre-employment vetting information – DBS Checks <sup>16</sup>	No	DBS Update Service Employer Guide June 2014	The organisation should take a copy of the DBS certificate when it is shown to them by the individual and should be added to the Staff Personal File	SECURE DISPOSAL

<sup>15</sup> Academies do not necessarily have to employ people with qualified teacher status; only the SEN and designated LAC teacher must be qualified.

<sup>16</sup> Academies are bound by the legislation that applies to independent schools NOT maintained schools.



2.1 Recruitment <sup>15</sup>					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.1.5	Proofs of identity collected as part of the process of checking “portable” enhanced DBS disclosure	Yes		Where possible, these should be checked, and a note kept of what was seen and what has been checked. If it is felt necessary to keep copy documentation, then this should be added to the Staff Personal File	SECURE DISPOSAL
2.1.6	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom <sup>17</sup>	Yes	An employer’s guide to right to work checks [Home Office May 2015]	Where possible, these documents should be added to the Staff Personal File, but if they are kept separately, then the Home Office requires that the documents are kept for termination of employment plus not less than 2 years	SECURE DISPOSAL
2.1.7	Records relating to the employment of overseas teachers	Yes		Where possible, these documents should be added to the Staff Personal File, but if they are kept separately, then the Home Office requires that the documents are kept for termination of employment plus not less than 2 years	SECURE DISPOSAL
2.1.8	Records relating to the TUPE process	Yes		Date last member of staff transfers or leaves the organisation + 6 years	SECURE DISPOSAL

<sup>17</sup> Employers are required to take a “clear copy” of the documents which they are shown as part of this process.

## 2.2 Operational Staff Management

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.2.1	Staff Personal File, including employment contract and staff training records	Yes	Limitation Act 1980 (Section 2)	Termination of employment + 6 years	SECURE DISPOSAL
2.2.2	Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL
2.2.3	Annual appraisal/assessment records	Yes		Current year + 5 years	SECURE DISPOSAL
2.2.4	Records relating to the agreement of pay and conditions	No		Date pay and conditions superseded + 6 years	SECURE DISPOSAL
2.2.5	Training needs analysis	No		Current year + 1 year	SECURE DISPOSAL

## 2.3 Management of Disciplinary and Grievance Processes

	Basic file description	Data Protection Issues			
2.3.1	Allegation which is child protection in nature against a member of staff, including where the allegation is unfounded <sup>18</sup>	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	Until the person’s normal retirement age or 10 years from the date of the allegation, whichever is longer, then REVIEW	SECURE DISPOSAL These records must be shredded
2.3.2	Disciplinary Proceedings	Yes			
	<ul style="list-style-type: none"> <li>Oral warning</li> </ul>			Date of warning <sup>19</sup> + 6 months	SECURE DISPOSAL <sup>20</sup>
	<ul style="list-style-type: none"> <li>Written warning – level 1</li> </ul>			Date of warning + 6 months	SECURE DISPOSAL <sup>21</sup>
	<ul style="list-style-type: none"> <li>Written warning – level 2</li> </ul>			Date of warning + 12 months	SECURE DISPOSAL <sup>22</sup>
	<ul style="list-style-type: none"> <li>Final warning</li> </ul>			Date of warning + 18 months	SECURE DISPOSAL <sup>23</sup>

<sup>18</sup> This review took place when the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention.

<sup>19</sup> Where the warning relates to child protection issues, see above. If the disciplinary proceedings relate to a child protection matter, please contact your Safeguarding Children Officer for further advice.

<sup>20</sup> If warnings are placed on personal files, then they must be weeded from the file.

<sup>21</sup> If warnings are placed on personal files, then they must be weeded from the file.

<sup>22</sup> If warnings are placed on personal files, then they must be weeded from the file.

<sup>23</sup> If warnings are placed on personal files, then they must be weeded from the file.

## 2.3 Management of Disciplinary and Grievance Processes

	Basic file description	Data Protection Issues			
	<ul style="list-style-type: none"> <li>Case not found</li> </ul>			If the incident is child protection related, then see above; otherwise, dispose of at the conclusion of the case	SECURE DISPOSAL

## 2.4 Health and Safety

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.4.1	Health and Safety policy statements	No		Life of policy + 3 years	SECURE DISPOSAL
2.4.2	Health and Safety risk assessments	No		Life of risk assessment + 3 years	SECURE DISPOSAL
2.4.3	Records relating to accident/injury at work	Yes		Date of incident + 12 years In the case of serious accidents, a further retention period will need to be applied	SECURE DISPOSAL

