UNLOCKING POTENTIAL

LEVELLING THE SOCIAL AND ACADEMIC ARENA

DATA RETENTION POLICY

Mission Statement

The Levels School exists to provide a nurturing environment in which students with specific learning difficulties and co-occurring diagnoses can develop their self-esteem and aspire to be independent young adults who value the rights, responsibilities and rules that exist to promote and support their future welfare. Our approach toward establishing this ideology is predicated on trauma-informed practice and an obligation to develop the social skills required to build their future aspirational communities. We exist to help them find their level.

This policy covers all premises known as The Levels School.

Date of policy	January 2025
Next review date	January 2027
Frequency of policy review (annually, every two years)	Every two years
Policy owner	Gian Floris
Published policy	Yes ☒ No ☐
List of connected policies	Curriculum policy, Safeguarding policy, Data breach policy
Approved / Date	

The Board of Governors acknowledge their responsibility to ensure that this policy is effective and follows regulatory requirements. Governors undertake a review to satisfy themselves that the implementation of this policy is effective.

The Board of Governors ensures the establishment of familiarity with and the effective operation through monitoring, of school policies, approving those requiring GB sign-off in line with a regular cycle of school policy reviews. This occurs through a cycle of governor committee meetings and full board meetings

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1. About this policy

1.1. The corporate information, records and data of The Levels School Limited is important to how we conduct business and manage employees.
1.2. There are legal and regulatory requirements for us to retain certain data, usually for a specified amount of time. We also retain data to help our business operate and to have information available when we need it. However, we do not need to retain all data indefinitely, and retaining data can expose us to risk as well as be a cost to our business.
1.3. This Data Retention Policy explains our requirements to retain data and to dispose of data and provides guidance on appropriate data handling and disposal.
1.4. Failure to comply with this policy can expose us to fines and penalties, adverse publicity, difficulties in providing evidence when we need it and in running our business.
1.5. This policy does not form part of any employee's contract of employment and we may amend it at any time.

2. Scope of policy

2.1. This policy covers all data that we hold or have control over. This includes physical data such as hard copy documents, contracts, notebooks, letters and invoices. It also includes electronic data such as emails, electronic documents, audio and video recordings and CCTV recordings. It applies to both personal data and non-personal data. In this policy we refer to this information and these records collectively as "data".
2.2. This policy covers data that is held by third parties on our behalf, for example cloud storage providers or offsite records storage. It also covers data that belongs to us but is held by employees on personal devices.
2.3. This policy explains the differences between our formal or official records, disposable information, confidential information belonging to others, personal data and non-personal data. It also gives guidance on how we classify our data.
2.4. This policy applies to all business units and functions of The Levels School Limited.

3. Guiding principles

3.1. Through this policy, and our data retention practices, we aim to meet the following commitments:
- We comply with legal and regulatory requirements to retain data.
- We comply with our data protection obligations, in particular to keep personal data no longer than is necessary for the purposes for which it is processed (storage limitation principle).
- We handle, store and dispose of data responsibly and securely.
- We create and retain data where we need this to operate our business effectively, but we do not create or retain data without good business reason.
- We allocate appropriate resources, roles and responsibilities to data retention.
- We regularly remind employees of their data retention responsibilities.
- We regularly monitor and audit compliance with this policy and update this policy when required.

4. Roles and responsibilities

4.1. **Responsibility of all employees**. We aim to comply with the laws, rules, and regulations that govern our organisation and with recognised compliance good practices. All employees must comply with this policy, the Record Retention Schedule, and any communications suspending

data disposal and any specific instructions from the Records Management Officer. Failure to do so may subject us, our employees, and contractors to serious civil and/or criminal liability. An employee's failure to comply with this policy may result in disciplinary sanctions, including suspension or termination. It is therefore the responsibility of everyone to understand and comply with this policy.

4.2. **Records Management Officer**. The Records Management Officer is responsible for identifying the data that we must or should retain, and determining, in collaboration with department heads, the proper period of retention. It also arranges for the proper storage and retrieval of data, co-ordinating with outside vendors where appropriate. Additionally, the Records Management Officer handles the destruction of records whose retention period has expired.

4.3. We have designated Caroline Cook as the Records Management Officer and is responsible for:

- Administering the data management programme.
- Helping department heads implement the data management programme and related best practices.
- Planning, developing, and prescribing data disposal policies, systems, standards, and procedures.
- Providing guidance, training, monitoring and updating in relation to this policy.

4.4. **Data Protection Officer.** Our Data Protection Officer (DPO) is responsible for advising on and monitoring our compliance with data protection laws which regulate personal data. Our DPO works with our Records Management Manager on the retention requirements for personal data and on monitoring compliance with this policy in relation to personal data.

