

Holy Trinity C.E. Primary School

EAST FINCHLEY, N2



High Standards Together

Data Retention Policy

Title	Data Protection Policy
Author	Roz Kimani
Target Audience	All staff, parents, Governors
Stake holders consulted	All staff
Curriculum / non curricular	Non curricular
Associated Policies / Documents	Computing, Staff Code of Conduct, Safeguarding Policy, Online Safety
New Policy or Review of existing policy.	New
Date of Submission	May 2018
Date for Review	May 2019
Reviewed	Annually
Date ratified by Governors	May 2018

1. MISSION STATEMENT

'At Holy Trinity School we promise to provide opportunities for every child to be the best that they can be.

We aim to create a happy and secure Christian environment in which children can grow in confidence and independence.

We strive for excellence in teaching and learning to achieve high standards together.'

2. INTRODUCTION

Holy Trinity CE Primary School ("school", "we", "us", "our") is committed to handling personal information about individuals, including our pupils, parents and/or carers, staff and Governors, in accordance with the law that applies to us. This Data Retention Policy ("**Policy**") is intended for all school staff and Governors who use or support the school's IT systems or Personal Information and sets out how long Personal Information should be retained by the school.

3. DEFINITIONS

Personal Information (or personal data as defined by the GDPR) - any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that nature person.

4. THE IMPORTANCE OF DATA RETENTION TO THE SCHOOL

The school needs to retain Personal Information for educational and legal reasons. However, retaining Personal Information for longer than is required is neither necessary, nor advisable and in some cases may be unlawful.

Excessive data retention is costly, and exposes the school to risk, such as:

- (a) the risk of breach of laws that require that Personal Information is only retained for as long as necessary for the educational purpose for which it was collected and processed;
- (b) data security breaches may be unnecessarily compounded, because the more Personal Information we hold the higher the risk of a breach to the affected individuals; and
- (c) discovery and disclosure exercises in the context of audits, litigation proceedings and/or regulatory investigations may become more labour intensive and costly than they need be.

Therefore, when there is no longer a legitimate purpose to keep Personal Information, it should be deleted except if a legal requirement to retain it for longer applies.

5. THE LENGTH OF TIME THAT PERSONAL INFORMATION CAN BE RETAINED

Personal Information can be lawfully retained only for as long as retention is necessary to achieve the intended purpose for which the Personal Information is collected and processed (e.g. Personal Information acquired about students for assessments can't then be used on the school's website). Ensuring compliance with this requirement means that the school and its staff must proactively manage Personal Information retention periods.

Beyond Personal Information, the school has educational requirements to retain other information, such as confidential information that is required for the normal conduct of the school or for accounting, tax or legal reasons.

In summary, where the law mandates retention and/or prescribes specific retention periods for specific types of Personal Information, the obligation to retain the Personal Information will prevail over the limitations concerning the retention of Personal Information. For example, even after a teacher has left the school, the school may need to keep Personal Information about the ex-teacher to provide references or to defend legal claims. However if there is no objective reason that justifies keeping Personal Information, such Personal Information should be deleted or anonymised.

6. THE SCHOOL'S DATA RETENTION PROCESS

The retention periods that the school implements to different types of Personal Information commonly held by the school are set out in the Data Retention Schedule in Appendix 1 to this policy. The retention periods set out in the Data Retention Schedule should be regarded as the default position. Retention periods that exceed the Standard Retention Period are the minimum retention periods for the listed types of Personal Information, unless an exemption applies, in which case you should follow the process set out below.

7. DECIDING WHETHER OR NOT TO RETAIN DATA

The school will provide training and, if required, more detailed guidance. Any questions or requests for support should be addressed to the Data Protection Officer (DPO) (see Section 13 for details).

In deciding whether to delete or retain Personal Information, you must consider whether there is an educational need to retain it, a legal requirement for longer retention (per the periods set out in the Data Retention Schedule) or a Legal Hold notice (see below). You should keep records of your decision.

If you have doubts regarding whether Personal Information should be automatically deleted, it is your responsibility to ensure that you contact the DPO (see Section 13 for details).

8. RECORDS RELATING TO LITIGATION OR AN INVESTIGATION

If you believe, or if you are informed that the Personal Information is relevant to current or potential litigation (that is a dispute that could result in litigation) or any current or potential investigation, audit or other event, you must preserve and not delete, dispose of, destroy or change those records, including e-mails, until the end of the legal or administrative proceedings.

This exception is referred to as a litigation hold or legal hold and supersedes any previously or subsequently established retention period for those records. If you believe this exception may apply,

please contact the DPO for further information (see section 13), or the person who informed you of the litigation hold.

9. EXCEPTIONS REQUIRING PERSONAL INFORMATION TO BE KEPT FOR LONGER

The Data Retention Schedule refers to some exceptions such as retaining the Personal Information for tax and accounting purposes. For example, you may retain an ex-employee's payroll information even after they have left the school as there is a legal requirement to do so.

If you believe that any such exception may apply, please contact the DPO for further information (see section 13).

10. PROCEDURES AT THE END OF THE RETENTION PERIOD

Personal Information must be disposed of appropriately and securely when no longer needed for educational or legal purposes, or as required by legislation, regulation or contractual obligations.

When Personal Information is to be destroyed, the destruction process must cover all instances where the Personal Information may reside, including database servers and paper copies of the Personal Information

The school will carry out regular reviews to find and remove Personal Information that exceeds legal retention requirements.

11. ENSURING THAT DATA IS KEPT SECURELY

Storage of Personal Information must be kept to a minimum, and strict control must be maintained over the storage and accessibility of Personal Information in accordance with the school's Security Policy. In short, only people who have a genuine need to know should be able to access Personal Information, and all access to stored Personal Information must be physically and logically controlled, limited to authorised personnel only, and accessible only via proper user authentication.

12. AUDIT

The school will periodically audit compliance with this policy and members of staff are required to cooperate with such audits.

13. QUESTIONS

For more information on data retention or any aspect of this policy, please contact the School Office.

14. MODIFICATIONS TO POLICY

From time to time, the school may modify this Data Retention Policy and its associated procedures, but the school will not materially reduce the overall level of security afforded to Personal Information. The school will provide any updates to this policy on reasonable request.

Appendix 1 - Data Retention Schedule

This schedule is to be completed following consultation with Barnet [and LDBS] on what periods they think are appropriate for certain kinds of information.