

## Data Retention Policy

Information is one of Nisai Group Ltd. corporate assets; in the course of carrying out its' various functions, Nisai Group Ltd. accumulates information from both individuals and external organisations. Nisai Group Ltd. also generates a wide range of data, which is recorded in documents and records.

These documents and records are in several different formats, examples of which include, (but are not limited to) data such as names, emails, IP addresses; financial information; payroll for the purpose of processing employee contractual rights; legal documents such as contracts.

For the purposes of this Policy, the terms 'document' and 'records' include information in both hard copy and electronic form and refers to personal identifiable data within.

In certain circumstances it will be necessary to retain specific documents in order to fulfil statutory or regulatory requirements and also to meet operational needs. Document retention may also be useful to evidence events or agreements in the case of disputes, and also to preserve information which has historic value.

Premature destruction of documents could result in inability to defend litigious claims, operational difficulties and failure to comply with the GDPR. Lengthy or indefinite retention of personal information could also result in Nisai Group Ltd. breaching GDPR.

It is important for the above reasons that Nisai Group Ltd. has in place systems for the timely and secure disposal of documents and records that are no longer required for business purposes and in accordance with the GDPR are kept up-to-date and relevant.

### 1.0 - Aims and Objectives

The key objective of this Policy is to provide the Nisai Group Ltd. with a simple framework which will govern decisions on whether a particular document should be retained or disposed of. In the case of documents which are to be retained by Nisai Group Ltd. the Policy includes guidance on the format in which they should be retained and agreed retention periods.

Implementation of the Policy should ensure transparency when retrieving information, for the purposes of a subject access and reduce the amount of information that may be held unnecessarily.

The Policy clarifies the different roles of employees in relation to document retention and disposal in order that they understand their responsibilities, and who to refer to if they are unsure about any document and require clarification.

### 2.0 - Scope

This Document Retention Policy applies to all information held by Nisai Group Ltd.

### 3.0 - Policy Statement

Nisai Group Ltd. will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of services.

### 4.0 – Retention and Disposal Policy

Decisions relating to the retention and disposal of documentation should be taken in accordance with this Policy, in particular: -

Document Retention Schedules – Guidance on the recommended and statutory minimum retention periods for specific types of documents and records.

In circumstances where a retention period of a specific document has expired, a review should always be carried out prior to a decision being made to dispose of it. This review should not be particularly time consuming and

should be straightforward. If the decision to dispose of a document is taken, then consideration should be given to the method of disposal to be used.

## 5.0 – Roles and Responsibilities

Directors will be responsible for determining (in accordance with this Policy) whether to retain or dispose of specific documents within the remit of their service area.

Directors may delegate the operational aspect of this function within the organisation.

Directors should seek advice from the CEO if they are uncertain as to whether minimum retention periods are prescribed by law, or whether the retention of a document is necessary to protect Nisai Group Ltd. position where a potential claim has been identified, or for operational purposes.

Directors should ensure that the Schedule in Appendix 1 which is relevant to their service is kept up to date.

## 6.0 – Disposal

Confidential waste which is located around the Nisai Group Ltd. should be disposed of using the shredder.

Disposal of documents other than those containing confidential or personal data may be disposed of by binning, recycling and deletion (in the case of electronic documents).

Records of disposal should be maintained by each department and should detail the batch of documents disposed of the date and the Director who authorised the document's disposal.

## Document Retention Schedules

The following schedules provide guidance on the retention periods applicable to a wide range of Nisai Group Ltd. documents.

### Explanation of Retention Schedule Headings

There is a Document Retention Schedule for each service. The headings in each Schedule are as follows:

- Reference Number – This section provides ease of reference.
- Function Description – The Schedule provides notes that define each function in terms of related activities.
- Retention Action – This entry provides the guidance as to whether the document should be retained, and if so how long for. It also provides guidance regarding the method by which documents should eventually be disposed of.
- Examples of Records – This section provides common examples of the type of records included within the particular function. This list is not exhaustive.
- Notes – This indicates if the retention action is common practice or statutory.

