



**Oxford Sixth Form College**

A NORD ANGLIA EDUCATION SCHOOL

# Data Retention Policy

**Revised August 2024**

**Review Date July 2025**

## 1. Introduction

This Data Retention Policy sets out the rules and procedures around the retention of personal data at Oxford Sixth Form College and determines how long staff should be keeping certain categories of personal data.

College staff should read this policy in conjunction with the College's Data Protection Policy, available from the College website.

This policy applies to all Oxford Sixth Form College employees who have access to personal data. Any breach of this policy may result in disciplinary action. It does not form part of any employee's contract of employment and may be amended at any time.

Oxford Sixth Form College is owned by Nord Anglia Education. Nord Anglia's over-arching data policies are available to staff from the [Nord Anglia intranet](#):

- IT Security Policy
- Data Breach Response Policy
- Internal Data Privacy Policy
- Records Retention and Data Deletion policy

## 2. Aim of this policy

The Data Protection Act 2018 requires that personal data shall be kept in a form that permits identification of individuals for no longer than is necessary. Therefore, the key aim of this policy is to set out the College's rules governing for how long specific types of personal data should be kept.

The Data Protection Act requires that personal data must be processed in a manner that ensures appropriate security of personal data, using appropriate technical or organisational measures. Therefore, another aim of this policy is to guide staff about appropriate measures around retaining and destroying hard copy documents securely.

## 3. Retention periods

3.1 Staff must make sure that personal data is retained for the period of time indicated in the Retention Schedule below. If in doubt, keep for at least 6 years, to cover the time limit for bringing any civil liability action.

3.2 If staff receive notice of any legal proceedings or legal action (or potential legal action), government or regulatory investigation or complaints or claim against or involving Oxford Sixth Form College (for example, a complaint made by a parent or a grievance raised by an employee), they should flag and retain all data which may be relevant to that issue.

**Do not destroy that data.** If you are ever unsure about which data you should be retaining and which data you should be destroying in accordance with the Retention Schedule, please speak to the College's Data Protection Administrator (Marc Lewis).

As a general rule, once the claim has concluded (e.g. a judgment has been given by the court or the claim has settled), then information about the claim should be kept for a further 6 years before being destroyed.

#### **4. Deleting data that is out of date**

The Data Protection Act requires that personal data shall be accurate and, where necessary, kept up to date. When staff have information which is known to be out of date they must delete that data securely in accordance with this policy.

#### **5. Hard (or physical) copies**

When destroying paper documents containing personal data, please make sure they are either shredded at College or placed in a secure, confidential document shredding bag.

#### **6. Hard drives**

Once obsolete, computer hard drives and portable media previously used by staff or any third party suppliers should be handed to the IT Manager to be properly wiped or destroyed.

## RETENTION SCHEDULE

Staff and HR records	Retention period	Reference to Statute and/or Guidance
Applications for jobs – unsuccessful	6 months for UK candidates; 1 year for international candidates requiring sponsorship	The Information Commissioner’s Employment Practices Code Part 1
Single Central Record of employees	Until employment ceases (basic list of former staff archived to show employment dates and as evidence that mandatory checks were carried out)	Limitation Act 1980 section 5
Staff personal records <ul style="list-style-type: none"> <li>• offer letter</li> <li>• contract</li> <li>• DBS data and other checks &amp; risk assessments</li> <li>• changes to terms and conditions</li> <li>• promotions</li> <li>• PDR records</li> <li>• grievance procedures</li> <li>• resignation/termination letters</li>   <li>• current bank details</li> </ul>	6 years after employment ceases  Delete current bank details 3 months after employment ceases, if it is practicable to separate the details from the main employment records.	Limitation Act 1980 section 5
Medical and sickness records	6 years after employment ceases	Limitation Act 1980 section 5
Training records, including First Aid and Fire Marshal	6 years after employment ceases	Limitation Act 1980 section 5 H&S Regulations Fire Precautions Regulations
Working time opt-out agreement	6 years after employment ceases	Working Time Regulations 1998
Maternity and paternity leave records	3 years after the financial year in which they occur	Maternity & Parental Leave Regulations 1999

