

## Personal Data Retention Policy

The table below sets of the requirements for retaining different types of records and information in relation to children and the management of the provision.

<b>Children's records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Action</b>	<b>Authority</b>
Children's records- including registers, medication records, books and accident record books pertaining to the children	A reasonable period after the children have left the provision – Individual providers should determine how long to retain records relating to individual children.	Requirement	7	Statutory Framework for the Early Years Foundation Stage 2017 (given legal force by Childcare Act 2006)
	Includes Child Protection, SEND records and health care plans. Records in relation to Safeguarding concerns will also need to be kept in accordance with the local Safeguarding Children's Board requirements	Recommendation	20	Limitation Act 1980 Normal limitation rules (which means that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	7	The reporting injuries, Diseases and Dangerous Occurrences regulation 1995 (RIDDOR) (As amended)
<b>Personnel records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Action</b>	<b>Authority</b>
Application forms and interview notes for unsuccessful candidates	6 months to a year	Recommendation	1	Chartered Institute of Personnel and Development (CIPD)
Personnel files and training records (Including disciplinary records and working time records)	6 years after employment ceases	Recommendation	7	CIPD
	Records of unfounded allegations of a child protection nature must be kept until the person's normal retirement age or 10 years after the date of the allegation;	Requirement	For ever	Keeping Children Safe in Education, DfE 2016

	allegations found to be malicious must be removed from personnel files			
DBS check information	Original DBS disclosures: a maximum of 6 months Providers must be able to show Ofsted they have kept a record of DBS disclosures and the DBS code of practice permits them to retain the following details: The date of issue of the certificate, the name of the subject, the type of certificate requested; the position for which the certificate was requested, the unique reference number; details of the recruitment decision taken	Recommendation	7	Disclosure and Barring Service/Ofsted
<b>Health and Safety</b>				
Staff accident records (for organisations with 10 or more employees)	3 years after the date of the last entry in the book (separate rules govern the recording of accidents involving hazardous substances)	Requirement	7	Social Security (Claims and Payments) Regulations 1979
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	7	The reporting injuries, Diseases and Dangerous Occurrences regulation 1995 (RIDDOR) (As amended)
Accidental/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	40	The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently	Recommendation	7	CIPD
	For the life of the assessment plus 3 years	Recommendation	7	Information and Records Management Society (IRMS)

<b>Financial records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Action</b>	<b>Authority</b>
Accounting records (e.g. cash books, invoices, receipts)	6 years for charities	Requirement	7	Charities Act 2011
<b>Pay</b>				
Wage/salary records (including overtime, bonuses and expenses)	6 years	Requirement	7	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	7	The Statutory Maternity Pay (General) Regulations 1986
Parental leave records	5 years from the birth/adoption of the child or 18 years if the child receives a disability allowance	Recommendation	7	CIPD
Statutory Sick Pay (SSP) records	6 years after employment ends	Recommendation	7	CIPD
Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate	Requirement	7	The Income Tax (Employments) Regulations 1993 (as amended)
Redundancy details, calculations of payments, refunds, notifications to the Secretary of State	6 years after employment ends	Recommendation	7	CIPD
National Minimum Wage Records	3 years after the end of the pay reference period following the one that the records cover	Requirement	7	National Minimum Wage Act 1988
Pensions scheme and member records	6 years from the automatic enrolment staging date	Requirement	7	The Pensions Regulator
	12 years from the ending of any benefit payable under the policy	Recommendation	7	CIPD
<b>Administration records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Action</b>	<b>Authority</b>
Employers' liability insurance records	For as long as possible	Recommendation	7	Health and Safety Executive
Visitors books/signing in sheets	The current year plus 6 years	Recommendation	7	IRMS

<b>Administration records</b>	<b>Retention Period</b>	<b>Status</b>	<b>Action</b>	<b>Authority</b>
Policy documents	For the life of the policy/setting plus 3 years	Recommendation	7	IRMS
Complaints	At least 6 years after the date of the resolution of the complaint	Recommendation	7	IRMS
Minutes/minute books	Charities: Permanently	Recommendation	Permanently	CIPD

*Policy Re-adopted 9<sup>th</sup> October 2024 – R Cockbill Chairperson*