



BRADFIELD COLLEGE

**Bradfield College**

## **Information and Records Retention Policy**

**May 2018**

Note : his policy has been drafted in accordance with both the Data Protection Act 1998 (DPA) and the General Data Protection Regulation (GDPR) which will replace the DPA from 25 May 2018. In addition, regard has been had to the Data Protection Bill (the Bill) which is currently before Parliament. The Bill supports the implementation of the GDPR into domestic law and it is possible that changes will be made to the Bill before it is passed into law.

## Introduction

As part of the data protection transparency requirements, the College is required to give individuals certain information such as information about how their data is used by the College.

### Introduction

- 1 This policy sets out a structured approach to the retention, review and deletion of records in relation to Bradfield College (the **College**).
- 2 The retention period for each type of record is shown in the table below. In addition, data protection legislation makes it unlawful to keep the information when it is no longer needed for the purpose for which it is held. Occasionally there may be special circumstances which mean that a record should be kept for longer (for example where there is a risk of litigation or a request from an outside body such as the Independent Inquiry into Child Sexual Abuse (IICSA) see below.
- 3 The retention periods stated in the table below are the minimum storage requirements, in practice the College carries out a data cleanse of its files every 12 months. Accordingly, a 3 year retention period may mean, in some cases, 3 years plus up to 12 months to allow the College to securely dispose of the information.
- 4 This policy does not apply to records connected with commercial activities.
- 5 The College will continue to discuss document retention with its insurers (who may specify longer retention periods). If there is any conflict then any longer retention periods specified by the insurers should prevail.
- 6 If an email falls into one of the categories set out in the table then it should be filed centrally as soon as is reasonable.
- 7 "Routine" emails which do not fall into any of the categories in the table may be kept in inboxes for up to six months and should then be deleted. An example of a routine email is an internal email advising staff that the weekly meeting is cancelled.
- 8 Independent Inquiry into Child Sexual Abuse (**IICSA**):
  - 8.1 The IICSA has issued retention instructions to a range of institutions regarding records relating to the care of children. In light of this, the College has received legal advice to temporarily cease the routine destruction of those records which might be relevant to the Inquiry in case they are requested by the Inquiry or made subject to a disclosure order. This means that before destroying **any** document the College must consider whether it contains information that may fall within the Inquiry's remit.
  - 8.2 The range of documentation which might need to be kept is wide. It will include any information linked to alleged or established child sexual abuse, whether by staff, volunteers or pupils with no limitation date. For example, a list of pupils who attended an overnight trip or admission registers which show which pupils were at the College at a given time. As such, documents should be kept for longer than the retention periods listed in the policy if they concern information which might be relevant to the Inquiry.
  - 8.3 Please note that the College will keep this under review so that it recommences document destruction at the appropriate time.

	Record	Retention period	Action at the end of the retention period + Notes	Retention period required by law?
1	<b>Pupils</b>			
1.1	Admission registers (however held)	Three years from the date of the last entry	Review for further retention in the case of contentious dispute SHRED/DELETE or delete including back-ups and copies	Yes
1.2	Attendance registers (however held)	Three years from the date of the last entry	Review for further retention in the case of contentious dispute SHRED/DELETE or delete including back-ups and copies	Yes
1.3	Child protection records	DOB of the pupil + 50 years	<p>Review for further retention in the case of contentious dispute SHRED/DELETE</p> <p><b>Notes</b></p> <ol style="list-style-type: none"> <li>1 Child protection information must be copied and sent under separate cover to the new school whilst the child is still under 18. The College must ensure secure transit and confirmation of receipt should be obtained</li> <li>2 Where a child is removed from roll to be educated at home, the file will be copied to the Local Authority (<b>LA</b>)</li> <li>3 In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; or institutional failures to protect children from sexual abuse or other exploitation. 50 years from the date of birth of the pupil involved is viewed as a sufficient period of retention but this will be kept under review</li> </ol>	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
1.4	Biometric information (e.g. fingerprints to be used as part of an automated biometric recognition system)	For as long as the College requires the information for the automated biometric recognition system	This information must not be kept for longer than it is needed. The information must be destroyed if the pupil no longer uses the system including when they leave the College, where the parent or pupil withdraws consent or the pupil objects to its use	No
1.5	Medical records held by the College	DOB of the pupil + 24 years; or Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident; Whichever is the longer	Review for further retention in the case of contentious disputes SHRED/DELETE <b>Note</b> The 24 year period is based on the fact that once the child turns 18 years old they have a certain amount of time (known as a limitation period) in which to bring claims against the College. The longest of these limitation periods is six years, albeit that some periods can be extended by the courts.	No
1.6	Counselling records held by the College	DOB of the pupil + 24 years; or Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident; Whichever is the longer	Review for further retention in the case of contentious disputes SHRED/DELETE	No

