

Title: **Retention of Records**

Reviewed by: Sam Kenny – Assistant Principal - Quality and Performance

Approved by:

Date of next review: September 2024

Associated documents/policies: Data Protection Policy
Rights of Individuals Policy
Rights of Individuals Procedure
Personal Data Breach Notification Policy
Personal Data Breach Notification Procedure
Information Security Policy
Internal Quality Assurance Policy

Contents

1	PURPOSE.....	2
2.	INTRODUCTION.....	2
3.	SCOPE.....	3
4.	PROCEDURE.....	3
5.	RECORDS RETENTION SCHEDULE.....	3
6.	RESPONSIBILITIES.....	4
7.	DISPOSAL OF RECORDS.....	4
8.	RETENTION PERIOD.....	5

1 PURPOSE

- 1.1 Bath College is committed to creating, managing and disposing of its academic and non-academic records effectively and consistently across all departments in order to document its operations efficiently and openly, as well as to meet its legal, regulatory and audit requirements. It applies to all records; in whatever format they are held (i.e., paper or electronic).
- 1.2 The aim of this policy is to help staff to control their records effectively, preventing information from either being destroyed prematurely or retained unnecessarily.
- 1.3 This policy defines the principles, time periods, mechanisms and responsibilities for the College's retention of data.
- 1.4 Unless otherwise stated, it is the responsibility of departments to manage the retention and disposal of items listed in the schedules, and within each department there may be specific individuals with assigned responsibility for each category.

2. INTRODUCTION

- 2.1 Effective management of records and other information can:
 - Facilitate business efficiency by ensuring that authoritative information about past activities can be retrieved, used and relied upon in current business;
 - Support compliance with legislation which requires information to be kept, controlled and accessible, such as employment legislation and health & Safety legislation;
 - Improve accountability, enabling compliance with legislation and other rules and requirements to be demonstrated to those with a right to audit or otherwise investigate the College and its actions;
 - Enable the protection of the rights and interests of the College, its staff and its stakeholders;
 - Increase efficiency and cost effectiveness by ensuring that records are disposed of when no longer needed; and
 - Provide institutional memory
- 2.2 The management of records held by Bath College is regulated by the following legislation:
 - Data Protection Act 2018 & General Data Protection Regulations (GDPR)
 - Freedom of Information Act 2000
 - Limitation Act 1980
- 2.3 The Data Protection and Freedom of Information Acts contain provisions relating to the destruction or alteration of information or records after a legal access request has been received. Such destruction or alteration will be

considered a disciplinary offence. The Freedom of Information Act also creates a criminal offence in relation to these actions.

3. SCOPE

- 3.1 Within the context of this policy, 'records' refers to all documents created, received or maintained by Bath College staff or students in the course of carrying out their corporate functions. Records are defined as documents, regardless of format, which facilitate the operations and business of the College and which are thereafter retained for a set period to provide evidence of its activities and transactions.
- 3.2 This policy applies to all employees of Bath College as well as contractors, temporary staff and students.

4. PROCEDURE

- 4.1 Records may relate to individuals (e.g., staff or students) or to Bath College as an organisation (e.g., financial records). In all cases the records should be stored securely and only available to staff and external organisations who are authorised to view them.
- 4.2 College records are a valuable resource as sources of information for re-use and as evidence of actions, rights and obligations. However, records that are out of date, inadequate or unnecessary can be misleading and can impact storage and retrieval capability and costs without any corresponding benefit.
- 4.3 All departments should follow the Retention of Records policy and associated schedule in order to manage the retention, storage and disposal of its records, which should be implemented consistently and updated as necessary.
- 4.4 Records should be stored securely and access to records controlled. Access restrictions should be applied when necessary to protect the information concerned and should be kept up to date. Particular care should be taken with personal information and information obtained on a confidential basis.
- 4.5 During their retention period, records may be held in different locations and on different media, depending on operational needs, but should always be properly managed in accordance with this and other policies and GDPR requirements.

5. RECORDS RETENTION SCHEDULE

- 5.1 This records retention schedule sets out the periods the College will retain records in order to meet its operational needs and to comply with funding, legal and regulatory requirements. It is a requirement established by the Data Protection Act to only retain records containing personal data for as long as is strictly necessary.
- 5.2 The schedule is an important component of an efficient and effective records management system. If consistently implemented the schedule will protect the

interests of the College and its stakeholders by ensuring that business records are kept for as long as they are needed to meet operational needs and comply with requirements, before being disposed of securely.

- 5.3 Any records that cannot be assigned definite retention periods (because it is not possible to determine the length of their continuing value) should be reviewed at regular intervals. When the time for review comes, the records must be appraised and a decision made whether to keep them permanently, discard them or review them for a second time. If a further review is to take place, a date for this must be recorded.
- 5.4 The Retention Schedule shown at Appendix 1 provides specific guidance on how long specific records should be retained.

