



**The Kite
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Trust**
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KITE ACADEMY TRUST

RECORDS RETENTION POLICY

Contents

1	Introduction.....	1
2	Document Retention Period.....	1
3	Deletion of Documents.....	7
	Appendix 1 – Academy Document Retention	8



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1 Introduction

The main aim of this policy is to enable the Kite Academy Trust to manage our records effectively and in compliance with data protection and other regulation. As an organisation we collect, hold, store and create significant amounts of data and information; this policy provides a framework of retention and disposal of categories of information and documents.

The Kite Academy Trust is committed to the principles of data protection including the principle that information is only to be retained for as long as necessary for the purpose concerned.

The table below sets out the main categories of information that we hold in key areas of our work, the length of time that we intend to hold them, and the reason for this.

The appendix refers to more specific academy records.

Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The Data Protection Officer shall be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.

If a document or piece of information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to the Data Protection Officer who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.

2 Document Retention Period

DOCUMENT TYPE	LEGISLATION / REASONS FOR RETENTION	REQUIREMENT
COMPANY RECORDS		
Company Articles of Association, Rules / bylaws	Companies Act 2006 Charities Act 2011	Permanent
Academy funding agreement and any supplemental agreements	Charities Act 2011	Permanent
Trustee / director minutes of meetings and written resolutions	Companies Act 2006 Charities Act 2011	10 years
Members' meetings etc. Minutes / resolutions	Companies Act 2006 Charities Act 2011	10 years
Documents of clear historical / archival significance	Data Protection regulation	Permanent if relevant data protection regulation provisions are met.
Contracts e.g. with suppliers or grant makers	Limitation Act 1980	Length of contract term plus 6 years
Contracts executed as deeds	Limitation Act 1980	Length of contract term plus 12 years

IP records and legal files re provision of service	Limitation Act 1980	Life of service provision or IP plus 6 years
TAX AND FINANCE		
Annual accounts and review (including transferred records on amalgamation)	Companies Act 2006 Charities Act 2011	Permanent
Tax and accounting records	Finance Act 1998 Taxes Management Act 1970	6 years from end of relevant tax year
Information relevant for VAT purposes	Finance Act 1998 and HMRC Notice 700/21	Minimum 6 years from end of relevant period
Banking records / receipts book/sales ledger	Companies Act 2006 Charities Act 2011	6 years from transaction
EMPLOYEE / ADMINISTRATION		
Payroll / Employee / Income Tax and NI records: P45; P6; P11D; P60, etc.	Taxes Management Act 1970 / IT (PAYE) Regulations	6 years from end of current year
Maternity pay	Statutory Maternity Pay Regulations	3 years after the end of the tax year
Sick pay	Statutory Sick Pay (General) Regulations	3 years after the end of the tax year
National Minimum wage records	National Minimum Wage Act	3 years after the end of the tax year
Foreign national ID documents	Immigration (Restrictions on Employment) Order 2007 Independent School Standards Regulations	Minimum 2 years from end of employment
HR files and training records	Limitation Act 1970 and Data Protection regulation	6 years from end of employment
Records re. working time	Working Time Regulations 1998 as amended	2 years

Job applications (CVs and related materials re unsuccessful applicants)	ICO Employment Practices Code (Recruitment & Selection) Disability Discrimination Act 1995 & Race Relations Act 1976	6 months from notification of outcome of application
Pre-employment / volunteer vetting	ICO Employment Practice Code Independent School Standards Regulations	6 months
Allegation of a child protection nature against a member of staff including where the allegation is unfounded ⁵	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to interagency 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 the longer then REVIEW. Note allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned
Disclosure & Barring Service checks	Single Central Record Requirements under Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014;	Record only satisfactory / unsatisfactory result and delete other information. If copy is kept, not to be retained beyond 6 months See further DfE statutory Guidance ‘Working Together to safeguard children’ https://www.gov.uk/government/publications/workingtogether-to-safeguardchildren--2
Volunteer records		6 months after the volunteer stops volunteering.
INSURANCE		
Employer’s Liability Insurance	Employers’ Liability (Compulsory Insurance Regulation) 1998	40 years
Policies	Commercial	3 years after lapse
Claims correspondence	Commercial	3 years after settlement
HEALTH & SAFETY / MEDICAL		
General records	Limitation Act 1970	Minimum 3 years
Health and Safety Risk Assessments		Life of assessments + 3 years

Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Permanent
Accident books / records and reports	Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995	3 years after last entry or end of investigation
Medical Scheme documentation	Commercial	Permanent unless personal data is included
Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	Control of Asbestos at Work Regulations 2012 SI 1012 No 632 Regulation 19	Last action + 40 years
Fire Precautions log books		Current year + 6 years
PREMISES / PROPERTY		
Original title deeds		Permanent / to disposal of property
Leases	Limitation Act 1980	12 years after lease has expired
Building records, plans, consents and certification and warranties etc.	Limitations Act 1980	6 years after disposal or permanent if of historical / archival interest. Carry out review re: longer retention, e.g. if possible actions against contractors
All records relating to the management of contracts under signature	Limitation Act 1980	Last payment on the contract + 6 years
Records relating to the monitoring of contracts		Current year + 2 years
Records relating to the letting of academy premises		Current financial year + 6 years
All records relating to the maintenance of the school carried out by contractors		Current year + 6 years
All records relating to the maintenance of the academy carried out by academy employees including maintenance log books		Current year + 6 years

