

## The Learners Collective – Record Management, Retention and Disposal Policy

Statement Authorised By:	
DPO Officer	Miss Ruth Obude
Reviewed on / Next Review Due:	05/09/2023 / 05/09/2024

### Policy Statement

The purpose of this policy is to detail Seven Springs Education’s management of ‘records’ and procedures for the retention and disposal of information. This policy aims to ensure that we comply fully with the requirements of GDPR. Unless otherwise specified, this policy refers to both hard and soft copy documents. T

his policy should be read and actioned in accordance with other TLC policies and notices dealing with information governance:

- Data Protection Policy
- Privacy Notices
- Online Safety Policy
- Code of Conduct
- Child Protection and Safeguarding
- Online Privacy Notice
- Cookies Statement

### Data Storage

Data will be stored in accordance with GDPR regulations and data protection policies (see our Data Protection Policy).

### Data Disposal

At the end of the retention period stated, we will erase your data, including copies and from backups, or anonymise it if there is clear justification for keeping it.

We only ever keep personal data indefinitely if we are holding it only for:

- Archiving purposes in the public interest
- Scientific or historical research purposes
- Statistical purposes

### Data Sharing

When TLC must share personal data with other organisations, an agreement will be made to ensure the retention policy is followed and only kept and used for its intended purpose.

## Records Retention Schedule

Data Class	Description	Statutory Provisions	Retention Period	Action on Retention Expiry
<b>Students and Parents</b>				
Student Records	Includes contact details, information on parents, assessment information, reports, educational records, behavioural information, SEND information	Keeping Children Safe in Education 2023  Working Together to Safeguard Children 2018  Data protection regulations, including UK GDPR	6 years from student leaving date	Secure disposal by shredding/file deletion
Child Protection Information	We keep this separate from student records and retain this for safeguarding reasons	Keeping Children Safe in Education 2023  Working Together to Safeguard Children 2018  S 175, Education Act 2002	Date of birth + 25 years	Secure disposal by shredding/file deletion
Records Relating to Registration and Agreement	e.g., registration form for tuition		6 years from student leaving date	Secure disposal by shredding/file deletion
Attendance Record	e.g., absences and late attendance		3 years from date of creation	Secure disposal by shredding/file deletion
Classwork and Homework Records	e.g., comments given by tutors after class, work students submitted for marking, comments		1 year from date of creation or longer based on student/parent consent	Secure disposal by shredding/file deletion
Teams recordings, including chats	We use teams recordings including the chat logs for safeguarding and monitoring	Keeping Children Safe in Education 2023	6 months or until the end of NTP / requirements as set by partnering schools	Secure disposal by shredding/file deletion

	<p>purposes. These are stored securely and only accessed where a safeguarding concern arises.</p> <p>Where we use these for marketing and research purposes, we will have explicitly asked for consent and stated the purpose.</p>	<p>Working Together to Safeguard Children 2018</p> <p>Data protection regulations, including UK GDPR</p>	<p>10 years from date of consent for marketing/research purposes or the time and purpose and specified when consent is given</p>	
Parents/Guardians/Family details	<p>We use this information for safeguarding, emergency contact, tutorial arrangement and invoicing.</p> <p>Where we use these for marketing purposes, we will have explicitly asked for consent and stated the purpose.</p>	<p>Keeping Children Safe in Education 2023</p> <p>Working Together to Safeguard Children 2018</p>	<p>6 years from student leaving data unless otherwise required by safeguarding partners</p>	<p>Secure disposal by shredding/file deletion</p>
<b>Employee/Administration</b>				
Personal File		<p>s 2, Limitation Act 1980</p> <p>Safer Recruitment</p>	<p>6 years from the end of employment unless there is an ongoing Independent Inquiry into Child Sexual Abuse (IICSA)</p>	<p>Secure disposal by shredding/file deletion</p>
Payroll Information	<p>Including information for Income Tax and National Insurance. We use this to pay staff and for tax purposes.</p>	<p>Taxes Management Act 1970, IT (PAYE) Regulations</p>	<p>6 years after the end of the tax year</p>	<p>Secure disposal by shredding/file deletion</p>