6. RESPONSIBILITIES

- 6.1 Senior Management and Assistant Principals have overall responsibility for the management of records generated by their areas, to ensure records created, received and controlled are managed in accordance with College policies and procedures.
- 6.2 Line Managers are responsible for ensuring that their staff are aware of this policy and comply with its requirements.
- 6.3 It is the responsibility of all staff to use the Retention Schedule for the purpose of filing, retaining and disposing of records.

7. DISPOSAL OF RECORDS

- 7.1 At the end of the retention period the records should be assessed to ensure whether changes in legislation, funding regulations or any particular claims or disputes require extended retention. If the original retention period remains valid and no further reasons exist for retaining the information, appropriate action should be taken to destroy the relevant records.
- 7.2 Electronic records should be deleted, non-confidential paper records should be recycled and confidential records (including those containing personal or financial information) should be disposed of using confidential waste disposal bags or shredders.

Type of Document	Record Owner	Retention Period	Comments
Primary Financial records			
Orders Invoices Bank Statements / Reconciliation records Journal transfer authorisations	Director of Finance & Corporate Services	7 complete financial yrs. 7 complete financial yrs. 7 complete financial yrs. 7 complete financial yrs.	In accordance with internal audit requirements Financial records held in departments should be retained for the current financial year and the previous financial year.
ESF Records	Director of Finance & Corporate Services	10 complete financial years	
Secondary Financial Records			
Paying in slips Petty Cash Vouchers Duplicate receipts Refund authorisations	Director of Finance & Corporate Services	3 complete financial yrs. 3 complete financial yrs. 3 complete financial yrs. 3 complete financial yrs.	In accordance with audit requirements Secondary financial records held in departments should be retained for the current financial year and the previous financial year.
Student Records			
Registers / ALP's	MIS Manager	2 academic years following completion of course	
Student Personal Details	Deputy Principal	7 Academic years from completion of course	
Course Work	Curriculum Manager/Assistant	1 Complete academic year following certification.	In accordance with awarding organisation requirements.

	Principal - Quality and Performance		
Assessment Records	Curriculum Manager/ Assistant Principal - Quality and Performance	3 Complete academic years following certification.	In accordance with awarding organisation requirements.
Learner Support Fund	Deputy Principal	7 Complete Academic Years	
Childcare Support Fund	Deputy Principal	7 Complete Academic Years	
Office for Students Query over Student Work	Deputy Principal	7 Complete Academic Years	
Examination Entries	Exams Manager	2 academic years following year of entry	All entries made on-line on the Awarding bodies portal, so no paper records
Examination Certificates	Exams Manager	2 academic years following year of entry	Certificates returned to Board where stipulated if not dispatched to student. All other certificates kept for 10 years and then securely disposed.
Exam Documentation relating to Special Arrangements/Considerations	Exams Manager	Indefinitely	
Correspondence with Examination Bodies	Exams Manager/ Assistant Principal - Quality and Performance	2 academic years	
Achievement data	Exams Manager/ Assistant Principal - Quality and Performance	4 complete academic years	All results are downloaded from the Awarding body portal. Electronic records to be held indefinitely.
ILR returns	Deputy Principal	Indefinitely	Retained in electronic format.
Student Applications	Deputy Principal	2 complete academic years	1 year if not converted into enrolment. If converted to enrolment transferred

			to students personal file at end of academic year.
Student Destination information	Deputy Principal/ Assistant Principal - Quality and Performance	7 complete academic years	
Self-Assessment Report, QIP & Data	Each Curriculum & Service Area Manager/ Assistant Principal - Quality and Performance	4 complete academic years	
Student Surveys	Deputy Principal	4 Complete academic years	Questionnaires to be retained for 2 complete academic years. Survey reports for 4 years
Confidential Student Counselling Records	Counsellors	2 complete academic years after the academic year in which the student attended for counseling.	
Internal Quality Audit Records	Deputy Principal/ Assistant Principal - Quality and Performance	5 Years	
Employers Survey	Deputy Principal	4 Complete academic years	Questionnaires to be retained for 2 complete academic years Survey reports for 4 years
Child Protection Records	DSL/DDSL	Stored securely until the individual in 25 years of age.*	
Concerns about Adults Records	DSL/DDSL	Stored securely in their personnel file at least until they reach their normal retirement age or for 10 years – whichever is longer*	This applies to volunteers and paid staff. For example: • if someone is 60 when the investigation into the allegation is concluded, keep the records until their 70th birthday • if someone is 30 when the investigation into the allegation is concluded, keep the records until they are aged 65.

