

Data Protection (Records Retention Policy)

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College Records Retention Policy

1. POLICY

- 1.1 North East Surrey College of Technology (Nescot) (the "**College**") must, in respect of its processing of personal data, comply with the Data Protection Act 2018, the General Data Protection Regulation 2016/679, and related legislation (together, "**Data Protection Laws**").
- 1.2 This Retention Policy should be read in conjunction with the College's Data Protection Policy, which sets out the College's overall approach to data protection matters and sets out the rationale for why a Retention Policy is required for personal data.
- 1.3 The College is under a legal obligation only to keep personal data for as long as the College needs it. Once the College no longer needs personal data, the College must securely delete it. The College recognises that the correct and lawful treatment of data will maintain confidence in the College and will provide for a successful working environment.
- 1.4 This Policy applies to all College employees, consultants, contractors and temporary personnel hired to work on behalf of the College ("**Staff**").
- 1.5 All Staff with access to personal data must comply with this Retention Policy.
- 1.6 Please read this Retention Policy carefully. All Staff must comply with it at all times. If you have any queries regarding this Retention Policy, please consult your manager and/ or the Data Protection Officer. You are advised that any breach of this Retention Policy will be treated seriously and may result in disciplinary action being taken against you.
- 1.7 Staff will receive a copy of this Policy when they start and may receive periodic revisions of this Policy. This Policy does not form part of any Staff's contract of employment and the College reserves the right to change this Policy at any time. All Staff are obliged to comply with this Policy at all times.

2 ABOUT THIS POLICY

This Retention Policy explains how the College complies with our legal obligation not to keep personal data for longer than we need it and sets out when different types of personal data will be deleted.

3 ARCHIVING

3.1

4 DISPOSAL

- 4.1 Paper records containing personal data where the retention period has expired must be disposed securely by shredding.
- 4.2 Where volumes are high and staff resource is low paper records may always be disposed of using an external disposal company. Staff can contact the Facilities Manager for secure disposal bag.

5 DATA RETENTION PERIODS

- 5.1 The College has assessed the types of personal data that the College holds and the purposes the College use it for. The table below sets out the retention periods that the College has set for the different departments within the College, and the different types of data that they each hold.

5.2 If any member of Staff considers that a particular piece of personal data needs to be kept for more or less time than the period set out in this policy, please contact the Data Protection Officer for guidance.

6 RETENTION PERIODS FOR DIFFERENT CATEGORIES OF DATA

The list below shows the retention periods for different categories of data we hold. This is not an exhaustive list. Please use this alongside the [JISC Record Retention Schedule for Further Education](#) Medical and safeguarding records are kept for a variety of health and safety reasons, and will carry their own retention times.

The final disposition of paper records (P) is by secure shredding and deletion of electronic records (E).

Type of data	Retention Periods	Format	Reason
Student Application Records			
Records of applicants who did not complete the application process to offer stage.	Up to a year after the intended year of entry.	E	To facilitate analysis of application number trends
Student Records			
Student records, including academic achievements, and conduct.	At least 6 years from the date the student leaves Nescot. At least 10 years or until 2030 for those records where funding from the European Social Fund (ESF) has been received by the College or the Education & Skills Funding Agency (ESFA).	P/E	Limitation Act 1980, ESFA contract
Safeguarding/child protection records	Until the child reaches the age 25 years	P/E	Working Together to Safeguard Children (2015) Keeping Children Safe in Education (2018)
Student Counselling Service records	Current year + 2 years	P/E	Standard practice
Results of student surveys: individual responses	Completion of analysis of survey results	P/E	Standard practice
Open University Validated programmes to allow upon request, reproduce diploma supplement and transcript information this to include: Student records, including academic achievements, and conduct.	120 years from date of birth	P/E	Open University Validation requirement

