



Little Learners
NURSERY GROUP

DATA RETENTION POLICY

Reviewed: July 2019

To be reviewed: July 2020

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DATA RETENTION POLICY

Little Learners Nursery Group has a responsibility to maintain its records and record keeping systems. When doing this, each Nursery will take account of the following factors: -

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

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

DATA PROTECTION

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

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

RETENTION SCHEDULE

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

Paper records will be regularly monitored by the Nursery Managers of each Nursery within the Company.

Electronic records will be regularly monitored by the Nursery Managers of each Nursery within the Company.

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

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DESTRUCTION OF RECORDS

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

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted. The destruction of Data will be recorded by a Leadership team member. Records will be shredded as soon as the record has been documented as being destroyed.

ARCHIVING

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives.

TRANSFERRING INFORMATION TO OTHER MEDIA

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

RESPONSIBILITY AND MONITORING

The HR Director has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with the Nursery is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The data protection officer will consider the suitability and adequacy of this policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

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

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RETENTION SCHEDULE

FILE DESCRIPTION	RETENTION PERIOD
Employment Records	
Job applications and interview records of unsuccessful candidates	Six months after notifying unsuccessful candidates, unless the Nursery has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained
Job applications and interview records of successful candidates	6 years after employment ceases
Written particulars of employment, contracts of employment and changes to terms and conditions	6 years after employment ceases
Right to work documentation including identification documents	2 years after employment ceases
Immigration checks	Two years after the termination of employment
DBS checks and disclosures of criminal records forms	As soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, for no longer than 6 months.
Change of personal details notifications	No longer than 6 months after receiving this notification
Emergency contact details	Destroyed on termination
Personnel and training records	While employment continues and up to six years after employment ceases
Annual leave records	Six years after the end of tax year they relate to or possibly longer if leave can be carried over from year to year
Consents for the processing of personal and sensitive data	For as long as the data is being processed and up to 6 years afterwards
Working Time Regulations: <ul style="list-style-type: none"> • Opt out forms • Records of compliance with WTR 	<ul style="list-style-type: none"> • Two years from the date on which they were entered into • Two years after the relevant period
Disciplinary and training records	6 years after employment ceases

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Allegations of a child protection nature against a member of staff including where the allegation is founded	10 years from the date of the allegation or the person's normal retirement age (whichever is longer). This should be kept under review. Malicious allegations should be removed.
Financial and Payroll Records	
Pension records	12 years
Retirement benefits schemes – notifiable events (for example, relating to incapacity)	6 years from the end of the scheme year in which the event took place
Payroll and wage records	6 years after end of tax year they relate to
Maternity/Adoption/Paternity Leave records	3 years after end of tax year they relate to
Statutory Sick Pay	3 years after the end of the tax year they relate to
Current bank details	No longer than necessary
Agreements and Administration Paperwork	
Collective workforce agreements and past agreements that could affect present employees	Permanently
Trade union agreements	10 years after ceasing to be effective
Nursery Development Plans	3 years from the life of the plan
Professional Development Plans	6 years from the life of the plan
Visitors Book and Signing In Sheets	6 years
Newsletters and circulars to staff, parents and pupils	1 year
Health and Safety Records	
Health and Safety consultations	Permanently
Health and Safety Risk Assessments	3 years from the life of the risk assessment
Any reportable accident, death or injury in connection with work	For at least twelve years from the date the report was made
Accident reporting	Adults – 6 years from the date of the incident Children – when the child attains 25 years of age.

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Fire precaution log books	6 years
<p>Medical records and details of: -</p> <ul style="list-style-type: none"> • control of lead at work • employees exposed to asbestos dust • records specified by the Control of Substances Hazardous to Health Regulations (COSHH) 	40 years from the date of the last entry made in the record
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made
Temporary and Casual Workers	
Records relating to hours worked and payments made to workers	3 years
Pupil Records	
Admissions records	3 years from the date of leaving
Attendance Registers	3 years from the date of entry
Special Educational Needs files, reviews and individual education plans (this includes any statement and all advice and information shared regarding educational needs)	Until the child turns 25.
Emails	
Other Records	

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APPENDIX A: LIST OF RECORDS AND DATA SAFELY DESTROYED OUTSIDE TO SCOPE OF THIS RETENTION SCHEDULE

The following is documented in a separate spreadsheet.

Ref Number	File/Record Title	Description	Reference or Cataloguing Information	Number of Files Destroyed	Method of destruction	<u>Confirm</u> (i) Safely destroyed (ii) In accordance with Data Retention Guidelines Tick (v)
e.g.	<i>School Invoices</i>	<i>Copies of purchase invoices dated 2011/12</i>	<i>Folders marked "Purchase Invoices 2011/12" 1 to 3</i>	<i>3 Folders</i>	<i>Shredding</i>	√
1						
2						
3						
4						

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You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

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