	Record	Retention period	Action at the end of the retention period + Notes	Retention period required by law?
2	<b>Pupil files</b>			
2.1	Pupil files (including public examination scripts, marks & results)	<p>DOB of the pupil + 24 years; or</p> <p>Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident</p> <p>Whichever is the longer</p>	<p>Review for further retention in the case of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests</p> <p>SHRED/DELETE</p> <p><b>Notes</b></p> <p>1 When reviewing pupil files, the College will have regard to other applicable sections of this policy</p> <p>2 Any examination certificates left unclaimed will be returned to the appropriate Examination Board</p>	No
2.2	Internal examination scripts, marks & results	<p><u>Scripts:</u></p> <p>Scripts from weekly or monthly tests: Keep until the end of the next term.</p> <p>Scripts from termly or yearly tests: Keep until the end of the next academic year.</p> <p><u>Marks &amp; results:</u></p> <p>If the purpose of the test is to progress the child (either internally or externally) then keep marks &amp; results in accordance with the retention periods and guidance set out in row 2.1 above.</p> <p>If the purpose of the test is for general internal assessment of academic performance then keep marks &amp; results for the same period as the scripts themselves.</p>	<p>Keep for longer in accordance with the retention periods and guidance set out in row 2.1 above if risk of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests.</p>	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
2.3	Special Educational Needs files, reviews and Individual Education Plans	DOB of the pupil + 24 years; or Six years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident  Whichever is the longer	Review for further retention in the case of contentious disputes  SHRED/DELETE	No
2.4	Statement of Special Education Needs ( <b>SEN</b> ) and Education Healthcare ( <b>EHC</b> ) Plans	Statements of SEN (including appendices) and EHC Plans should never be retained once the pupil has left the College	SHRED/DELETE unless legal action pending  The Statement / Plan belongs to the LA which makes and maintains the Statement / Plan	Yes
2.5	Letters authorising absence	Three years from the date of the last entry on the attendance register	SHRED/DELETE	No
2.6	Documents that are required to be retained for each migrant enrolled under Tier 4 (General) Student or Tier 4 (Child) Student visas	Through the period of sponsorship and for whichever is the shorter period of either: <ul style="list-style-type: none"> <li>• one year from the date that the College ends sponsorship of the Tier 4 student, or</li> <li>• if the Tier 4 student is no longer sponsored, the point at which a Home Office compliance officer has examined and approved the documents</li> </ul>	SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
3	<b>Permissions</b>			
3.1	Parental permission slips for trips – where there has been no major incident, accident, injury or near miss involving anyone on the trip	Conclusion of the trip + three years	Review for further retention in the case of contentious disputes otherwise SHRED/DELETE	No
3.2	Parental permission slips for trips – where there has been a major incident, accident, injury or near miss involving anyone on the trip	DOB of the pupil involved in the incident + 24 years; or Six years from the date of the incident if the pupil was 18 years old at the date of the incident Whichever is the longer  The permission slips for all pupils on the trip may need to be retained to show that the rules had been followed for all pupils	Review for further retention in the case of relevance to contentious disputes.  SHRED/DELETE	No
4	<b>Admission department and bursarial records</b>			
4.1	Admission and parent contract documents including registration form, letter of offer and acceptance form	Six years from date of leaving the College	Review for further retention in the case of contentious disputes  SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
4.2	Admissions documents relating to applicants who did not join the College	One year from the date of the application. however If there is a risk that parents or a pupil might bring a claim against the College then the documents should be retained.	Review for further retention in the case of contentious disputes SHRED/DELETE	No
4.3	Financial information in respect of fees	Six years from date of the pupil leaving the College	Review for further retention in the case of contentious disputes SHRED/DELETE	No
5	<b>Employment</b>			
5.1	Employment or personnel records including recruitment information, contracts of employment, changes to terms and condition, disciplinary matters, grievance procedures.	For at least six years after date of termination of employment  For at least 12 years after date of termination if any of the documents were signed as a deed	If on a date no earlier than six years after the termination date there has been no recent contact from the relevant individual and no apparent breach of contract claim, dispose securely of documentation unless any child protection concerns. Records of anyone with child protection concerns (even if not proved) should be retained	No
5.2	Single central register (SCR)	There is no legal requirement to keep the SCR entry for staff who have left as it ceases to be relevant for inspection purposes. However, in the context of IICSA and the scope for other forms of inquiry into former employees, the	Review whether further retention is necessary. If so, these reasons must be documented. If not SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
		College will store the entry on an archive register indefinitely, so as to be in a position to demonstrate, should the need arise, that it carried out all required checks prior to work starting, when they were carried and out and by whom.		
5.3	Records and documents relating to membership of and contributions to the Teachers' Pension Scheme	Indefinitely	Review whether further retention is necessary. Decisions in relation to the Teachers' Pension Scheme may have ramifications beyond six years, and may be queried at any time by members and the Teachers' Pension Scheme	No
