

ECi Data Retention Policy

Executive Summary:

This policy sets out the minimum periods of retention of the personal data that we process.

Schools will generally seek to balance the benefits of keeping detailed and complete records for the purposes of good practice, archives or general reference – with practical considerations of storage, space and accessibility.

However, there are legal considerations in respect of retention of records and documents which must be borne in mind. These include:

- statutory duties and government guidance relating to schools, including for safeguarding;
- disclosure requirements for potential future litigation;
- contractual obligations;
- the law of confidentiality and privacy; and
- the General Data Protection Regulations and associated legislation.

These will inform not only minimum and maximum retention periods, but also what to keep and who should be able to access it.

Who we are

Eastbourne College (Incorporated) ("ECi"), a limited company registered in England No. 115408, registered charity No. 307071 trading as Eastbourne College and St Andrew's Prep under Data Protection Law is Data Controller.

Throughout this document "The School" does refer to both Eastbourne College and St Andrew's Prep.

Child protection and document retention

In the light of the Independent Inquiry into Child Sexual Abuse and various high-profile safeguarding cases, all independent schools are aware of the emphasis currently being placed on long-term, lifetime or even indefinite keeping of full records related to incident reporting. Regardless of suggested retention timescales set out below, Eastbourne College and St Andrew's Prep have extended this rule to any and / or all personnel and pupil files on a 'safety first' basis.

These guidelines have been drafted in full awareness of these considerations. Data protection issues should never put child safety at risk, nor take precedence over the general prevention and processing of safeguarding

Meaning of "record"

In these guidelines, "record" means any document or item of data which contains evidence or information relating to the school, its staff or pupils. Some of this material, but not all, will contain personal data of individuals as defined in the GDPR.

Many new and recent records will be created, received and stored electronically. Others (such as Certificates, Registers, or older records) will be original paper documents. The format of the record is less important than its contents and the purpose for keeping it.

Both paper and digital records will be stored securely and all appropriate measures taken to ensure the security of the data at all times.

Secure disposals of documents

When data is to be destroyed, this may be carried out by an appropriately licenced third party.

For confidential, sensitive or personal information to be considered securely disposed of, it must be in a condition where it cannot either be read or reconstructed. Skips and 'regular' waste disposal will not be considered secure.

Paper records will be shredded using a cross-cutting shredder; CDs / DVDs / memory sticks will be cut into pieces. Hard-copy images, AV recordings and hard disks will be dismantled and destroyed or have a certificate of data destruction provided.

Where third party disposal experts are used they will be subject to adequate contractual obligations to the school to process and dispose of the information confidentially and securely.

Timescales for retention

The timescales below are given as a guide for minimum retention periods. Figures given are not intended as a substitute to exercising thought and judgment, or taking specific advice, depending on the circumstances.

Indeed, the essence of this guidance can be boiled down to the necessity of exercising thought and judgment –practical considerations mean that case-by-case 'pruning' of records may be impossible. It is therefore accepted that sometimes a more systemic or broad-brush approach is necessary.

| Type of Record / Document | Suggested Retention Period |
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| School specific records <ol style="list-style-type: none"> 1. Registration documents of school 2. Minutes of governor meetings | <ol style="list-style-type: none"> 1. Permanent 2. 6 years from date of meeting |
| Corporate Records <ol style="list-style-type: none"> 1. Certificate of Incorporation 2. Minutes, Notes and Resolutions of Boards or Management Meetings 3. Register of Members / Shareholders 4. Annual Reports | <ol style="list-style-type: none"> 1. Permanent 2. Minimum 10 years 3. Minimum 10 years 4. Minimum 6 years |
| Individual Pupil Records <ol style="list-style-type: none"> 1. Admissions: Application Forms, Assessments, records of decisions 2. Examination results (Internal or External) 3. Pupil file including: <ol style="list-style-type: none"> a. Pupil records b. Pupil performance record c. Pupil medical records 4. Special educational needs records (to be risk assessed individually) | <ol style="list-style-type: none"> 1. Permanent 2. Permanent 3. Permanent <ol style="list-style-type: none"> a. Permanent b. Permanent c. Permanent 4. Permanent |
| Safeguarding <ol style="list-style-type: none"> 1. Policies and procedures 2. DBS disclosure certificates (if held) 3. Accident / Incident reporting 4. Child Protection files | <ol style="list-style-type: none"> 1. Permanent 2. Permanent 3. Permanent 4. Permanent |
| Accounting Records <ol style="list-style-type: none"> 1. Accounting records 2. Tax returns 3. VAT returns 4. Budget and internal financial reports | <ol style="list-style-type: none"> 1. Current records plus 6 years 2. Current records plus 6 years 3. Current records plus 6 years 4. Permanent |

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| <p>Intellectual Property Records</p> <ol style="list-style-type: none"> 1. Formal documents of title (trade mark or registered design certificates; patent or utility model certificates) 2. Assignments of intellectual property to or from the school 3. IP / IT agreements (including software licences and ancillary agreements eg maintenance; storage; development; coexistence agreements; consents) | <ol style="list-style-type: none"> 1. Permanent (in the case of any right which can be permanently extended, eg trade marks); otherwise expiry of right plus minimum of 7 years 2. As above in relation to contracts (7 years) or, where applicable, deeds (13 years) 3. Minimum 7 years from completion of contractual obligation concerned or term of agreement |
| <p>Employee / Personnel Records</p> <ol style="list-style-type: none"> 1. Single Central Record of employees 2. Contracts of employment 3. Employee appraisals or reviews 4. Staff personnel file 5. Payroll, salary, maternity pay records 6. Pension or other benefit schedule records 7. Job application and interview / rejection records (unsuccessful applicants) 8. Immigration records 9. Health records relating to employees | <ol style="list-style-type: none"> 1. Permanent 2. Permanent 3. Permanent 4. Permanent 5. Permanent 6. Permanent 7. 6 Months 8. Permanent 9. Permanent |
| <p>Insurance Records</p> <ol style="list-style-type: none"> 1. Insurance policies (will vary – private, public, professional indemnity) 2. Correspondence related to claims / renewals / notification | <ol style="list-style-type: none"> 1. Duration of policy (or as required by policy) plus a period for any run-off arrangement and coverage of insured risks: ideally, until it is possible to calculate that no living person could make a claim 2. Minimum 7 years |

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| Environmental and Health Records <ol style="list-style-type: none">1. Maintenance logs2. Accidents to children3. Accident at work records (staff)4. Staff use of hazardous substances5. Risk assessments | <ol style="list-style-type: none">1. 10 years2. Permanent3. Minimum 4 years4. Minimum 7 years from end of date use5. 7 years from completion of relevant project, incident, event or activity |
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| Date of this policy: | April 2023 |
| Policy drawn up by: | JCB |
| Date of next policy review: | April 2024 |
| Date for publication of revised policy: | April 2024 |