EHCP/SEND Records	DSL/Send and Inclusion Manager	Stored securely until the individual is 25 years of age.	
HR Records			
Personal files	HR Manager	6 complete years from member of staff leaving college employment	Hard copy destroyed after 6 years. Basic data recorded electronically for 10 years.
Performance Review Records	HR Manager	6 complete years from member of staff leaving college employment	
Training/ Staff Development Activity Records	HR Manager	6 complete years from member of staff leaving college employment	
Facts relating to Redundancies	HR Manager	6 years from effective date of redundancy	
Compromise Agreements/ Approved References	HR Manager	6 years from effective date of agreement	
Health Records where reason for termination of employment is concerned with health, including stress related illness		40 years	
Medical Records kept by reason of the Control of Substances hazardous to health	HR Manager	40 years	HSE guidance
Application Forms	HR Manager	6 months for candidates shortlisted but not interviewed 9 months for shortlisted and interviewed candidates	Applications of appointed staff onto Personal File when opened 6 months from interview date – non short-listed applicants

			9 months from interview date – short listed applicants
Interview Records / Notes	HR Manager	9 months from interview date	
Staff Surveys	HR Manager	5 years	Reporting retained for 5 years Internal Questionnaires retained for 2 years
Staff Timetables	Assistant Principals MIS Manager	2 complete Academic Years from the end of the year to which the timetable relates	Working Time Regulations 1998
Payroll Records			
Income Tax & NI returns, Correspondence with HMRC	Payroll Officer	Not less than 3 years after the end of the financial year to which they relate	Income Tax (Employments) Regulations 1993 as amended
TPA ill Health Retirements	Payroll Officer	12 years after benefit ceases	
Other TPA/ Local Government records	Payroll Officer	12 years after benefit ceases	
Statutory Maternity Pay records and calculations	Payroll Officer	3 years after the end of the tax year in which the maternity period ends	Statutory Maternity Pay (General) Regulations 1986 as amended
National minimum wage records	Payroll Officer	3 years after the end of the pay reference period following the one that the records cover	National Minimum Wage Act 1998
Wages and salary records (including overtime & expenses)	Payroll Officer	6 years	Taxes Management Act 1970
Furlough claims		5 years	Jobs Retention Scheme

Statutory Sick Pay records and calculations		6 years after employment ceases	
Corporation Records			
Minute Books (Corporation and statutory committees)	Head of Governance	Indefinitely	
Working Group papers and notes	Head of Governance	7 years	
Agenda / Papers of Corporation & Corporation Committees	Head of Governance	7 Years	
Correspondence	Head of Governance	3 years	
Instrument and Articles of Government and Standing Orders	Head of Governance	Indefinitely	
Board Membership and appointment records	Head of Governance	End of tenure plus 6 years	
Register of Interests	Head of Governance	Termination of employment/tenure plus 6 years	
Collegiate Records			
Tenders	Director of Finance & Corporate Services	5 years from award of tender	

Deeds and legal agreements under seal	Director of Finance & Corporate Services	End of contract plus 12 years	
Legal agreements under signature	Director of Finance & Corporate Services	End of contract plus 6 years	
Leases and lease agreements	Director of Finance & Corporate Services	Expiry of lease plus 15 years	
Other insurance certificates	Director of Finance & Corporate Services		
Complaints	Deputy Principal	3 complete years	
Internal/ External Audit Reports	Director of Finance & Corporate Services	7 years	
Employers Liability Certificate	Director of Finance & Corporate Services	Indefinitely	
Data Protection Registration	Director of Finance & Corporate Services	10 years	
Contracts	Director of Finance & Corporate Services	3 complete years from expiration of Contract.	
PAT Testing/ Insurance Certificate Records	Health & Safety Co-ordinator	10 years	
Health & Safety			
Accident Register, Records & Reports of Accidents	Health & Safety Co-ordinator	3 years from date of last entry (or, if the accident involves a child/young adult then until that person reaches the age of 21)	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) as amended

Health & Safety Records (Risk Assessment, audits, COSHH, etc)	Health & Safety Co-ordinator	40 years	Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH)
Medical Records under the Control of Asbestos at Work Regulations	Health & Safety Co-ordinator	40 years	Control of Asbestos at Work Regulations 2002, 2006 and 2012
IT Records			
Software Licenses	ICT Services & Learning Resources Manager	7 years	
Hardware Registers	ICT Services & Learning Resources Manager	7 Years	
E- Mail Accounts	ICT Services & Learning Resources Manager	Closed within 7 days of member of staff leaving, deleted from system after 9 months	Accounts to be closed but retained on system. Access to be specifically authorised by Director of Finance.

***Exceptions -**

There are some exceptions where records need a longer retention period.

For example, if:

- the records provide information about a child's personal history, which they might want to access at a later date
- the records have been maintained for the purposes of research
- the information in the records is relevant to legal action that has been started but not finished
- the records have been archived for historical purposes (for example if the records are relevant to legal proceedings involving the organisation).

Some records may also be subject to statutory requirements and have a specific retention period. This includes records relating to:

- children who have been 'looked after' by the local authority
- adopted children
- registered foster carers
- residential children's homes.

Records must be kept that could be needed by an official inquiry (for example the Independent Inquiry into Child Sexual Abuse (IICSA) (IICSA, 2018)). Inquiries will issue directions for records to be retained and these must be followed.