Sick Pay		Statutory Sick Pay (General) Regulations	Current year + 6 years	Secure disposal by shredding/file deletion
Maternity Pay		Statutory Maternity Pay Regulations	Current year + 3 years	Secure disposal by shredding/file deletion
Foreign national ID documents and/or Proof of Right to Work		Immigration (Restrictions on Employment) Order 2007  An employer's guide to right to work checks (Home Office May 2015)	2 years from the end of employment	Secure disposal by shredding/file deletion
HR files and training records		Limitation Act 1970 and Data Protection regulation	3 years from the end of employment	Secure disposal by shredding/file deletion
Annual appraisal/assessment records		Commercial	6 years from creation	Secure disposal by shredding/file deletion
Disciplinary records		Commercial  Keeping Children Safe in Education 2023  Working Together to Safeguard Children 2018	6 years from creation	Secure disposal by shredding/file deletion
Working hours records and timesheets		Working Time Regulations 1998	2 years	Secure disposal by shredding/file deletion
Job application information	Including CVs and other related information used during the application process	ICO Employment Practices Code (Recruitment & Selection) Disability	6 months from the notification of outcome	Secure disposal by shredding/file deletion

		Discrimination Act 1995 & Race Relations Act 1976		
Pre-employment vetting	Information used here will be noted in the staff's personal file	ICO Employment Practice Code	6 months	Secure disposal by shredding/file deletion
Disclosure and Barring Service (DBS) Checks		Single Central Record under Requirements under Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014	6 months	Secure disposal by shredding/file deletion
Allegations Record		Keeping Children Safe in Education 2023  Working Together to Safeguard Children 2018	Until the person's retirement age or 10 years from the date of the allegation, whichever is the longer, then reviewed. Records will be retained if there is an ongoing Independent Inquiry into Child Sexual Abuse (IICSA).	Secure disposal by shredding/file deletion
<b>Company Records</b>				
Company Articles of Association, Rules/by laws		Companies Act 2006	Permanent	
Member/director minutes of meetings and written resolutions		Companies Act 2006	Permanent. Retain one signed master copy, together with one copy of any related agenda	
Confidential minutes of Member/director meetings		Companies Act 2006  Data Protection Regulation	Permanent, but consider possible data protection issues, redact if necessary, and retain one signed	

			master copy and any related agenda	
Contracts e.g., with suppliers		Limitation Act 1980	6 years from the end of the contract term	Secure disposal by shredding/ file deletion
Contracts executed as deeds		Limitation Act 1980	12 years from the end of the contract term	Secure disposal by shredding/ file deletion
Intellectual property (IP) records and legal files		Limitation Act 1980	Life of service provision or term in IP plus 6 years	Secure disposal by shredding/ file deletion
<b>Tax and Finance Accounts</b>				
Annual accounts and review		Companies Act 2006	6 years from the end of the relevant tax year	Secure disposal by shredding/ file deletion
Tax and accounting records		Finance Act 1998	6 years from the end of the relevant tax year	Secure disposal by shredding/ file deletion
Information relevant for VAT purposes		Finance Act 1998 HMRC Notice 700/21	6 years from the end of the relevant tax year	Secure disposal by shredding/ file deletion
Banking records/ receipts book/ sales ledger		Companies Act 2006	6 years from the end of the relevant tax year	Secure disposal by shredding/ file deletion
<b>Insurance</b>				
Employers' Liability Insurance		Employers' Liability (Compulsory Insurance Regulation) 1998	40 years	Secure disposal by shredding/ file deletion
Policies		Commercial	3 years after lapse	Secure disposal by shredding/ file deletion

Claims correspondence		Commercial	3 years after settlement	Secure disposal by shredding/ file deletion
<b>Marketing and Communications</b>				
Newsletter subscribers' data	Including general enquiries		Up to when 'opt out'	Annual deletion

### Contact Us

If you have any questions or concerns about this policy, please contact our Data Protection Lead, Ruth Obude ([ruth@learnerscolletive.com](mailto:ruth@learnerscolletive.com)).