## 2.4 Health and Safety

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.4.4	Accident reporting	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	The official Accident Book must be retained for 3 years after the last entry in the book. The book may be in paper or electronic format  The incident reporting form may be retained as below	
	<ul style="list-style-type: none"> <li>Adults</li> </ul>			Date of incident + 6 years	SECURE DISPOSAL
	<ul style="list-style-type: none"> <li>Children</li> </ul>			Date of birth of the child + 25 years	SECURE DISPOSAL
2.4.5	Control of Substances Hazardous to Health (COSHH)	No		Current year + 10 years then REVIEW	SECURE DISPOSAL
2.4.6	Process of monitoring of areas where employees and persons are likely to have come into contact with asbestos	No		Last action + 40 years	SECURE DISPOSAL
2.4.7	Process of monitoring of areas where employees and persons are likely to have come into contact with radiation	No		Last action + 50 years	SECURE DISPOSAL
2.4.8	Fire precautions log books	No		Current year + 6 years	SECURE DISPOSAL

## 2.4 Health and Safety

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.4.9	Fire risk assessments	No	Fire Service Order 2005	Life of the risk assessment + 6 years	SECURE DISPOSAL
2.4.10	Incident reports	Yes		Current year + 20 years	SECURE DISPOSAL

## 3. Management of the Academy

### 3.1 Admissions

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.1.1	All records relating to the creation and implementation of the School Admissions' Policy	No	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Life of the policy + 3 years then REVIEW	SECURE DISPOSAL

3.1 Admissions					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.1.2	Admissions – if the admission is successful	Yes	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Date of admission + 1 year	SECURE DISPOSAL
3.1.3	Admissions – if the appeal is unsuccessful	Yes	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Resolution of case + 1 year	SECURE DISPOSAL
3.1.4	Register of admissions	Yes	School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014	Every entry in the admission register must be preserved for a period of 3 years after the date on which the entry was made <sup>24</sup>	REVIEW Schools may wish to consider keeping the admission register permanently, as often schools receive enquiries from past pupils to confirm the dates they attended the school

<sup>24</sup> School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014 p6.

### 3.1 Admissions

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.1.5	Admissions – Secondary Schools – Casual	Yes		Current year + 1 year	SECURE DISPOSAL
3.1.6	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Current year + 1 year	SECURE DISPOSAL
3.1.7	Supplementary information form, including additional information such as religion and medical conditions	Yes			
	<ul style="list-style-type: none"> <li>For successful admissions</li> </ul>			This information should be added to the pupil file	SECURE DISPOSAL
	<ul style="list-style-type: none"> <li>For unsuccessful admissions</li> </ul>			Until appeals process completed	SECURE DISPOSAL



<b>3.2 Head Teacher and Senior Management Team</b>					
	<b>Basic file description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period [Operational]</b>	<b>Action at end of administrative life of the record</b>
3.2.1	Log books of activity in the school maintained by the Head Teacher	There may be data protection issues if the log book refers to individual pupils or members of staff		Date of last entry in the book + a minimum of 6 years then REVIEW	These could be of permanent historical value and should be offered to the County Archives Service, if appropriate
3.2.2	Minutes of Senior Management Team meetings and meetings of other internal administrative bodies	There may be data protection issues if the minutes refers to individual pupils or members of staff		Date of the meeting + 3 years then REVIEW	SECURE DISPOSAL
3.2.3	Reports created by the Head Teacher or the Management Team	There may be data protection issues if the report refers to individual pupils or members of staff		Date of the report + a minimum of 3 years then REVIEW	SECURE DISPOSAL
3.2.4	Records created by Head Teachers, Deputy Head Teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the records refer to individual pupils or members of staff		Current academic year + 6 years then REVIEW	SECURE DISPOSAL
3.2.5	Correspondence created by Head Teachers, Deputy Head Teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the correspondence refers to individual pupils or members of staff		Date of correspondence + 3 years then REVIEW	SECURE DISPOSAL
3.2.6	Professional Development Plans	Yes		Life of the plan + 6 years	SECURE DISPOSAL

<b>3.3 Operational Administration</b>					
	<b>Basic file description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period [Operational]</b>	<b>Action at end of administrative life of the record</b>
3.3.1	Management of complaints	Yes		Date complaint resolved + 3 years	SECURE DISPOSAL
3.3.2	Records relating to the management of contracts with external providers	No		Date of last payment on contract + 6 years	SECURE DISPOSAL
3.3.3	Records relating to the management of software licences	No		Date licence expires + 6 years	SECURE DISPOSAL
3.3.4	General file series	No		Current year + 5 years then REVIEW	SECURE DISPOSAL
3.3.5	Records relating to the creation and publication of the school brochure or prospectus	No		Current year + 3 years	STANDARD DISPOSAL
3.3.6	Records relating to the creation and distribution of circulars to staff, parents or pupils	No		Current year + 1 year	STANDARD DISPOSAL
3.3.7	Newsletters and other items with a short operational use	No		Current year + 1 year	STANDARD DISPOSAL
3.3.8	Visitors' books and signing in sheets	Yes		Current year + 6 years then REVIEW	SECURE DISPOSAL
3.3.9	Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	No		Current year + 6 years then REVIEW	SECURE DISPOSAL

## 4. Property Management

This section covers the management of buildings and property.