5.4	Employment references received and references provided (where no safeguarding concerns have arisen or are known)	While employment continues and at least up to six years after employment terminates	Consider whether any recent reference requests for the relevant individual have been received.  If any concerns are/have been raised by social services or other agencies see 5.5 below.  If none, SHRED/DELETE	No
5.5	Employment reference where an individual's employment ended for a safeguarding reason or where safeguarding was outstanding at the time of termination	At least for 10 years after the person has retired or until the individual reaches the age of 75, whichever is the later	Consider whether any recent reference requests for the relevant individual or new concerns raised by social services or other agencies  If none, SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
5.6	Working time opt-out forms	Six years from the date of termination of employment	SHRED/DELETE	Yes
5.7	Records to show compliance with the Working Time Regulations	Six years from the date of termination of employment	SHRED/DELETE	Yes
5.8	Payroll and wage records  These include records of:  •Details on overtime.  •Bonuses.  •Expenses.  •Benefits in kind.	Six years from the financial year end in which payments are made	SHRED/DELETE	Yes
5.9	PAYE Records	Six years in addition to the current year	SHRED/DELETE	Yes
5.10	Maternity/paternity records  These include:  •Records regarding Maternity payments made save for where those include payroll records.  •Maternity	Six years from the date of termination of employment	SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
	certificates showing the expected week of confinement			
5.11	Sickness records required for the purposes of Statutory Sick Pay ( <b>SSP</b> )	Throughout employment and for six years from the date of termination of employment	SHRED/DELETE	Yes
5.12	Records in relation to hours worked and payments made to workers	Six years from the date of termination of employment	SHRED/DELETE	Yes
5.13	Consents for the processing of personal data and sensitive personal data (known as special category personal data under the GDPR)	For as long as the data is being processed and up to six years afterwards	SHRED/DELETE	Yes
5.14	Disclosure and Barring Service ( <b>DBS</b> ) checks and disclosures of criminal record forms	Dispose of securely after the recruitment process unless assessed as relevant to ongoing employment relationship. Once any conviction is spent, should be deleted unless it is an excluded profession.	Enter DBS certificate number, date, initials on Single Central Register SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
5.15	Immigration checks	Throughout employment and for six years from the date of termination of employment	SHRED/DELETE	Yes
5.16	Recruitment records of unsuccessful candidates	Six months after notifying unsuccessful candidates in order to demonstrate, if required, the fairness and transparency of the recruitment process	SHRED/DELETE	No
5.17	Personnel and training records	Whilst employment continues and up to six years after employment ceases	SHRED/DELETE	No
5.18	Annual leave records	Six years or possibly longer if leave can be carried over from year to year	SHRED/DELETE	No
5.19	Collective / workforce agreements	Permanently or six years after the agreement comes to an end	SHRED/DELETE	No
5.20	Works Council minutes	Permanently	N/A	No
5.21	An Employee's bank details	Until last payment made	SHRED/DELETE	No
5.22	Travel and subsistence claims.	Whilst employment continues and up to six years after employment ends	SHRED/DELETE	
5.23	Records of advances for season tickets and loans to employees	Whilst employment continues and up to six years after repayment or end of employment	SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
5.24	Death Benefit Nomination and Revocation Forms	Whilst employment continues and up to six years after payment of benefit	SHRED/DELETE	No
6	<b>Health and safety information - employees</b>			
6.1	Reportable injuries, diseases and dangerous occurrences <b>(RIDDOR)</b> reports or own record	Six years from the date of termination of employment  If disease – retain indefinitely	Review for further retention in the case of enforcement action or contentious disputes  SHRED/DELETE	Yes
6.2	First aid / accident book entry	Six years from the date of termination of employment	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
6.3	Records of maintenance, examination and test control measures relating to substances hazardous to health under the Control of Substances Hazardous to Health <b>(COSHH)</b> regime	Five years	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
6.4	Health records for licensable asbestos work	At least 40 years from the date of the last entry	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
6.5	Medical surveillance certificate for licensable asbestos work	At least four years from the date it was issued	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
6.6	Records of air monitoring for asbestos	Where a health record is required at least 40 years from the date of the last entry  In other cases at least five years from the date of the last entry		Yes
6.7	Records of examinations, tests and repairs carried out in respect of exhaust or respiratory protective equipment under the Control of Asbestos Regulations 2012 (CAR)	Five years	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
6.8	Examination / report of defect for power presses	Two years	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
6.9	Records of water monitoring, inspection, testing, checks and control measures for legionellosis	Five years from the date of the last entry	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
7	<b>Health and safety information - pupils</b>			
7.1	Accident reports including first aid / accident book	DOB of the pupil involved in the incident + 21 years; or Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	No