5. Types of data and data classifications

5.1. **Formal or official records.** Certain data is more important to us and is therefore listed in the Record Retention Schedule. This may be because we have a legal requirement to retain it, or because we may need it as evidence of our transactions, or because it is important to the running of the school. Please see paragraph 6.1 below for more information on retention periods for this type of data.

5.2. **Disposable information**. Disposable information consists of data that may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose and/or data that may be safely destroyed because it is not a formal or official record as defined by this policy and the Record Retention Schedule. Examples may include:

- Duplicates of originals that have not been annotated.
- Preliminary drafts of letters, memoranda, reports, worksheets, and informal notes that do not represent significant steps or decisions in the preparation of an official record.
- Books, periodicals, manuals, training binders, and other printed materials obtained from sources outside of The Levels School Limited and retained primarily for reference purposes.
- Spam and junk mail.

5.3. Please see paragraph 6.2 below for more information on how to determine retention periods for this type of data.

5.4. **Personal data.** Both formal or official records and disposable information may contain personal data; that is, data that identifies living individuals. Data protection laws require us to retain personal data for no longer than is necessary for the purposes for which it is processed (principle of storage limitation). See paragraph 6.3 below for more information on this.

5.5. **Confidential information belonging to others**. Any confidential information that an employee may have obtained from a source outside of The Levels School Limited, such as a previous employer, must not, so long as such information remains confidential, be disclosed to or used by us. Unsolicited confidential information submitted to us should be refused, returned to the sender where possible, and deleted, if received via the internet.

6. Retention periods

6.1. **Formal or official records.** Any data that is part of any of the categories listed in the Record Retention Schedule contained in the Annex to this policy, must be retained for the amount of time indicated in the Record Retention Schedule. A record must not be retained beyond the period indicated in the Record Retention Schedule, unless a valid business reason (or notice to preserve documents for contemplated litigation or other special situation) calls for its continued retention. If you are unsure whether to retain a certain record, contact the Records Management Officer.

6.2. **Disposable information.** The Record Retention Schedule will not set out retention periods for disposable information. This type of data should only be retained as long as it is needed for business purposes. Once it no longer has any business purpose or value it should be securely disposed of.

6.3. **Personal data.** As explained above, data protection laws require us to retain personal data for no longer than is necessary for the purposes for which it is processed (principle of storage limitation). Where data is listed in the Record Retention Schedule, we have taken into account the principle of storage limitation and balanced this against our requirements to retain the data. Where data is disposable information, you must take into account the principle of storage limitation when deciding whether to retain this data. More information can be found in in our Privacy Standard.

6.4. **What to do if data is not listed in the Record Retention Schedule.** If data is not listed in the Record Retention Schedule, it is likely that it should be classed as disposable information. However, if you consider that there is an omission in the Record Retention Schedule, or if you are unsure, please contact the Records Management Manager.

7. Storage, back-up and disposal of data

7.1. **Storage.** Our data must be stored in a safe, secure, and accessible manner. Any documents and financial files that are essential to our business operations during an emergency must be duplicated and/or backed up at least once per week and maintained off site.

7.2. **Destruction**. Our Records Management Officer is responsible for the continuing process of identifying the data that has met its required retention period and supervising its destruction. The destruction of confidential, financial, and employee-related hard copy data must be conducted by shredding if possible. Non-confidential data may be destroyed by recycling. The destruction of electronic data must be co-ordinated with the IT Department.

7.3. The destruction of data must stop immediately upon notification from the Records Management Officer that preservation of documents for contemplated litigation is required (sometimes referred to as a litigation hold). This is because we may be involved in a legal claim or an official investigation (see next paragraph). Destruction may begin again once the Records Management Officer lifts the requirement for preservation.

8. Special circumstances

8.1. **Preservation of documents for contemplated litigation and other special situations.** We require all employees to comply fully with our Record Retention Schedule and procedures as provided in this policy. All employees should note the following general exception to any stated destruction schedule: If you believe, or the Records Management Officer informs you, that certain records are relevant to current litigation or contemplated litigation (that is, a dispute that could result in litigation), government investigation, audit, or other event, you must preserve and not delete, dispose, destroy, or change those records, including emails and other electronic documents, until Records Management Officer determines those records are no longer needed. Preserving

documents includes suspending any requirements in the Record Retention Schedule and preserving the integrity of the electronic files or other format in which the records are kept.

8.2. If you believe this exception may apply, or have any questions regarding whether it may apply, please contact the Records Management Officer.

8.3. In addition, you may be asked to suspend any routine data disposal procedures in connection with certain other types of events, such as our merger with another organisation or the replacement of our information technology systems.

9. Where to go for advice and questions

9.1. **Questions about the policy.** Any questions about retention periods relevant to your department should be raised with the Records Management Officer.