4.1 Property Management					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
4.1.1	Title deeds of properties belonging to the school	No		These should follow the property, unless the property has been registered with the Land Registry	
4.1.2	Plans of property belonging to the school	No		These should be retained whilst the building belongs to the school and should be passed onto any new owners if the building is leased or sold	
4.1.3	Leases of property leased by or to the school	No		Expiry of lease + 6 years	SECURE DISPOSAL
4.1.4	Records relating to the letting of school premises	No		Current financial year + 6 years	SECURE DISPOSAL
4.1.5	Business continuity and disaster recovery plans	No		Date the plan superseded + 3 years	SECURE DISPOSAL

## 4.2 Maintenance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
4.2.1	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	SECURE DISPOSAL
4.2.2	All records relating to the maintenance of the school carried out by school employees, including maintenance log books	No		Current year + 6 years	SECURE DISPOSAL

## 4.3 Fleet Management

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
4.3.1	The process of acquisition and disposal of vehicles through lease or purchase, e.g., contracts/leases, quotes, approvals	N	Limitation Act 1980 (Section 2)	Disposal of the vehicle + 6 years	SECURE DISPOSAL
4.3.2	The process of managing allocation and maintenance of vehicles, e.g., lists of who was driving the vehicles and when, maintenance	N	Limitation Act 1980 (Section 2)	Disposal of the vehicle + 6 years	SECURE DISPOSAL
4.3.3	Service logs and vehicle logs	N	Limitation Act 1980 (Section 2)	Life of the vehicle, then either to be retained for 6 years by school or to be returned to lease company	SECURE DISPOSAL

### 4.3 Fleet Management

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
4.3.4	GPS tracking data relating to the vehicles	N	Limitation Act 1980 (Section 2)	Date of journey + 6 years	SECURE DISPOSAL

## 5. Pupil Management

This section includes all records which are created during the time a pupil spends at the school. For information about accident reporting, see under Health and Safety above.

### 5.1 Pupil's Educational Record

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.1.1	Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437		
	<ul style="list-style-type: none"> <li>Primary</li> </ul>			Retain whilst the child remains at the primary school	The file should follow the pupil when they leave the primary school. This will include: <ul style="list-style-type: none"> <li>To another primary school</li> </ul>

## 5.1 Pupil's Educational Record

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
					<ul style="list-style-type: none"> <li>To a secondary school</li> <li>To a pupil referral unit</li> </ul> <p>If the pupil dies whilst at primary school, the file should be returned to the LA to be retained for the statutory retention period.</p> <p>If the pupil transfers to an independent school, transfers to home schooling or leaves the country, the file should be returned to the LA to be retained for the statutory retention period. Primary schools do not ordinarily have sufficient storage space to store records for pupils who have not transferred in the normal way. It makes more sense to transfer the record to the LA, as it is more likely that the pupil will request the record from the LA</p>
	<ul style="list-style-type: none"> <li>Secondary</li> </ul>		Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	SECURE DISPOSAL

## 5.1 Pupil's Educational Record

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.1.2	Records relating to the management of exclusions	Yes		Date of birth of the pupil involved + 25 years	SECURE DISPOSAL
5.1.3	Management of examination registrations	Yes		The examination board will usually mandate how long these records need to be retained	
5.1.4	Examination results – pupil copies	Yes			
	<ul style="list-style-type: none"> <li>Public</li> </ul>			This information should be added to the pupil file	All uncollected certificates should be returned to the examination board
	<ul style="list-style-type: none"> <li>Internal</li> </ul>			This information should be added to the pupil file	
<p><b>This review took place when the Independent Inquiry on Historical Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention</b></p>					

## 5.1 Pupil's Educational Record

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.1.5	Child protection information held on pupil file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file	SECURE DISPOSAL – these records MUST be shredded
5.1.6	Child protection information held in separate files	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	Date of birth of the child + 25 years then REVIEW This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the LA Social Services record	SECURE DISPOSAL – these records MUST be shredded



Retention periods relating to allegations made against adults can be found in the Human Resources section of this retention schedule.