Annual leave records, including jury service, compassionate leave	2 years after the financial year in which they occur	Working Time Regulations 1998
Records to show compliance with Working Time Regulations 1998 as required by regulation 9	2 years from the date the records were made	Working Time Regulations 1998
Work permits	2 years after employment ceases	Immigration, Asylum and Nationality Act 2006
Written warnings and records resulting from warnings	1 year after the expiry of the sanction, unless the College feels it is appropriate to keep longer, in which case keep for 6 years with other staff records, and the member of staff must be informed.	ACAS Code of Practice
Staff electronic personal storage file and mail box	Archived immediately after employment ceases and deleted after 14 months	

<b>Salary and Pension records</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Salary records (including PAYE, overtime details, maternity/paternity, income tax, NI returns)	6 years from the financial year end in which payments made	Finance Act 1998 Regulation 97, Income Tax Regulations 2003
Payrolls	6 years from the financial year end in which payment made	Finance Act 1998 Regulation 97, Income Tax Regulations 2003
Salary registers	6 years from the financial year end in which payment made	
Salary revision schedules	6 years from the financial year end in which payment made	
Records of hours worked	3 years after the hours are reflected in pay	

Pension records (record of the pensionable service and the pension provider)	Permanently	Limitation Act 1980 section 5
Pension scheme investment policies	12 years after final cessation of any benefit payable under the policy	
Information on benefits per employee	6 years from the end of the financial year in which they were collected	
Death benefit nomination and revocation forms	6 years after payment of benefit	

Student records	Retention period	Reference to Statute and/or Guidance
SEND records: <ul style="list-style-type: none"> <li>• Special Educational Needs files and reviews</li> <li>• Individual Education Plans</li> <li>• advice and information to parents regarding Educational Needs.</li> </ul>	Student DOB + 35 years	Part 3 of Children and Families Act 2014
<ul style="list-style-type: none"> <li>• Statement maintained under the Education Act 1996 – Section 324</li> </ul>	Student DOB + 30 years	Education Act 1996 – Section 324
Any education records including: <ul style="list-style-type: none"> <li>• Application records</li> <li>• progress reports</li> <li>• medical records of students with medical conditions and details for the administration of medicines</li> <li>• internal exam results</li> <li>• record of academic achievement</li> <li>• letters and communication between College and parent</li> <li>• behaviour records</li> <li>• attendance records</li> </ul>	<p>Paper and electronic copies to be held until student DOB + 25 years</p> <p><b>UNLESS</b></p> <p>the student transfers to another college, when electronic records should be transferred and hard copies destroyed.</p>	<p>Regulations 3, 9 and 32 of the ISSR 2014</p> <p>Regulations 4, 6 and 14 of the Education (Student Registration) (England) Regulations 2006</p>

<ul style="list-style-type: none"> <li>exclusion records and copies of letters</li> </ul>		
Accessibility strategy	Student DOB + 25 Years	
Accidents and injuries	Student DOB + 25 years	RIDDOR Limitations Act 1980 section 11
Video recordings of 1-2-1 sessions between teachers and students	6 years from the end of the academic year in which they took place.	
Videos of class recordings featuring students (i.e. online lessons)	Until the end of the academic year in which the last student from the cohort leaves the College.	
Recording of students' performance work for exams (kept as a teaching aid)	Until no longer relevant to the teaching syllabus.	
Videos of class recordings not featuring students (i.e. teacher or screen focused lessons, tutorials or training videos)	Indefinitely at the discretion of the teacher in question and at the discretion of the Director of Studies	
Correspondence relating to authorised absence and issues	Date of absence + 3 years	
Parental permission slips for trip: <ul style="list-style-type: none"> <li>Where there has been <b>no</b> major incident</li> </ul>	Until conclusion of the trip	
Parental permission slips for trip: <ul style="list-style-type: none"> <li>Where there <b>has been</b> a major incident</li> </ul>	DOB of the student involved + 25 years. Permission slips for all students on the trip retained to show all rules have been followed for all students.	
Contact details of parents	Student DOB + 25 years Parents must give permission if the College wishes to send marketing material after the student leaves the College	
Other personal information about parents, e.g. parent contract	6 months after the student leaves the College	