## Data Retention Periods

1. Records relating to child protection				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Child protection files	Yes	Education Act 2002, S175, related guidance "Safeguarding Children in Education", September 2004  If a referral has been made/social care have been involved or child has been subject of a multi-agency plan, or there is a risk of future claims.	25 years from date of birth (This is 7 years after they reach the school leaving age)  Indefinitely	Secure disposal
Allegation of child protection nature against a member of staff, including where the allegation is unfounded	Yes	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance). Education Act 2002 Guidance "Dealing with Allegations of Abuse against Teachers and Other Staff" November 2005	Until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer	Secure disposal

2. Records relating to governors				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Minutes				
<ul style="list-style-type: none"> <li>Principal set (signed)</li> </ul>	No		Permanent	Must be available in school for 6 years from the meeting. Can then be archived/stored elsewhere.
<ul style="list-style-type: none"> <li>Inspection copies</li> </ul>	No		3 years from date of meeting	Secure disposal
Agendas	No		Date of meeting	Secure disposal
Reports	No		6 years from date of report	Secure disposal Consider archiving/storing anything important.
Instruments of Government	No		Permanent	Retain in school whilst school open. Can then be archived/stored elsewhere.
Action plans	No		3 years from date of action plans created	Secure disposal
Policy documents	No		Expiry of policy	Retain in school whilst policy operational (this includes if the expired policy is part of a past decision making process).
Complaints files	Yes		6 years from date of resolution of complaint	Review for further retention in the case of contentious disputes. Secure disposal.
Annual reports required by Dept of Education	No	Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.SI2002 No1171	10 years from date of report	Secure disposal

<b>3. Records relating to management</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Log books	Yes		6 years from date of last entry in book	Secure disposal
Reports made by the Senior management team and other internal administrative bodies	Yes		3 years from date of report	Consider archiving/storing anything important. Secure disposal
Records created by Senior management team and other members of staff with administrative responsibilities	Yes		6 years from closure of file	Secure disposal
Correspondence created by Senior management team and other members of staff with administrative responsibilities	No/Yes		3 years from date of correspondence	Secure disposal
Professional development plans	Yes		6 years from date of correspondence	Secure disposal
School development plans	No		6 years from completion of plan	Secure disposal

<b>4. Records relating to pupils</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Admission registers	Yes		7 years from date of last entry	Consider to transfer to the Archive
Attendance registers	Yes		3 years from date of register	Secure disposal
Secondary	Yes	Limitation Act 1980	25 years from date of birth	Transfer to another secondary school if required. In the case of exclusion, it may be appropriate to transfer the record to the Pupil Referral Unit. Secure disposal
Special Educational Needs files, reviews and individual education plans	Yes		25 years from date of birth	Secure disposal
Correspondence relating to authorised absence and issues	Yes		2 years from date of absence	Secure disposal
Examination results				
<ul style="list-style-type: none"> <li>Public</li> </ul>	No		6 years from year of examination	Secure disposal Any certificate left unclaimed should be returned to the appropriate examination board.
<ul style="list-style-type: none"> <li>Internal examination results</li> </ul>	Yes		5 years from current year	Secure disposal

Any other records created in the course of contact with pupils	Yes/No		3 years from current year	Review at the end of 3 years and retain with pupil file if necessary. Secure disposal
Statement maintained under the Education Act 1996 Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	30 years from date of birth	Secure disposal unless legal action is pending
Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	30 years from date of birth	Secure disposal unless legal action is pending
Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	12 years from closure	Secure disposal unless legal action is pending
Accessibility strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	12 years from closure	Secure disposal unless legal action is pending

<b>5. Records relating to Curriculum</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Curriculum returns	No		3 years from current year	Secure disposal
Schemes of work	No		1 year from current year	Secure disposal
Timetable	No		1 year from current year	Secure disposal
Class record books	Yes/No		1 year from current year	Secure disposal
Record of homework set	No		1 year from current year	Secure disposal
Pupils' work	Yes		1 year from current year	Secure disposal
Examination results	Yes		6 years from current year	Secure disposal
Self-evaluation forms	Yes		6 years from current year	Secure disposal

<b>6. Records relating to personnel</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Personnel files & training records (including recruitment, disciplinary records, grievance records and working time record)	Yes		6 years after the date of termination	Secure disposal
Application forms and interview notes for unsuccessful candidates	Yes		1 year from date of interview If successful place in personnel file	Secure disposal