<b>5.2 Attendance</b>					
	<b>Basic file description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period [Operational]</b>	<b>Action at end of administrative life of the record</b>
5.2.1	Attendance registers	Yes	School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014	Every entry in the attendance register must be preserved for a period of 3 years after the date on which the entry was made	SECURE DISPOSAL
5.2.2	Correspondence relating to authorised absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL

### 5.3 Special Educational Needs

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.3.1	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	REVIEW NOTE: This retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time in order to defend themselves in a “failure to provide a sufficient education” case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period – this should be documented
5.3.2	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL, unless the document is subject to a legal hold
5.3.3	Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL, unless the document is subject to a legal hold

### 5.3 Special Educational Needs

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.3.4	Accessibility strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL, unless the document is subject to a legal hold

## 6. Curriculum Management

### 6.1 Statistics and Management Information

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
6.1.1	Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL
6.1.2	Examination results (schools copy)	Yes		Current year + 6 years	SECURE DISPOSAL
	SATs records –	Yes			

## 6.1 Statistics and Management Information

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<ul style="list-style-type: none"> <li>Results</li> </ul>			<p>The SATS results should be recorded on the pupil's educational file and will therefore be retained until the pupil reaches the age of 25 years</p> <p>The school may wish to keep a composite record of all the whole year SATs results. These could be kept for current year + 6 years to allow suitable comparison</p>	SECURE DISPOSAL
	<ul style="list-style-type: none"> <li>Examination papers</li> </ul>			The examination papers should be kept until any appeals/validation process is complete	SECURE DISPOSAL
6.1.3	Published Admission Number (PAN) reports	Yes		Current year + 6 years	SECURE DISPOSAL
6.1.4	Value added and contextual data	Yes		Current year + 6 years	SECURE DISPOSAL
6.1.5	Self-evaluation forms	Yes		Current year + 6 years	SECURE DISPOSAL

## 6.2 Implementation of Curriculum

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
6.2.1	Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.2	Timetable	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.3	Class record books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.4	Mark books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.5	Record of homework set	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.6	Pupils' work	No		Where possible, work should be returned to the pupil at the end of the academic year. If this is not the school's policy, then current year + 1 year	SECURE DISPOSAL



## 7. Extracurricular Activities

7.1 Educational Visits outside the Classroom					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.1.1	Records created by schools in order to obtain approval to run an educational visit outside the classroom – Primary schools	No	Outdoor Education Advisers' Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practice".	Date of visit + 14 years	SECURE DISPOSAL
7.1.2	Records created by schools in order to obtain approval to run an educational visit outside the classroom – Secondary schools	No	Outdoor Education Advisers' Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practice".	Date of visit + 10 years	SECURE DISPOSAL

## 7.1 Educational Visits outside the Classroom

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.1.3	Parental consent forms for school trips where there has been no major incident <sup>25</sup>	Yes		Conclusion of the trip	Although the consent forms could be retained for date of birth + 25 years, the requirement for them being needed is low and most schools do not have the storage capacity to retain every single consent form issued by the school for this period of time
7.1.4	Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980 (Section 2)	Date of birth of the pupil involved in the incident + 25 years The permission slips for all the pupils on the trip need to be retained to show that the rules had been followed for all pupils	

<sup>25</sup> One-off or blanket consent: The Department for Education (DfE) has prepared a one-off consent form to be signed by the parent on enrolment of their child in a school. This form is intended to cover all types of visits and activities where parental consent is required. The form is available on the DfE website for establishments to adopt and adapt, as appropriate, at [www.gov.uk/government/publications/consent-for-school-trips-and-other-off-site-activities](http://www.gov.uk/government/publications/consent-for-school-trips-and-other-off-site-activities). A similar form could be used for other establishments, such as Early Years Foundation Stage (EYFS) providers and youth groups, or at the start of programmes for young people.



## 7.1 Educational Visits outside the Classroom

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.1.5	Records relating to residential trips	Yes		Date of birth of youngest pupil involved + 25 years	SECURE DISPOSAL

## 7.2 Walking Bus

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.2.1	Walking bus registers	Yes		Date of register + 3 years. This takes into account the fact that, if there is an incident requiring an accident report, the register will be submitted with the accident report and kept for the period of time required for accident reporting	SECURE DISPOSAL [If these records are retained electronically any back up copies should be destroyed at the same time]

## 8. Central Government and Local Authority (LA)

This section covers records created in the course of interaction between the school and the LA.

## 8.1 Local Authority

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
8.1.1	Secondary transfer sheets (Primary)	Yes		Current year + 2 years	SECURE DISPOSAL
8.1.2	Attendance returns	Yes		Current year + 1 year	SECURE DISPOSAL
8.1.3	School census returns	No		Current year + 5 years	SECURE DISPOSAL

## 8.2 Central Government

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
8.2.1	OFSTED reports and papers	No		Life of the report then REVIEW	SECURE DISPOSAL
8.2.2	Returns made to central government	No		Current year + 6 years	SECURE DISPOSAL
8.2.3	Circulars and other information sent from central government	No		Operational use	SECURE DISPOSAL