

SPECIALIST EDUCATION SERVICES

Personal Data Retention and Erasure Policy and Schedule

Date created or revised: 0924
Date of next review: 0926

*SES Avocet House Ltd (4926028), SES Turnstone House Ltd (7972485) and SES Kite Ltd (12634002)
are subsidiary companies of Specialist Education Services Topco Ltd (13159680)*

CONTENTS

- 1 INTRODUCTION**
- 2 THE DATA MANAGEMENT OFFICER**
- 3 OUR PROCESS**
- 4 DATA RETENTION SCHEDULE**
- 5 DATA RETENTION SCHEDULE TABLE**

1 INTRODUCTION

This policy sets out how long personal data will normally be held by Specialist Education Services and when and how that information will be confidentially destroyed.

These documents and records are in several different formats, examples of which include, (but are not limited to) child protection information, communications such as letters, emails and attendance notes; financial information including invoices, statements and reports; legal documents such as contracts; and information relating to client contact details such as client lists and business cards.

In certain circumstances it will be necessary to retain specific documents to fulfil statutory or regulatory requirements and also to meet operational needs. Document retention may also be useful to evidence events or agreements in the case of disputes, and to preserve information which has historic value.

Premature destruction of documents could result in inability to defend litigious claims, operational difficulties and failure to comply with the Data Protection Act 2018 or the Children's Homes (England) Regulations 2015.

It is important for the above reasons that Specialist Education Services has in place systems for the timely and secure disposal of documents and records that are no longer required for business purposes.

This Personal Data Retention Policy applies to all personal information held by Specialist Education Services and its external service providers where they are processing information on behalf of Specialist Education Services.

2 THE DATA MANAGEMENT OFFICER

The Data Management Officer will have due regard to the risk associated with processing operations, taking into account, nature, scope, context and purpose of processing personal data with regard to retention and storage shall:

- inform and advise those employees who carry out processing of personal data regarding their data protection obligations,
- monitor compliance with data protection legislation and with the policies of the company in relation to protection of personal data, including the assignment of responsibilities, awareness and training of staff involved in processing operations and related audits,
- provide advice where requested regarding data retention and erasure and,
- act as the contact point for the supervisory authority on issues relating to processing,

They will undertake a bi-annual review, or when necessary, of this policy to verify that it is in effective operation.

3 OUR PROCESS

Personal Data (hard copy and electronic) will be retained for at least the period specified in the Data Retention Schedule (see below).

All Personal Data must be reviewed before destruction to determine whether there are special factors to indicate that destruction should be delayed, for example, potential litigation, complaints or grievances.

Paper based or electronically held documents and Personal Data must be deleted at the end of the retention period.

Paper based documents containing personal data must be disposed of by shredding and secure storage will be maintained of such documents whilst awaiting collection or onsite disposal.

Records of disposal should be maintained and should detail the document disposed of, the date and who authorised the document's disposal.

Where a third-party provider is used for the erasure or disposal of Personal Data records, assurances will be sought to ensure compliance.

4 DATA RETENTION SCHEDULE

This Data Retention Schedule sets out the time periods that different types of business records must be retained for business and legal purposes. It must be read in partnership with the SES Record of Data Processing Activities (RoPA); the RoPA provides retention periods for all information processed by SES.

The retention periods are based on business needs and legal requirements. If you maintain any types of records that are not listed in this schedule, and it is not clear from the existing record types in this schedule what retention period should apply, please contact the Data Management Officer for guidance.

Any deviation from the retention periods in this schedule must be approved in advance by the Data Management Officer.

	Retention Trigger	Retention Period	Action	Retention Source	Information Asset Owner
Human Resources					
Employee Files and Personal Development Records, including photos	End of Employment	15 years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37)	
Disciplinary and Grievance, Examination and Testing, Accident and Ill Health	Last Action	15 years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37)	
Job Descriptions and Terms & Conditions	Last Action	15 years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37)	
Training Material	Superseded	15 years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37)	
Record of Allegations	Last Action	75 years	Destroy	The Children's Homes (England) Regulations 2015	
Complaints Files (not child protection related)	End of Employment	75 years	Destroy	The Children's Homes (England) Regulations 2015	
Payroll Records	End of Financial Year	6 years	Destroy	HM Treasury guidelines, National Audit Office advice, Companies Act 2006	
Company Accounts	Last Action	15 years	Destroy	The Children's Homes (England) Regulations 2015	
Maternity, Paternity, Adoption and Sick Leave	End of Financial Year after return	6 years	Destroy	Statutory Sick Pay (General) Regulations 1982 Statutory Maternity Pay (General) Regulations 1986 Statutory Paternity and Statutory Adoption Pay (Administration) Regulations 2002 The Children's Homes (England) Regulations 2015	

	Unsuccessful Recruitment Candidate Information (including third party referee details provided by the applicant)	Last Action	6 months	Destroy	Limitation Act 1980	
	Employee Pension, Pay History and Termination Reasons	End of Financial Year	15 Years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37) Business Need	
	Employee emergency contact Details	End of Employment	Immediate	Destroy	Business Need, GDPR	
	Staff rotas	End of Year	15 years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37) Business Need	
Communications and Marketing						
	Reception sign in book	End of Year	15 years	Destroy	The Children's Homes (England) Regulations 2015 (regulation 37) Business Need	
Commercial						
	Invoices	End of Financial Year	6 years	Destroy	HM Treasury guidelines, National Audit Office advice, Companies Act 2006	
IT						
	IT Back ups	Last Action	3 months	Destroy	Business Need	
	System Audit Logs	Last Action	12 months	Destroy	Business Need	
Education and Care						
	Child Case File (all documents relating to the education and/or care of the child)	Date of Birth	75 years (if the child dies before attaining the age of 18 then 15 years from date of death)	Destroy	The Children's Homes (England) Regulations 2015	
	Child Consent Forms	Leaving Date	15 years	Destroy	Information Management Toolkit for Schools 2016	