7.2	Reportable injuries, diseases and dangerous occurrences ( <b>RIDDOR</b> ) reports or own record	Minimum statutory retention period is at least 3 years but, but the College will retain for the period of DOB of the pupil involved in the incident + 21 years; or Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident Whichever is the longer	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
7.3	Incident investigations and reports, risk assessments and	DOB of the pupil involved in the incident + 21 years; or Three years from the date of an incident which may become contentious if the	Review for further retention in the case of enforcement action or civil claims for personal injury SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
	other relevant documents where there has been an accident or incident	pupil was 18 years old at the date of the incident Whichever is the longer		
8	<b>Generic health and safety records</b>			
8.1	<p>Risk assessments, records of health and safety arrangements, copies of policies and procedures</p> <p>General records of health and safety auditing and monitoring including fire risk assessments, electrical testing, PAT testing and gas appliance testing</p> <p>Training records and copies of instructions or information</p> <p>Maintenance logs and / or records of plant and / or equipment plus safety manuals /</p>	At least three years (in the absence of a specific accident, incident, dangerous occurrence or notifiable disease)	<p>Review for further retention in the case of enforcement action or contentious disputes</p> <p>SHRED/DELETE</p>	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
	<p>notices / instructions</p> <p>Records of emergency evacuations and fire drills, fire safety risk assessments and fire safety policy / fire arrangements</p>			
8.2	<p>Copies of documents, including health and safety files, prepared pursuant to the Construction (Design and Management) Regulations 2015</p>	<p>6 years minimum from the date of completion of the project. Can be kept for longer if required for future reference in relation to the project itself, or other projects.</p>	SHRED/DELETE	N/A
9	<b>Insurance</b>			
9.1	<p>Insurance certificates and schedules of cover</p>	Indefinitely	N/A	No
9.2	<p>Correspondence with insurers related to specific accidents or incidents</p>	<p>Three years generally</p> <p>If the incident involved a pupil - DOB of the pupil involved in the incident + 21 years; or</p> <p>Three years from the date of an incident</p>	<p>Review for further retention in the case of civil claims for disease or personal injury</p> <p>SHRED/DELETE</p>	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
		<p>which may become contentious if the pupil was 18 years old at the date of the incident</p> <p>Whichever is the longer.</p> <p>Disease claims or where there have been allegations of abuse - indefinitely</p>		
10	<b>Investigations, reviews and inquiries</b>			
10.1	Documents relevant to IICSA	Indefinitely	Review once the Inquiry has been completed.	No - unless the College has received a formal notice from IICSA
10.2	<p>Internal reports and investigations into accidents / incidents</p> <p>Copies of reports submitted to external agencies / regulators such as Independent Schools Inspectorate, Health and Safety Executive, Local Authority, Charity Commission etc</p>	<p>Where the investigation / inquiry / report has been necessitated as a result of a specific incident, retention will be for three years where there is a risk of enforcement action and / or criminal prosecution and / or a civil claim.</p> <p>Where this relates to a pupil then retain for DOB +21 years); or</p> <p>Three years from the date of an incident which may become contentious if the pupil was 18 years old at the date of the incident.</p> <p>Whichever is the longer.</p>	SHRED/DELETE	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
	External reports, reviews, investigations and inquiries for example inquests and public inquiries			
11	<b>Alumni records</b>			
11.1	Alumni will be treated as employees for the purposes of health and safety records.	As set out in section 6 above	As set out in section 6 above	No
11.2	General alumni correspondence, membership forms etc	Six years after the last time the individual contacted the College This is subject to any longer retention period set out above. For example, records relating to a reportable disease should be kept indefinitely .	SHRED/DELETE	No
12	<b>Keeping information for longer</b>			
12.1	Records which do not contain personal data, for example, old photographs of College buildings, title deeds etc	Can be kept indefinitely	N/A	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
12.2	Records relating to a number of pupils, or the College generally, such as old class photographs, lists of pupils attending the College in any given year, College prospectuses, newspaper cuttings etc	<p>Can be kept indefinitely provided the College is satisfied (1) there is a legitimate interest in doing so, (2) keeping the record is necessary for that legitimate interest, and (3) the legitimate interest is not overridden by the interests, rights or freedoms of the individuals concerned.</p> <p>For example, the College may have a legitimate interest in building up a picture of the history of the College.</p>	N/A	No
12.3	Records concerning specific pupils kept for a valid reason. For example, a poem written by an exceptionally gifted pupil.	<p>Can be kept indefinitely if the College is satisfied that the legitimate interests test set out at paragraph 12.2 above has been met and documented.</p> <p>Please note that this does not apply to more routine pupils records. Routine work produced by pupils should not be kept for longer than the retention period set out in section 2.1 above unless the College has a specific reason for keeping it and that decision can be justified on the basis of the legitimate interests test.</p> <p>For example, if the College wished to retain the essays written by pupils which were submitted to an essay competition about growing up in the 2010s. This will usually be permissible but further legal advice should be sought.</p>	N/A	No

