

Data Retention Policy



In line with the General Data Protection Regulations of 2018, we destroy personal data as soon as practicable. However, in certain circumstances, we are legally required to keep data for longer periods.

These are set out in the table below:

<p>Children’s records</p>	<p>Requirement - records should be retained for a reasonable period of time (for example three years) after children have left the provision.</p> <p>Recommendation (Limitation Act 1980) - Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records.</p> <p>Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to three years after, or deliberately caused personal injury up to six years after the event) are postponed until a child reaches 18 years old.</p> <p>As best practice it is recommended that registers are kept as per child protection guidelines. They may need to be used in the future to prove if a child was or was not in a setting.</p>
<p>Accident record books and pre-existing injuries forms</p>	<p>As best practice and in case anything is relevant to child protection it is recommended these are kept for 24 years. For other documents relating to a child’s welfare, health and safety (e.g. accident books, personal files) it is important that these are kept until a child is classed as an adult, regardless of their individual circumstances, which for child protection is 24 years.</p>
<p>Staff accident records</p>	<p>For organisations with 10 or more employees, three years after the date the record was made (there are separate rules for the recording of accidents involving hazardous substances).</p>

<p>Records relating to individual children e.g. care plans, Common Assessment Frameworks, speech and language referral forms</p>	<p>These would usually be passed on to the child's next school or setting. Copies should be kept for a reasonable period e.g. 3 years unless they relate to child protection in which case it would be 24 years. Some LSCBs recommend keeping Early Help records for the same length as child protection documents.</p> <p>For other documents relating to a child's welfare, health and safety (e.g. accident books, personal files) it is important that these are kept until a child is classed as an adult, regardless of their individual circumstances, which for child protection is 24 years.</p> <p>Other documents relating to the child should be retained for 21 years for the same reasons.</p>
<p>Records of any reportable death, injury, disease or dangerous occurrence (for children)</p>	<p>Three years after the date the record was made. However if they are relating to child protection they should be kept for 24 years</p>
<p>Records of any reportable death, injury, disease or dangerous occurrence (for staff)</p>	<p>Three years after the date the record was made.</p>
<p>Observation, planning and assessment records of children</p>	<p>As good practice it is recommended to keep planning since the last inspection so there is a paperwork trail if the inspector would like to see it.</p> <p>A copy may also be kept as evidence of how/if these have been developed/improved over time as evidence for self-evaluation and continuous improvement.</p> <p>Usually information and assessments about individual children would either be given to parents when the child leaves or the next setting/school that the child moves to (with parents' permission).</p>

Personnel Records, Personnel files and training records (including disciplinary records and working time records and maternity information)	Six years after employment ceases. Former staff HR paperwork should be kept for three years. Former staff payroll records/information should be kept for seven years.
Application forms and interview notes (for unsuccessful candidates)	Date of appointment of successful candidate + 6 months
Redundancy & retirement details, calculations of payments, refunds, notification to the Secretary of State.	Six years from the date of redundancy
Risk Assessments	Health and Safety Policy Statements - Life of policy + 3 years Health and Safety Risk Assessments - Life of risk assessment + 3 years
Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry.
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently
Accounting records	Annual Accounts - Current year + 6 years.
Complaints record book	At least three years from the date of the last record.
Visitors/signing in book	24 years as part of the child protection trail.
Minutes/minute books	Permanently.
Insurance certificates	40 years from the date insurance commences or is renewed.

<p>Allegations against members of staff.</p>	<p>Until the person’s normal retirement age or 10 years from the date of the allegation, whichever is the longer then REVIEW. Allegations that are found to be malicious will be removed from personnel files. If substantiated, they are to be kept on the file and a copy provided to the person concerned.</p>
<p>Child Protection</p>	<p>For other documents relating to a child’s welfare, health and safety (e.g. accident books, personal files) it is important that these are kept until a child is classed as an adult, regardless of their individual circumstances, which for child protection is 24 years. This is why the Limitation Act states 24 years to enable any allegations in later life or establishments to follow through on information relating to the child when they were younger. You should therefore store any records relating to referrals or contacts with social care or LSCB for 24 years. Other documents relating to the child should be retained for 21 years for the same reasons.</p>

This policy will be reviewed by management annually, who are responsible for ensuring the dissemination of this policy to all staff, volunteers and parents.