Type of data	Retention Periods	Format	Reason
HESA statistics relating to OU validated programmes.			
Nursery Client Records			
Registration information	3 years after the child has left the provision.	P/E	Standard practice
Registers and medication details	Until the next Ofsted Inspection (3 years)	P/E	Requirement by Ofsted.
Accident records	Until the child reaches the age 21 years and 4 months	P/E	RIDDOR 1985
Child protection records	Until the child reaches the age 25 years	P/E	Working Together to Safeguard Children (2015) Keeping Children Safe in Education (2018)
Reportable death, injury, disease or dangerous occurrence	Until the child reaches the age 21 years and 4 months	P/E	RIDDOR 1985
Allegations	For 10 years	P/E	Limitation Act 1980
Sport Centre Client Records			
Personal details	Until your membership ends, unless consent has been given for us to contact you regarding our services.	P/E	General Data Protection Regulations, retained until no longer needed.
Consent to contact about our services	Until you have notified use that you wish to withdraw consent.	E	General Data Protection Regulations
Condition of health	Until your membership ends	P	-
Clinic Patient Records			
Patient records	for a minimum of eight years after their last consultation; if the patient is a child, until their 25th birthday	P/E	Osteopathic Practice Standard D6 (3)
Supplier Records			
Personal and contact information, financial standing, CV.	6 years after the end of the contract.	P/E	Limitation Act 1980 The Public Works Contracts Regulations 1991

Type of data	Retention Periods	Format	Reason
			The Public Services Contracts Regulations 1993 The Public Supply Contracts Regulations 1995
Visitor Records			
Personal details	Up to 1 year unless needed as part of a criminal investigation	P	Standard college practice
CCTV footage	For 30 days unless needed as part of a criminal investigation	E	Requirement from awarding bodies and recommendation from police
Photo IDs (contractors)	Until the end of contract.	E	Standard college practice
Employer Records			
Personal contact details and communications	Up to 3 years	E	Standard college practice for analysis and to retain a history in case you procure further services
Records associated with employees' learning.	At least 6 years from the date the student leaves Nescot. At least 10 years or until 2030 for those records where funding from the European Social Fund (ESF) has been received by the College or the Education & Skills Funding Agency (ESFA).	P/E	Limitation Act 1980, ESFA contract
Job Applicant Records			
Personal details, including sensitive personal data, education and employment history, entitlement to work in the UK, identification, references and background checks	for 1 year after the end of the relevant recruitment process.	P/E	Limitation Act 1980
Staff Records			
Personnel files including training records and notes of disciplinary and grievance hearings.	6 years from the end of employment	E	References and potential litigation
Application forms/interview notes	At least 1 year from the date of the interviews.	P/E	Time limits on litigation
Facts relating to redundancies where less than 20 redundancies	3 years from the date of redundancy	E	As above
Facts relating to redundancies where 20 or more redundancies	12 years from date of redundancies	E	Limitation Act 1980

Type of data	Retention Periods	Format	Reason
Income Tax and NI returns, including correspondence with tax office	At least 3 years after the end of the financial year to which the records relate	P/E	Income Tax (Employment) Regulations 1993
Statutory Maternity Pay records and calculations	At least 3 years after the end of the financial year to which the records relate	E	Statutory Maternity Pay (General) Regulations 1986
Statutory Sick Pay records and calculations	At least 3 years after the end of the financial year to which the records relate		Statutory Sick pay (General) Regulations 1982
Wages and salary records	6 years	E	Taxes Management Act 1970
Accident books, and records and reports of accidents	3 years after the date of the last entry	P/E	RIDDOR 1985
Health records	During employment	E	Management of Health and Safety at Work Regulations
Health records where reason for termination of employment is connected with health, including stress related illness.	3 years	E	Limitation period for personal injury claims
Medical records kept by reason of the Control of Substances Hazardous to Health Regulations 1994	40 years	E	COSHHR 1994

7 CHANGES TO THIS POLICY

The College reserves the right to change this policy at any time.