PENSION RECORDS	For all categories see:	
Records about employees and workers	Detailed Guidance for Employers: (April 2017) pensions regulator.gov.uk	Permanent
Records re. the Scheme		Permanent
Records re active members and opt in / opt out		Permanent
Trust Deed / Rules and HMRC approvals		Permanent
Trustees' Minutes and annual accounts		Permanent
Policies including investment policies		
PUPILS		
Educational Record	Pupil information Regulations 2005 (maintained schools only) Same approach applied in academy context. Data Protection regulation	File passed to new school – no retention of any data
Child Protection information (on child's file)	"Keeping children safe in education Statutory guidance for schools and colleges September 2016"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017"	Sent securely to next school and obtain acknowledgement of receipt. A copy can be made and held until this acknowledgement is received and then all copies destroyed.
Child Protection Information in other files	"Keeping children safe in education Statutory guidance for schools and colleges September 2016"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children February 2017"	Sent securely to next school and obtain acknowledgement of receipt. A copy can be made and held until this acknowledgement is received and then all copies destroyed.

SPECIAL EDUCATIONAL NEEDS		
SEN files	Limitation Act 1980	File passed to new school – no retention of any data
Education Health and Care Plans	Special Educational Needs and Disability Regulations 2014 Children and families Act 2014, part 3	File passed to new school – no retention of any data
Statements of Special Educational Needs (now historic)	Originally under Special Educational Needs and Disability Regulations 2001	File passed to new school – no retention of any data
Attendance registers	Pupil Registration Regulations 2006 Regulation 14	Any paper registers immediately recorded digitally and destroyed. For computerised registers retain until 3 years after the end of the school year during which the entry was made. This applies to every back up copy.
PARENTS		
	Pupil Registration Regulations 2006 For basic name and contact details. Otherwise usually operational in accordance with the statutory functions of the school.	Usually, for the duration that the parent has a pupil at the academy. Otherwise subject to case by case justification.

3 Deletion of Documents

When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

Confidential waste

All confidential waste should be shredded. If papers are held prior to shredding they must be stored in a secure cupboard/drawer.

Anything that contains personal information should be treated as confidential.

Other documentation

Other documentation can be deleted or placed in recycling bins where appropriate.

Automatic deletion

Certain information may be automatically archived by the computer systems, details of which are set out below. Should you want to retrieve any information, or prevent this happening in a particular circumstance, please contact your IT technician.

Individual responsibility

Much of the retention, destruction and deletion of documents will be automatic, but when faced with a decision about an individual document, you should ask yourself the following:

- Has the information come to the end of its useful life?
- Is there a legal requirement to keep this information or document for a set period? (Refer to Table or Appendix for more information)
- Would the information be likely to be needed in the case of any legal proceedings? In particular, is it potentially relevant to an historic child abuse enquiry? (Is the information contentious, does it relate to an incident that could potentially give rise to proceedings?)
- Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
- Is the document of historic or statistical significance?

If the decision is made to keep the document outside the retention guidelines of this policy, this should be referred to the Data Protection Officer and reasons given.

Appendix 1 – Academy Document Retention

DOCUMENT DESCRIPTION	STATUTORY PROVISION	RETENTION PERIOD
LGB		
Agendas/minutes for Governing Body meetings		One copy should be retained with the master set of minutes. All other copies can be disposed of
Principal Set (signed)		PERMANENT
Reports presented to the Governing Body		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 permanently
Action plans created and administered by the Governing Body		Life of the action plan + 3 years
Records relating to complaints dealt with by the Governing Body		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes
HEAD & SLT		
Log books of activity in the academy maintained by the Head Teacher		Date of last entry in the book + a minimum of 6 years then review
Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies		Date of the meeting + 3 years then review
Reports created by the Head Teacher or the Management Team		Date of the report + a minimum of 3 years then review
Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities		Current academic year + 6 years then review
Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities		Date of correspondence + 3 years then review
Professional Development Plans		Life of the plan + 6 years

Academy Development Plans		Life of the plan + 3 years
ADMISSIONS PROCESS		
All records relating to the creation and implementation of the Academy Admissions' Policy	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
Admissions – if the admission is successful	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
Admissions – if the appeal is unsuccessful	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

Register of Admissions	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 three years after the date on which the entry was made
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Proofs of address supplied by parents as part of the admissions process	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Current year + 1 year
Supplementary Information form including additional information such as religion, medical conditions etc. For successful admissions For unsuccessful admissions		This information should be added to the pupil file Until appeals process completed
SCHOOL MEAL MGT		
Free School Meals Registers		Current year + 6 years
School Meals Registers		Current year + 3 years
School Meals Summary Sheets		Current year + 3 years
STATISTICAL/ANALYTICS DATA		
SATS Results		The SATS results should be recorded on the pupil's educational file. The academy 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
Examination Papers		The examination papers should be kept until any appeals/validation process is complete
Published Admission Number (PAN) Reports		Current year + 6 years
Value Added and Contextual Data		Current year + 6 years
Self-Evaluation Forms		Current year + 6 years