

Data Retention Policy & Schedule

This Policy sets out the policy governing the retention and destruction of personal data held by Kings. It also provides a schedule of the period for which personal data is to be retained and the criteria for establishing and reviewing such periods. This policy aims to ensure that Kings complies fully with its obligations and the rights of data subjects under the GDPR. In addition to safeguarding the rights of data subjects under the GDPR, by ensuring that excessive amounts of data are not retained by Kings, this Policy also aims to improve the speed and efficiency of managing data.

This Policy applies to all personal data held by Kings and by third-party data processors processing personal data on Kings' behalf.

Personal data, as held by Kings is stored in the following ways and in the following locations:

- Servers, Storage Area Networks, Network Attached Storage and other company owned IT systems, located in our physical premises
- Third-party servers, operated by Microsoft, Infospeed (Class), iSAMS, Firefly (Classmate) and other selected partners
- Computers permanently located in Kings premises at locations within the UK and USA
- Laptop computers and other mobile devices provided by Kings to its employees, and used worldwide
- Physical records stored in Kings premises, or secure storage facilities

All personal data held by the Company is held in accordance with the requirements of the GDPR. Data subjects are informed of their rights, what personal data Kings holds about them and how long the company will hold that personal data (or, if no fixed retention period can be determined, the criteria by which the retention of the data will be determined).

Data Disposal

Upon the expiry of the data retention periods set out below in the Data Retention Schedule of this Policy, or when a data subject exercises their right to have their personal data erased, personal data shall be deleted, destroyed, or otherwise disposed of as follows:

- Personal data stored electronically in flat files (spreadsheets, emails and other documents) shall be deleted and computer recycle bins emptied
- Personal data stored electronically in database systems shall be deleted using the available database management tools for the removal of records. Where data fields/records are only marked for deletion, rather than actually deleted, the system vendor will be asked to securely delete the data
- Personal data stored in hardcopy form shall be shredded using an approved cross-cut shredder, or specialist third party company
- All physical storage systems being disposed of shall be destroyed rather than wiped or overwritten

A record of all reviews and data disposals will be kept by the Data Protection Officer.

Data Retention

As stated above, and as required by law, Kings will keep some forms of information for longer than others. The two main principles of data retention are:

- Personal data should not be kept indefinitely unless there are specific requirements
- Personal data should not be kept any longer than is necessary

Different types of personal data, used for different purposes, will necessarily be retained for different periods (and its retention periodically reviewed), as set out below.

When establishing and/or reviewing retention periods, the following shall be taken into account:

- The rights of the data subject
- The objectives and requirements of Kings
- The type of personal data in question
- The purpose for which the data in question is collected, held and processed
- Kings' legal basis for collecting, holding, and processing that data
- The category or categories of data subject to whom the data relates

If a precise retention period cannot be fixed for a particular type of data, criteria shall be established by which the retention of the data will be determined, thereby ensuring that the data in question, and the retention of that data, can be regularly reviewed against those criteria.

Notwithstanding the following defined retention periods, certain personal data may be deleted or otherwise disposed of prior to the expiry of its defined retention period where a decision is made within Kings to do so (whether in response to a request by a data subject or otherwise).

In limited circumstances, it may also be necessary to retain personal data for longer periods where such retention is for archiving purposes that are in the public interest, for scientific or historical research purposes, or for statistical purposes. All such retention will be subject to the implementation of appropriate technical and organisational measures to protect the rights and freedoms of data subjects, as required by the GDPR.

Queries

All queries relating to data disposal should be directed to the Data Protection Officer

USA Operations

For Kings Education departments and schools located in the USA, data retention periods should always be in accordance with local laws. Where known, these will be added to the Data Retention Schedule in Section 9, but notwithstanding this, it is the ultimate responsibility of managers in the USA to ensure compliance with local laws regarding data retention.

Data Retention Schedule

1. Human Resources				
Basic File Description	Special Category Data?	Statutory Provisions	Retention Period	Action at End of Retention Period
All records leading up to the appointment of a new member of staff – unsuccessful candidates	Y	Ofsted Recommendation (Safer Recruitment)	Date of appointment of successful candidate + 3 Years	Secure disposal by shredding/file deletion
All records leading up to the appointment of a new member of staff – successful candidates	Y	Ofsted Recommendation (Safer Recruitment)	All information should be added to staff file, retention period is period of employment + 6 years	Secure disposal by shredding/file deletion
Pre-employment vetting information – DBS checks	N	DBS Update Service Employer Guide June 2014: Keeping Children Safe in Education Sep 2016 (Statutory guidance from DfE)	We do not have to keep copies of DBS certificates and if we do, the copy must NOT be retained for more than 6 months	Secure disposal by shredding/file deletion
Proofs of identity collected as part of the process of checking enhanced DBS	Y		Where possible these should be checked, and a note kept of what was seen and what has been checked. If it is absolutely necessary to keep copy documentation, then this must be placed on the member of staff's personal file	Secure disposal by shredding/file deletion

