



Confederation  
of School Trusts

## Record Retentions Policy

### Confederation of School Trusts (CST)

#### 1. INTRODUCTION

- 1.1. The main aim of this policy is to enable CST to manage our records effectively and in compliance with data protection and other regulation. As an organisation we collect, hold, store and create significant amounts of data and information and this policy provides a framework of retention and disposal of categories of information and documents.
- 1.2. CST is committed to the principles of data protection including the principle that information is only to be retained for as long as necessary for the purpose concerned.
- 1.3. The table below sets out the main categories of information that we hold, the length of time that we intend to hold them, and the reason for this.
- 1.4. For information, the Appendix sets out the legal requirements for certain categories of document. Where we have decided to keep information longer than the statutory requirement, this has been explained in the table at Section 2.
- 1.5. Section 3 of this policy sets out the destruction procedure for documents at the end of their retention period. The Executive Officer shall be responsible for ensuring that this is carried out appropriately, and any questions regarding this policy should be referred to them.
- 1.6. If a document or information is reaching the end of its stated retention period, but you are of the view that it should be kept longer, please refer to the Executive Officer who will make a decision as to whether it should be kept, for how long, and note the new time limit and reasons for extension.



## 2. DOCUMENT RETENTION PERIOD

DOCUMENT CATEGORY	RETENTION PERIOD	REASON
<b>Corporate/Constitutional</b>		
<b>Company Articles of Association, Rules/bylaws</b>	Permanent	<b>Companies Act 2006 Charities Act 2011</b>
<b>Trustee/director minutes of meetings and written resolutions</b>	At least 10 years	<b>Companies Act 2006 Charities Act 2011 CIO (General) Regulations 2012</b>
<b>Members' meetings Minutes/resolutions</b>	At least 10 years	<b>Companies Act 2006 Charities Act 2011 CIO (General) Regulations 2012</b>
<b>Documents of clear historical/archival significance</b>	Permanent	<b>Data Protection regulation</b>
<b>Contracts and agreements</b>	Length of contract plus 6 years	<b>Limitation Act 1980</b>
<b>Contracts executed as deeds</b>	Length of contract plus 12 years	<b>Limitation Act 1980</b>
<b>IP records and legal files re provision of service</b>	Life of provision or IP plus 6 years	<b>Limitation Act 1980</b>
<b>Insurance</b>		
<b>Employer's Liability Insurance</b>	40 years	<b>Employers' Liability (Compulsory Insurance Regulation) 1998</b>
<b>Policies</b>	3 years after lapse	<b>Commercial</b>
<b>Claims correspondence</b>	3 years after settlement	<b>Commercial</b>
<b>Health &amp; Safety</b>		
<b>General records</b>	3 years minimum	<b>Limitation Act 1970</b>



<b>Accident book/records and reports</b>	3 years after last entry or end of investigation	<b>Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995</b>
<b>Charity Property</b>		
<b>Leases</b>	12 years after lease has lapsed	<b>Limitation Act 1980</b>
<b>Building records, plans, consents and certification and warranties etc</b>	6 years after disposal or permanent if of historical/archival interest. Carry out review re longer retention e.g. if possible actions against contractors	<b>Limitation Act 1980</b>
<b>Pension Records</b>		
<b>Records about employees and workers</b> <b>Records re the Scheme</b> <b>Records re active members and opt in/opt out</b> <b>Trust Deed/Rules and HMRC approvals</b> <b>Trustees' Minutes and annual accounts</b>	For all categories see:  Detailed guidance for employers: April 2017  <a href="http://www.Thepensionsregulator.gov.uk">www.Thepensionsregulator.gov.uk</a>	
<b>Tax and Finance</b>		
<b>Annual accounts and review (including transferred records on amalgamation)</b>	Minimum 6 years Recommended: permanent record	<b>Companies Act 2006; Charities Act 2011; CIO (General) Regulations 2012</b>
<b>Tax and accounting records</b>	6 years from end of relevant tax year	<b>Finance Act 1998; Taxes Management Act 1970</b>
<b>Information relevant for VAT purposes</b>	Minimum 6 years from end of relevant period	<b>Finance Act 1998 and HMRC Notice 700/21</b>
<b>Banking records/receipts book/sales ledger</b>	6 years from transaction	<b>Companies Act 2006; Charities Act 2011</b>