10. Breach reporting and audit

10.1. **Reporting policy breaches.** We are committed to enforcing this policy as it applies to all forms of data. The effectiveness of our efforts, however, depend largely on employees. If you feel that you or someone else may have breached this policy, you should report the incident immediately to Records Management Officer. If you are not comfortable bringing the matter up with your immediate supervisor, or do not believe the supervisor has dealt with the matter properly, you should raise the matter with the DPO. If employees do not report inappropriate conduct, we may not become aware of a possible breach of this policy and may not be able to take appropriate corrective action.

10.2. No one will be subject to and we do not allow, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or co-operating in related investigations.

10.3. **Audits**. The Records Management Officer will periodically review this policy and its procedures (including where appropriate by taking outside legal or auditor advice to ensure we are in compliance with relevant new or amended laws, regulations or guidance. Additionally, we will regularly monitor compliance with this policy, including by carrying out audits.

11. Other relevant policies

This policy supplements and should be read in conjunction with our other policies and procedures in force from time to time, including without limitation our:

- Privacy standard.
- Other IT, security and data related policies, which are in force, or which may be in force, from time to time.

Annex A - Definitions

Data: all data that we hold or have control over and therefore to which this policy applies. This includes physical data such as hard copy documents, contracts, notebooks, letters and invoices. It also includes electronic data such as emails, electronic documents, audio and video recordings and CCTV recordings. It applies to both personal data and non-personal data. In this policy we refer to this information and these records collectively as "data".

Data Protection Officer: our Data Protection Officer who is responsible for advising on and monitoring compliance with data protection laws.

Data Retention Policy: this policy, which explains our requirements to retain data and to dispose of data and provides guidance on appropriate data handling and disposal.

Disposable information: disposable information consists of data that may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose and/or data that may be safely destroyed because it is not a formal or official record as defined by this policy and the Record Retention Schedule.

Formal or official record: certain data is more important to us and is therefore listed in the Record Retention Schedule. This may be because we have a legal requirement to retain it, or because we may need it as evidence of our transactions, or because it is important to the running of our business. We refer to this as formal or official records or data.

Non-personal data: data which does not identify living individuals, either because it is not about living individuals (for example financial records) or because it has been fully anonymised.

Personal data: any information identifying a living individual or information relating to a living individual that we can identify (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. This includes special categories of personal data such as health data and pseudonymised personal data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

Records Management Officer: the Records Management Officer is responsible for administering the data management programme, helping department heads implement it and related best practices, planning, developing, and prescribing data disposal policies, systems, standards, and procedures and providing guidance, training, monitoring and updating in relation to this policy.

Record Retention Schedule: the schedule attached to this policy which sets out retention periods for our formal or official records.

Storage limitation principle: data protection laws require us to retain personal data for no longer than is necessary for the purposes for which it is processed. This is referred to in the GDPR as the principle of storage limitation.

Annex B - Record retention schedule

The Levels School Limited establishes retention or destruction schedules or procedures for specific categories of data. This is done to ensure legal compliance (for example with our data protection obligations) and accomplish other objectives, such as protecting intellectual property and controlling costs.

Employees should comply with the retention periods listed in the record retention schedule below, in accordance with the Data Retention Policy.

If you hold data not listed below, please refer to the Data Retention Policy. If you still consider your data should be listed, if you become aware of any changes that may affect the periods listed below or if you have any other questions about this record retention schedule, please contact the Records Management Officer.

This policy was reviewed and amended by G.Floris in January 25

1. Governors			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Minutes of meetings		Date of meeting + 6 years	DESTROY
Meeting Agendas		Date of meeting + 6 years	DESTROY
Meeting Reports		Date of report + 6 years	DESTROY
Instruments of Government		Permanent	Retain in school whilst school is open
Action Plans		Date of action plan + 6 years	DESTROY
Policy documents		Expiry of policy	DESTROY
Complaints files		Date of resolution of complaint + 30 years	Retain in school for the first 30 years. Review for further retention in the case of contentious disputes Destroy routine complaints
Reports required by the Department for Education and Skills		Date of report + 10 years	DESTROY

2. Management			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities		Date of correspondence + 3 years	DESTROY
Professional development plans		6 years	DESTROY
School development plans		6 years	Review

3. Pupils			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Admission Registers		Date of last entry in the book (or file) + 6 years	DESTROY
Attendance registers		Date of register + 3 years	DESTROY
Pupil records		DOB of the pupil + 54 years	DESTROY
Pupil files		DOB of the pupil + 54 years	DESTROY
Special Educational Needs files, reviews and Individual Education Plans		DOB of the pupil + 54 years	DESTROY
Letters authorising absence		Date of absence + 2 years	DESTROY
Examination results			
• Public		Year of examinations + 6 years	DESTROY
• Internal examination results		Current year + 5 years	DESTROY
Any other records created in the course of contact with pupils		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or DESTROY
Statement maintained under The Education Act 1996 - Section 324	SEN and Disability Act	DOB + 30 years	DESTROY unless legal action is pending
Proposed statement or amended statement	SEN and Disability Act	DOB + 30 years	DESTROY unless legal action is pending
Advice and information to parents regarding educational needs	SEN and Disability Act	12 years	DESTROY unless legal action is pending
Accessibility Strategy	SEN and Disability Act	12 years	DESTROY unless legal action is pending