Financial information about parents, eg, credit control, bursary applications	6 months after the student leaves the College unless there is a legitimate reason to keep longer	
Parents' bank account details, eg for refunds	24 hours after transaction is complete	
Student's electronic personal storage file and mail box	Archived after leaving the College and deleted when IT Manager purges the records	
Alumni files (name, email address and home address only)	For the life of alumnus or until alumnus requests removal from the list	

Child protection	Retention period	Reference to Statute and/or Guidance
Safeguarding policies	Keep a permanent record of historic changes to the policy	
Child protection file containing cover sheet, chronology, cause for concern forms, body maps	Student DOB + 25 years. Child Protection files may need to be retained for 75 years depending on the circumstance.	Paragraph 7(b) of the Schedule to the ISSR 2014 KCSIE as well as <a href="https://www.oxfordshire.gov.uk/sites/default/files/file/information-childcare-providers/ProviderRecordRetention.pdf">https://www.oxfordshire.gov.uk/sites/default/files/file/information-childcare-providers/ProviderRecordRetention.pdf</a>
Allegations of a child protection nature against a member of staff, including when the allegation is unfounded.	Until staff member's normal retirement age or 10 years from the date of the allegation, whichever is longer	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' Nov 2005
Whistleblowing documents	6 months following substantiated investigation. If unsubstantiated, delete immediately.	Public Interest Disclosure Act 1998



<b>Examinations (public)</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
External examination certificates	Paper and electronic copies to be held until student DOB + 30 years  <b>UNLESS</b> the student transfers to another College, when electronic records should be transferred and hard copies destroyed.	
Exam timetable and statement of results	7 years maximum	
Exam papers relating to appeals	Keep until any appeal/validation process is complete	

<b>Admissions</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Admission registers	Date of last entry in the register + 6 years	
Admission enquiry (non joiner)	Date of admission (entry) + 3 years	
Sponsorship licence and related permissions	For the duration that the College has a UKVI sponsor licence	
Copies of admission information for students sponsored under UKVI Student Visa regulations	If the Migrant is sponsored for 1 year or longer the documents must be kept for 1 year or until a Compliance Officer has examined and approved them, whichever is the longer period	
Reports and correspondence with the Home Office made in relation to a current student	To the end of the sponsorship + 2 years	

<b>Marketing and communication</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
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Circulars and newsletters to staff, parents and students	Until oldest students mentioned within the publication reach the age of 25	
External speaker data	18 months following the date of speaking engagement at the College event	
Requests for a College prospectus from the website	18 months	
Virtual events, e.g. Open Days	18 months	
Website data	18 months following date of last contact	

Property and site security	Retention period	Reference to Statute and/or Guidance
Deeds of title	Permanently or until delivered to a purchaser on disposal	
Leases	12 years after lease has terminated and all terminal queries (eg, dilapidations) settled	
Agreements with architects, builders, etc.	6 years after completion of the contract	
CCTV recordings from surveillance cameras	14 days <i>On occasion, it may be retained for a longer period, where a law enforcement body is investigating a crime and asks for it to be preserved, to give them opportunity to view it as part of an active investigation.</i>	ICO CCTV code of practice
Visitor and/or contractor signing-in books	On site for 1 year and an additional 2 years in safe and secure storage	

<b>Health and safety</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Maintenance logs (e.g. fire alarms, lift servicing)	10 years from date of last entry	
Records of risk assessments, tests, examinations and protective equipment under COSHH	7 years from the date the tests were carried out	COSHH 1992, 2002
Records relating to staff accidents and injuries at work	4 years from the date the report was made	RIDDOR Limitations Act 1980 section 11