**Confederation  
of School Trusts**

<b>Deed of covenant/Gift Aid declarations and correspondence re donations</b>	6 years after last payment or 12 years if payments are outstanding or dispute over deed 6 years after completion of estate administration	<b>As part of tax records</b>
<b>Employees/Administration</b>		<b>See generally ICO Employment Practices Code</b>
<b>Payroll/Employee/Income Tax and NI records: P45; P6; P11D; P60 etc</b>	6 years from end of current year	<b>Taxes Management Act 1970 /IT (PAYE) Regulations</b>
<b>Maternity pay</b>	3 years after the end of the tax year	<b>Statutory Maternity Pay Regulations</b>
<b>Sick pay</b>	3 years after the end of the tax year	<b>Statutory Sick Pay (General) Regulations</b>
<b>National Minimum wage records</b>	3 years after the end of the tax year	<b>National Minimum Wage Act</b>
<b>Foreign national ID documents</b>	Minimum 2 years from end of employment	<b>Immigration (Restrictions on Employment) Order 2007</b>
<b>HR files and training records</b>	Maximum 6 years from end of employment	<b>Limitation Act 1970 and Data Protection regulation</b>
<b>Records re working time</b>	2 years	<b>Working Time Regulations 1998 as amended</b>
<b>Job applications (CVs and related materials re unsuccessful applicants)</b>	Recommended: 6-12 months from your notification of outcome of application	<b>ICO Employment Practices Code (Recruitment &amp; Selection) Disability Discrimination Act 1995 &amp; Race Relations Act 1976</b>
<b>Pre-employment/volunteer vetting</b>	6 months	<b>ICO Employment Practice Code</b>



**Confederation  
of School Trusts**

<b>Disclosure &amp; Barring Service checks</b>	Record only satisfactory/unsatisfactory result and delete other information	<b>ICO Employment Practice Code</b>
<b>Activity/Sector</b>		
<b>Member organisation information</b>	Reviewed annually and deleted if organisation does not renew membership and have not asked for their information to be retained. Consent renewed every 3 years.	
<b>Non-member organisation</b>	Reviewed every 3 years and deleted if organisation have not asked for their information to be retained. Consent renewed every 3 years.	
<b>Photographs</b>	Deleted or renewed every 5 years	
<b>Details of attendees at events</b>	Deleted after 3 years	
<b>Emails</b>	Deleted after 3 years or permanent if of historical/archival interest. Carry out review re longer if necessary.	



### 3. DELETION OF DOCUMENTS

- 3.1. When a document is at the end of its retention period, it should be dealt with in accordance with this policy.

#### **Confidential waste**

- 3.2. This should be shredded.
- 3.3. Anything that contains personal information should be treated as confidential.
- 3.4. Where deleting electronically, please refer to the Executive Officer to ensure that this is carried out effectively.

#### **Other documentation**

- 3.5. Other documentation can be deleted or placed in recycling bins where appropriate.

#### **Automatic deletion**

- 3.6. Certain information will be automatically archived by the computer systems, details of which are set out below. Should you want to retrieve any information, or prevent this happening in a particular circumstance, please contact the Executive Officer.

#### **Individual responsibility**

- 3.7. Much of the retention and deletion of documents will be automatic, but when faced with a decision about an individual document, you should ask yourself the following:
- 3.7.1. Has the information come to the end of its useful life?
  - 3.7.2. Is there a legal requirement to keep this information or document for a set period? (Refer to the Appendix for more information)
  - 3.7.3. Would the information be likely to be needed in the case of any legal proceedings? (Is the information contentious, does it relate to an incident that could potentially give rise to proceedings?)
  - 3.7.4. Would the document be useful for the organisation as a precedent, learning document, or for performance management processes?
  - 3.7.5. Is the document of historic or statistical significance?
- 3.8. If the decision is made to keep the document, this should be referred to the Executive Officer and reasons given.

May 2018 – updated September 2018

Authorised signatory

Date of review

March 2019