4. Curriculum			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Curriculum development		Current year + 6 years	DESTROY
Curriculum returns		Current year + 3 years	DESTROY
School syllabus		Current year + 1 year	DESTROY
Schemes of work		Current year + 1 year	DESTROY
Timetable		Current year + 1 year	DESTROY
Class record books		Current year + 1 year	DESTROY
Examination results		Current year + 6 years	DESTROY

5. Personnel			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Timesheets, sick pay		Current year + 6 years	DESTROY
Staff Personal files		Termination + 30 years	DESTROY
Interview notes and recruitment records		Termination + 30 years	DESTROY
Pre-employment vetting information (including CRB checks)	CRB guidelines	Termination + 30 years	DESTROY
Disciplinary proceedings:			
• Oral warning		Termination + 30 years	DESTROY
• written warning		Termination + 30 years	DESTROY
• final warning		Termination + 30 years	DESTROY
Records relating to accident/injury at work		Date of incident + 15 years	Review at the end of this period. In the case of serious accidents a further retention period may need to be applied
Annual appraisal/assessment records		Termination + 30 years	DESTROY
Maternity pay records	Statutory Maternity Pay Regulations	Current year, +3 years	DESTROY
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995		Current year + 6 years	DESTROY

6. Health and Safety			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Accessibility Plans	Disability Discrimination Act	Current year + 6 years	DESTROY
Accident Reporting	Social Security Regulations		
• Adults		Current year + 3 years	DESTROY
• Children		DOB + 52 years	DESTROY
COSHH		Current year + 10 years	Review
Incident reports		Current year + 30 years	DESTROY
Policy Statements		Date of expiry + 1 year	DESTROY
Risk Assessments		Current year + 3 years	DESTROY
Process of monitoring of areas where employees and persons are likely to have come in contact with asbestos		Last action + 40 years	DESTROY

7. Health and Safety			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Process of monitoring of areas where employees and persons are likely to have come in contact with radiation		Last action + 50 years	DESTROY
Fire Precautions log books		Current year + 6 years	DESTROY

8. Administrative			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Employer's Liability certificate		Permanent whilst the school is open	DESTROY once the school has closed
School brochure/prospectus		Current year + 3 years	
Newsletters, ephemera		Current year + 1 year	Review to see whether a further retention period is required
Visitors' book		Current year + 2 years	Review to see whether a further retention period is required

9. Finance			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Annual Accounts	Financial Regulations	Current year + 6 years	DESTROY
Loans and grants	Financial Regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required
Contracts		Contract completion date + 6 years	DESTROY
Copy orders		Current year + 2 years	DESTROY
Budget reports, budget monitoring etc		Current year + 3 years	DESTROY
Invoice, receipts and other records covered by the Financial Regulations	Financial Regulations	Current year + 6 years	DESTROY
Annual Budget and background papers		Current year + 6 years	DESTROY
Debtors' Records	Limitation Act	Current year + 6 years	DESTROY
Applications for free school meals, travel, uniforms etc		Whilst child at school	DESTROY
Student grant applications		Current year + 3 years	DESTROY
Free school meals registers	Financial Regulations	Current year + 6 years	DESTROY

10. Finance			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Petty cash books	Financial Regulations	Current year + 6 years	DESTROY

11. Property			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Title Deeds		Permanent	These should follow the property
Plans		Permanent	Retain in school whilst operational then DESTROY
Maintenance and contractors	Financial Regulations	Current year + 6 years	DESTROY
Leases		Expiry of lease + 6 years	DESTROY
Lettings		Current year + 3 years	DESTROY
Maintenance log books		Last entry + 10 years	DESTROY
Contractors' Reports		Current year + 6 years	DESTROY

12. DfES			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
OFSTED reports and papers		Replace former report with any new inspection report	Review to see whether a further retention period is required
Returns		Current year + 6 years	DESTROY
Circulars from DfES		Whilst operationally required	Review to see whether a further retention period is required

13. Safeguarding			
Basic file description	**Statutory Provisions**	**Retention Period [operational]**	**Action at the end of the administrative life of the record**
Safeguarding policies and any revisions		Date of policy or later revision + 30 years	DESTROY
Records of safeguarding policy training		Date of training + 30 years	DESTROY
Records of any alleged, actual or threatened abuse, and action taken, including any notifications to relevant authorities		Date of report + 30 years	DESTROY