Pre-employment vetting information – Evidence proving the right to work in the United Kingdom	Y	An employer's guide to right to work checks (Home Office May 2015)*	Where possible these documents should be added to the Staff Personal File, but if kept separately then the Home Office requires documents to be kept for period of employment + no less than 2 Years	Secure disposal by shredding/file deletion
Staff Personal File	Y	Limitation Act 1980 (Section 2)	Period of employment + 6 Years	Secure disposal by shredding/file deletion
Timesheets	N		Current year + 6 years	Secure disposal by shredding/file deletion
Annual Appraisal/Assessment Records	N		Current year + 5 years	Secure disposal by shredding/file deletion
Allegation of a child protection nature against a member of staff including where the allegation is unfounded	Y	Keeping Children Safe in Education Sep 2016. Working Together to Safeguard Children Mar 2015*	Until the person's normal retirement age or 10 years from the date of the allegation whichever is the longer, then REVIEW. Allegations 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	Secure disposal by shredding/file deletion
Disciplinary Proceedings – Oral Warning	N		Date of warning + 6 months	Secure disposal by shredding/file

Disciplinary Proceedings – Written Warning Level 1	N		Date of warning + 6 months	deletion (If placed on personal files, they must be weeded from the file)
Disciplinary Proceedings – Written Warning Level 2	N		Date of warning + 12 months	
Disciplinary Proceedings – Final Warning	N		Date of warning + 18 months	
Disciplinary Proceedings – Case Not found	N		If the incident is child protection related then see above, otherwise dispose of at conclusion of case	Secure disposal by shredding/file deletion

2. Health & Safety				
Basic File Description	Special Category Data?	Statutory Provisions	Retention Period	Action at End of Retention Period
Records relating to accident/injury at work	Y		Date of incident + 12 years. In the case of serious accidents, a further retention period will need to be applied	Secure disposal by shredding/file deletion
Accident reporting	Y	Social Security (Claims and Payments) Regulations 1979 Reg. 25. Social Security Administration Act 1992 Sec. 8. Limitation Act 1980	For adults – Date of Incident + 6 years For children – DOB of child + 25 years	Secure disposal by shredding/file deletion

4. Student Records

Basic File Description	Special Category Data?	Statutory Provisions	Retention Period	Action at End of Retention Period
Student File (Class) including contacts, admissions, payments etc.	Y		Student leaving date + 6 years	Secure disposal by shredding/file deletion
Student File (iSAMS) including academic, welfare, medical information	Y		Student leaving date + 6 years	Secure disposal by shredding/file deletion
Copies of student Identity documents/BRP/Visas	Y		Student leaving date + 3 months	Secure disposal by shredding/file deletion
Paper records relating to students including registration forms, agreements etc.	Y		Student leaving date + 3 years	Secure disposal by shredding/file deletion
Child protection information held in separate files (Child protection information should NOT be held on student educational records)	Y	Keeping Children Safe in Education Sep 2016. Working Together to Safeguard Children Mar 2015*	Date of birth + 25 years	Secure disposal by shredding/file deletion
Attendance registers	N	School attendance: departmental advice for maintained schools, academies, independent schools and local authorities Oct 2014	3 years from the date entry was made	Secure disposal by shredding/file deletion
Special Educational Needs records	Y		Student leaving date + 6 years	Secure disposal by shredding/file deletion

Examinations results	N	Where Kings <u>is not</u> the examining board	Student leaving date + 6 years	Secure disposal by shredding/file deletion
Examinations results	N	Where Kings <u>is</u> the examining board	Retain indefinitely	N/A
Class record books, mark books, homework records, timetables	N		Current year + 1 year	Secure disposal by shredding/file deletion
Pupils work	N		Should be returned to student at end of course/academic year, but if not then current year + 1 year	Secure disposal by shredding/file deletion

5. Extra-Curricular Activities				
Basic File Description	Special Category Data?	Statutory Provisions	Retention Period	Action at End of Retention Period
Registers and sign up lists for any trip or activity (including the DofE)	Y	Outdoor Education Advisers' Panel National Guidance website http://oeapng.info specifically Section 3 - "Legal Framework and Employer Systems" and Section 4 - "Good Practice".	Date of visit + 10 years	Secure disposal by shredding/file deletion
Parental consent forms for school trips where there has been no major incident	Y		Conclusion of the trip	Secure disposal by shredding/file deletion

Parental consent forms where there has been a major incident	Y	Limitation Act 1980 (Sec 2)	DOB of pupil concerned + 25 years (keep forms for all students to show rules have been followed)	Secure disposal by shredding/file deletion
--	---	-----------------------------	--	--

6. Agents and Host Families				
Basic File Description	Special Category Data?	Statutory Provisions	Retention Period	Action at End of Retention Period
Active Agent contact details	Y		Time active + 6 years	Secure disposal by shredding/file deletion
Agent financial details (commissions etc.)	Y		Time active + 6 years	Secure disposal by shredding/file deletion
Provisional agent details (where didn't go to become active)	Y		1 year	Secure disposal by shredding/file deletion
Host family contact details	N		Time active + 6 years	Secure disposal by shredding/file deletion
Host family financial details	N		Time active + 6 years	Secure disposal by shredding/file deletion

7. Other

Basic File Description	Special Category Data?	Statutory Provisions	Retention Period	Action at End of Retention Period
CCTV Recordings	Y		7 days unless an incident has occurred. Incident footage to be kept for resolution of incident + 3 years	Secure disposal by shredding/file deletion