References	Yes		6 years after the date of termination	
Pre-employment vetting information (including DBS checks & certificate)	Yes	DBS guidelines	Maximum 6 months from decision on recruitment, unless police specifically consulted – but record of the check being made must be kept on the SCR/personnel file, but not the certificate itself.	Secure disposal
Statutory Sick medical evidence & self-certificates	Yes		6 years after the date of termination	Secure disposal
Maternity leave requests and certificates	Yes		6 years after the date of termination	Secure disposal
Flexible working requests	Yes		6 years after the date of termination	Secure disposal
Holiday/Leave form	Yes		6 years after the date of termination	Secure disposal
Annual appraisal and assessment record	Yes		6 years after the date of termination	Secure disposal
Records relating to accident/injury at work	Yes		5 years from date of incident	In case of serious accidents, a further retention period will need to be applied. Secure disposal
Payroll (including P45 & P60)	Yes		6 years after the date of termination	Secure disposal

## 7. Records relating to health and safety

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Accessibility plans	Yes	Disability Discrimination Act		Secure disposal
Accident reporting		Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980		Secure disposal
<ul style="list-style-type: none"> <li>Adults</li> </ul>	Yes		3 years from date of incident	Secure disposal
<ul style="list-style-type: none"> <li>Children</li> </ul>	Yes		25 years from date of birth (could be longer for safeguarding incident)	Secure disposal
Incident reports	Yes		20 years from current year	Secure disposal
Policy statements			1 year from date of expiry e	Secure disposal

Risk assessments			3 years from current year	Secure disposal
Fire precautions log book			6 years from current year	Secure disposal

## 8. Records relating to Administrative records

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Employer's liability certificate			Permanent whilst the school is open	Secure disposal
Inventories of equipment and furniture			6 years from current year	Secure disposal
General file series			5 years from current year	Secure disposal
Brochure			3 years from current year	Secure disposal
Circulars (staff, parents, pupils)			1 year from current year	Secure disposal Review to see if further retention period required.
Newsletters, ephemera			1 year from current year	Secure disposable Review to see if further retention period required
Visitors book			2 years from current year	Secure disposable

## 9. Records relating to finance

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Annual accounts		Financial Regulations	6 years from current year	Secure disposal
Loans and grants		Financial Regulations	12 years from date of last payment on loan	Secure disposal
Contracts				
<ul style="list-style-type: none"> <li>Under signature</li> </ul>			6 years from contract completion date	Secure disposal
<ul style="list-style-type: none"> <li>Monitoring records</li> </ul>			2 years from current year	Secure disposal
Copy orders			2 years from current year	Secure disposal
Budget reports, budget monitoring etc.			3 years from current year	Secure disposal

Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	6 years from current year	Secure disposal
Annual budget and background papers			6 years from current year	Secure disposal
Order books and requisitions			6 years from current year	Secure disposal
Delivery documentation			6 years from current year	Secure disposal
Debtors' records		Limitations Act	6 years from current year	Secure disposal
Petty cash books		Financial Regulations	6 years from current year	Secure disposal

## 10. Records relating to property

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
Title deeds			Permanent	These should follow the property
Plans			Permanent	Retain in school whilst operational. Can then be archived/stored elsewhere.
Maintenance and contractors		Financial Regulations	6 years from current year	Secure disposal
Leases			6 years from Expiry of lease	Secure disposal
Burglary, theft and vandalism report forms			6 years from current year	Secure disposal
Maintenance log books			10 years from Last entry	Secure disposal
Contractors' reports			6 years from current year	Secure disposal
IP/IT agreements (including software licences and ancillary agreements e.g., maintenance; storage; development; coexisting agreements; consents)			Minimum 7 years from completion of contractual obligation concerned or term of agreement	Secure disposal

## 11. Records relating to the Department of Education

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of administrative life of the record
IMI reports			These do not need to be kept any longer	Secure disposal



OFSTED reports and papers			Replace former report with new inspection report	Review to see if further retention period required. Secure disposal
Returns			6 years from current year s	Secure disposal
Circulars from Department of Education			Whilst required operationally	Review to see if further retention period required. Secure Disposal
OFSTED reports and papers			Replace former report with new inspection report	Review to see if further retention period required. Secure disposal

Key Responsibility for Policy	Related Policies
Nick Robin	GDPR

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