<b>Accounting records</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Taxation returns and records	Permanently	Finance Act 1998 Regulation 97, Income Tax Regulations 2003
Reports and Accounts	Signed copy permanently	Regulation 97, Income Tax Regulations 2003
Expenses accounts	6 years from the financial year end in which payment made	Companies Acts 1985, 1989, 2006, section 221
Periodic internal financial reports, e.g. to Board	File copies for 6 years	Companies Acts 1985, 1989, 2006, section 221

<b>Banking records, including GIRO</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Bank statements	6 years	
Cheques, bills of exchange and other negotiable instruments	6 years	
Instructions to banks	6 years	

<b>Insurance</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Employer's liability policies	Permanently	
Product liability policies	Permanently	
Public liability policies	Permanently	
Group health policies	12 years after final cessation of benefit	
Group personal accident policies	12 years after final cessation of benefit	
Insurance schedules	10 years	
Claims correspondence	7 years after settlement	
Accident reports and related correspondence	3 years after settlement	
Other policies	3 years after lapse	

<b>Trusts, stocks and shares</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Trust deeds and rules	Permanently	
Fund annual accounts and Inland Revenue approvals	Permanently	
Investment records	Permanently	
Actuarial valuation records	Permanently	
Contribution records	Permanently	
Register of members	Permanently	
Forms of application for shares, debentures etc	Permanently	
Forms of acceptance and transfer	Permanently	
Share and stock transfer forms	Permanently	
Signed forms of nomination	Permanently	
Letters of indemnity for lost certificates	Permanently	

<b>Agreements and contracts</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Major agreements of historical significance	Permanently	
Contracts with agents	6 years after expiry	
Contracts with customers (e.g. lettings)	6 years after expiry	
Contracts with suppliers	6 years after expiry	
Licensing agreements, permits and certificates	6 years after expiry	
Rental and hire purchase agreements	6 years after expiry	
Indemnities and guarantees	6 years after expiry	
Other agreements/contracts	6 years after expiry	

<b>Returns made to government and regulatory bodies</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Annual College census (ISC and DfE)	Current year + 6 years	
Annual external exam results (ISC and ISI)	Current year + 6 years	
Basic Compliance Assessment (UKVI)	Duration of licence	

<b>Minutes and ownership records</b>	<b>Retention period</b>	<b>Reference to Statute and/or Guidance</b>
Meeting minutes from: <ul style="list-style-type: none"> <li>• Oxford Sixth Form College Board</li> <li>• Staff Forum</li> </ul>	Permanently	
Registration documents of College	Permanently	
Trustees' minute book	Permanently	
Patent and trade mark records	Permanently	
Powers of Attorney	Copy retained permanently	
Annual curriculum	3 years from end of year	

Notification of change of address	2 years	
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Complaints and litigation	Retention period	Reference to Statute and/or Guidance
Any information relating to a complaint (whether real or potential) made by a student, parent and/or guardian or member of public.	2 years following settlement of complaint <b><i>Where the complaint falls into the category of Child Protection, please refer to that section above.</i></b>	Regulation 33 of the ISSR 2014
Records relating to pending threatened or reasonably anticipated litigation, government investigation, or other claim.	All records should be kept during the period in which the litigation, investigation complaint or claim is contemplated, pending or threatened and until final disposition of the matter (ie, after a court judgment or final settlement) and then for a further 6 years	Limitation Act 1980 sections 2 and 5
Subject access request	1 year following completion of the request	Data Protection Act 2018

Host Families	Retention period	Reference to Statute and/or Guidance
Contact details (name, address, email, telephone number)	Until the family ceases to be a host family	
Bank details (included on application form)	Until the family ceases to be a host family	
ID check and DBS check	Until the family ceases to be a host family	
Training records (eg, safeguarding)	Until the family ceases to be a host family	

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Sources:

Data Retention Guidelines (ISBA, Aug 2022)

Retention of HR records (CIPD, July 2020)

Records Retention and Data Deletion Policy (Nord Anglia Education, May 2021)