



## **DATA RETENTION POLICY**

### **(IN RELATION TO EMPLOYMENT)**

#### **1. Introduction**

This policy applies to all employees, workers and contractors.

- 1.1. The Governing Body of Barton Church of England (VA) Primary School is committed to retaining personal data (which may be held on paper, electronically, or otherwise) about our employees for no longer than necessary for the purpose or purposes for which they were collected. All steps will be reasonably taken to securely destroy or erase from systems, all data which is no longer required.
- 1.2. The Governing Body recognises the need to process data in an appropriate and lawful manner, in accordance with the General Data Protection Regulation (GDPR). The purpose of this policy is to set out the principles by which we will retain your personal data.
- 1.3. Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action, including dismissal.
- 1.4. The Data Protection Officer is responsible for ensuring compliance with the GDPR and this policy. Any questions about the operation of this policy or concerns that there has been a breach of this policy should be referred in the first instance to the Data Protection Officer

#### **2. Responsibilities**

- 2.1. The Governing Body understand its legal responsibility to comply with the law, including the General Data Protection Regulation. The individual with overall responsibility for this policy is the Data Protection Officer.

#### **3. Retention of Data**

- 3.1. The Governing Body will state the purposes for which it holds personal information, and will register with the Data Protection Commissioner all the purposes for which it processes personal data.
- 3.2. Personal data will be retained for employment purposes, to assist in the running of the business and/or to enable individuals to be paid. In such cases we will apply the

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'recommended' retention period. Some personal data is retained for statutory purposes, in which case we will apply the 'statutory' retention period.

3.3. The Governing Body commits to retaining the minimum amount of personal data that is necessary for the purpose for which it is held and access to the personal data will be restricted so that it is used only for the specific purpose.

3.4. Personal data will be held as indicated in Appendix 1 and for no longer than the period specified below. All personal data will be destroyed securely at the end of the retention period.

Reviewed by Resources Committee on 26<sup>th</sup> June 2023

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## Appendix 1: Retention of Personal Data

This schedule lists the principal documents held on an employee's file. The list is not exhaustive, and other documents relating to employment may be also held. Personnel files will be held for the length of employment + 6 years at which time they will be securely shredded. Documents relating to child protection or accidents at work may be held for a period of up to 25 years, in accordance with the DFE "Data protection: a toolkit for schools" and the employee will be advised of this.

Document	Period of Retention
<b>Application Process</b>	
Application forms and interview notes (for unsuccessful candidates)	Six months.
Original job application form for successful candidate	Termination + 6 years
<b>Documents Relating to Appointment Process</b>	
Confirmation of pre-employment medical check clearance	Termination + 6 years
DBS certificates/copies	No requirement to retain If retained, a maximum of six months and if, in very exceptional circumstances, it is considered necessary to retain a copy of the original certificate for longer than six months, consent should be sought from the applicant and retained on file.
Confirmation of DBS outcome and any associated docs (e.g. risk assessment or certificate of good conduct)	Termination + 25 years
Barred list clearance	Termination + 25 years
Prohibition check	Termination + 25 years
Copies of documents used for identity authentication for DBS and Asylum and Immigration Act purposes	Termination + 2 years

UK Border Agency Documentation (Work permit)	Termination + 2 years
Records relating to employees from outside of the UK e.g. visa, work permits, etc.	Termination + 2 years
Copies of qualifications certificates relevant to employment	Termination + 6 years
NQT – Satisfactory completion of skills tests.	Termination + 6 years
Two original references	Termination + 6 years
Original contract acceptance	Termination + 6 years
Copy of Contract of employment and any variation letters or side letters	Termination + 6 years
<b>Disciplinary Records</b>	
Formal disciplinary warnings – child protection related	Termination + 25 years
Formal disciplinary warnings – not child protection related	Termination + 6 years
<b>Accidents at Work</b>	
Accident books, accident records, accident reports	Three years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches age 21)
Records relating to accident/injury at work	Termination + 12 years In the case of serious accidents a further retention period may need to be considered
<b>Financial Information</b>	

Inland Revenue/HMRC correspondence	Termination + 6 years
National minimum wage records	Three years after the end of the pay reference period following the one that the records cover.
Wage/salary records (also overtime, bonuses, expenses)	Termination + 6 years
Time sheets	Current year + 6 years
<b>Sickness and Maternity Information</b>	
Medical certificates/ Occupational Health reports and sickness absence record	Current year + 6 years
SMP, SAP, SSPP records, calculations, certificates (Mat B1s) or other medical evidence, notifications, declarations and notices	Three years after the end of the tax year in which the leave period ends
Statutory Sick Pay records, calculations, certificates, self-certificates	Six years after the employment ceases
Parental leave records	Eighteen from birth/adoption of the child or if the child receives a disability living allowance
Other special leave of absence including parental leave, maternity leave	Current year + 6 years
<b>Leavers Information</b>	
Letter of resignation and acceptance of resignation or other documentation relating to the termination of employment.	Termination + 7 years
Exit interview notes	Termination + 7 years
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	Six years from the date of redundancy

Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	Six years from the end of the scheme year in which the event took place
Additional Employee Information	
Salary assessment forms – teachers	Current year + 6 years
Appraisal information	Current year + 6 years
Staff induction including NQTs Induction	Completion + 6 years
Working time records	Two years from date on which they were made
Documentation relating to low-level concerns	Termination + 25 Years