	Record	Retention period	Action at the end of the retention period + Notes	Retention period required by law?
13	<b>CCTV, videos and photographs</b>			
13.1	CCTV footage	15 days	<p>DELETE</p> <p>Review for further retention if the recording may be required for any reason such as in relation to an incident or accident involving any person.</p> <p>CCTV footage may also be needed in relation to parental complaints, disciplinary matters, pupil exclusions, bullying incidents or health and safety matters.</p> <p>If a subject access request has been made for the footage it must be retained.</p> <p>The College will consider the relevant limitation periods for claims being brought against the College and seek advice as necessary.</p>	No
13.2	Photographs of pupils for internal administration purposes e.g. to identify the pupil or photographs used on security passes	These photographs will be retained for as long as they are required for the purpose for which they were taken.	<p>SHRED/DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes.</p>	No
13.3	Photographs or videos of pupils taken for marketing reasons e.g. photographs for use in the College prospectus or a video of pupils on the College's website	<p>These photographs and videos will be retained for as long as they are required for the purpose for which they were taken.</p> <p>If the College retains the images for historical reasons please see the comments at 12.3 above.</p>	<p>SHRED/DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes.</p>	No

	<b>Record</b>	<b>Retention period</b>	<b>Action at the end of the retention period + Notes</b>	<b>Retention period required by law?</b>
13.4	Photographs or videos of pupils used as part of the curriculum e.g. a video of a drama lesson/ performance or as part of an art project	<p>These photographs and videos should be retained for as long as they are required for the purpose for which they were taken.</p> <p>If the College would like to retain the images for historical reasons please see the comments at 12.3 above.</p>	<p>SHRED/DELETE</p> <p>Review for further retention in the case of relevance to contentious disputes.</p>	No