



JMAT
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John Milton Academy Trust

Record Retention Policy

History of Document

Issue No	Author/Owner	Date Written	Reviewed by Trustees Board on	Comments
001	CEO	April 2018	Summer 2018	

DOCUMENT TYPE	REASONS FOR RETENTION	REQUIREMENT	STORAGE	P/RESPONSIBLE for Retention and/or Disposal
COMPANY RECORDS				
Company Articles of Association, Rules / bylaws	Companies Act 2006 Charities Act 2011	Permanent		Clerk to the Board
Academy funding agreement and any supplemental agreements	Charities Act 2011	Permanent	Website	Clerk to the Board
Trustee / director minutes of meetings and written resolutions	Companies Act 2006 Charities Act 2011	Recommended at least 10 years	Trust Governor Minute Book	Clerk to the Board
Members' meetings etc. Minutes / resolutions	Companies Act 2006 Charities Act 2011	Recommended at least 10 years		Clerk to the Board
Documents of clear historical / archival significance	Data Protection regulation	Permanent if relevant data protection regulation provisions are met. At the time of writing the Data Protection Bill contains relevant provisions but these are expected to change as the Bill goes through the parliamentary process. Legal advice should be obtained once the Data Protection Act 2018 is published.		
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	Recommended: 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	Minimum 6 years Recommended: permanent record		
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 See generally ICO Employment Practices Code				
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 (Employee)	Limitation Act 1970 and Data Protection regulation	Maximum 6 years from end of employment	Headteacher's Office	HT
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	Recommended: 6-12 months from notification of the outcome of application	PA's Office	Headteacher's PA
Pre-employment / volunteer vetting	ICO Employment Practice Code Independent School Standards Regulations	6 months		
Disclosure & Barring Service checks	Single Central Record Requirements under <ul style="list-style-type: none">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/working-together-to-safeguard-children--2		
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		
Records re work with hazardous substances	Control of Hazardous Substances to Health Regulations 2002	Up to 40 years. Recommend: 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		
PENSION RECORDS				
Records about employees and workers	For all categories, see: Detailed Guidance for Employers (April 2017) Pensions regulator.gov.uk			
Records re the Scheme				
Records re active members and opt in / opt out				
Trust Deed / Rules and HMRC approvals				
Trustees' Minutes and annual accounts				
Policies including investment policies				
STUDENTS				

Educational Record	Pupil information Regulations 2005 (maintained schools only) Same approach applied in academy context. Data Protection regulation	25 years from date of birth if this is the final school of the child but the pupil file should follow the pupil so it is likely to be difficult to justify the need for retention once the file has been passed to the pupil's new school	Current: Progress Support Office Historic: Attic Archive Area	Progress Leaders Headteacher's PA
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"	RETAIN UNTIL FURTHER RECOMMENDATIONS Subject to moratorium on destruction due to historic child abuse enquiry. See https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements	Current: AH Office (double locked) Historic: Attic Archive Area	Senior Designated Lead Headteacher's PA
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"	RETAIN UNTIL FURTHER RECOMMENDATIONS Subject to moratorium on destruction due to historic child abuse enquiry. See https://www.iicsa.org.uk/document/guidance-note-retention-instructions-and-data-protection-requirements		

Special Educational needs

SEN files	Limitation Act 1980	Usually 25 years from date of birth of the pupil. If kept longer show good justification.		
Education Health and Care Plans	Special Educational Needs and Disability Regulations 2014 Children and families Act 2014, part 3	25 years from date of birth of the pupil		
Statements of Special Educational Needs (now historic)	Originally under Special Educational Needs and Disability Regulations 2001	25 years from date of birth of pupil unless passed to new school (usually on the pupil's file)		
Attendance registers	Pupil Registration Regulations 2006 Regulation 14	3 years from when the register entry was made if made in paper registers 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.		
Other items e.g. curriculum related, photographs, video recordings	Case by case basis	Look at why you are processing this and how long you need it for. Make sure you have a good justification for keeping it as long as you do. Set out the items and the justification.		
Exam Certificates	Vital interest of data subject	12 months minimum	Exam Cupboard (double locked)	
PARENTS/CARERS				

Contact details	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 school. Otherwise subject to case by case justification.	Current: Electronic Paper	
			Historic:	
ALUMNI / ALUMNAE AND THEIR PARENTS				
Archived Student Information File		No legal clarity at present. Seek further advice when the Data Protection Act 2018 is in final form (likely to be April 2018)		
OTHER SCHOOL RELATED INFORMATION				
	various	Please consult the IRMS toolkit for schools which is here: http://irms.org.uk/page/Schools Toolkit		
GOVERNORS				