ICKNIELD PRIMARY SCHOOL

DOCUMENT RETENTION POLICY

Non-statutory Policy
March 2026

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1. Introduction

Information is one of the school's corporate assets; while carrying out its' various functions, the school accumulates information from both individuals and external organisations. The school also generates a wide range of data, which is recorded in documents and records.

These documents and records are in different formats, examples of which include, (but are not limited to) communications such as letters, emails and attendance notes; financial information including invoices, statements and reports; legal documents such as contracts and deeds; and information relating to various types of applications, including forms, plans, drawings, photographs and tape recordings.

For the purposes of this Policy, the terms 'document' and 'records' include information in both hard copy and electronic form.

In certain circumstances it will be necessary to retain specific documents in order to fulfil statutory or regulatory requirements e.g. audit and also to meet operational needs. Document retention may also be useful to evidence events or agreements in the case of disputes, and to preserve information which has historic value.

Additionally, the Policy should help to ensure that the school archives records and documents that are of historical value appropriately for the benefit of future generations.

Premature destruction of documents could result in inability to defend litigious claims, cause operational difficulties and lead to failure to comply with the Freedom of Information Act 2000 and the General Data Protection Regulation 2018, Data Protection Act 2018 and the UK General Data Protection Regulation 2021.

Equally, the retention of all documents and records is impractical and appropriate disposal is necessary to comply with Data Protection legislation. Disposal will assist the school to maintain sufficient electronic and office storage space and will de-clutter office accommodation, resulting in a more desirable working environment. Lengthy or indefinite retention of personal information without good reason would result in the school breaching the Data Protection legislation.

It is important for the above reasons that the school has in place systems for the timely and secure disposal of documents and records that are no longer required for business or other legitimate purposes.

2. Aims and Objectives

The key objective of this Policy is to provide the school with a simple framework which will govern decisions on whether a particular document should be retained or disposed of. In the case of documents which are to be retained by the school, the Policy includes guidance on the format in which they should be retained and appropriate retention periods.

Implementation of the Policy should save school officers' time when retrieving information, by reducing the amount of information that may be held unnecessarily.

The Policy clarifies the different roles of school staff in relation to document retention and disposal in order that they understand their responsibilities, and who to refer to if they are unsure about any document and require clarification.

It is envisaged that this Policy will assist the school in securing compliance with legal and regulatory requirements, including the Freedom of Information Act 2000, the Data Protection legislation, and the Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000. In addition to assisting staff in their day-to-day business and ensuring searches for information requested under the Freedom of Information legislation are as quick as possible.

3. Scope

This Document Retention Policy applies to all information held by the school and its external service providers where they are processing information on the school's behalf.

4. Policy Statement

Icknield Primary School will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of services.

5. Retention and Disposal Policy

Decisions relating to the retention and disposal of documentation should be taken in accordance with this Policy, in particular: -

- Appendix 1 - Retention Schedules - Comprehensive guidance on the recommended and statutory minimum retention periods for specific types of documents and records.

6. Roles and Responsibilities

The headteacher will be responsible for determining (in accordance with this Policy) whether to retain or dispose of specific documents within the remit of their service area.

The headteacher may delegate the operational aspect of this function to one or more officers within their service area.

The school will seek advice from the DPO if there is uncertainty as to whether minimum retention periods are prescribed by law, or whether the retention of a document is necessary to protect the school's position where a potential claim has been identified.

The School Business Manager should ensure that the Schedule in Appendix 1 which is relevant to their service is kept up to date.

7. Disposal

Confidential waste documents should be made available for collection by use of the confidential waste bins and shredders which are located around the school offices in order that they can be destroyed. It is essential that any documents which are to be thrown away and contain confidential or personal data must be disposed of in this way, to avoid breaches of confidence or of the Data Protection legislation.

Disposal of documents other than those containing confidential or personal data may be disposed of by binning, recycling, deletion (in the case of electronic documents).

8. Disposal and Retention Considerations

Each of the following questions and guidance underneath them should be considered prior to the disposal of any document.

1. **Has the document been appraised?**

    - Check that the nature and contents of the document is suitable for disposal.

2. **Is retention required to fulfil statutory obligations or other regulatory obligations?**

    - Specific legislation setting out mandatory retention periods for documentation held by local government is very limited, but includes the following: -
        - Tax legislation - minimum retention periods for certain financial information are stipulated by the VAT Act 1994 and the Taxes Management Act 1970.
        - Statutory registers - Various local government statutes require registers to be kept for a variety of functions.
        - The Audit Commission Act 1998 - Provides auditors with a right of access to every document relating to the school that appears necessary for the purposes of carrying out the auditor's function under the Act.
        - The Local Government Act 1972, Part VA - Governs public access to certain documents relating to school and Committee meetings.

3. **Is retention required for evidence?**

    - Keep any documents which may be required for legal proceedings until the threat of proceedings has passed.
    - The limitation period for commencing litigation should also be a key consideration. This is governed by the Limitation Act 1980 and the main time limits that apply directly to local government are: -
        - Contract or tort (such as negligence or nuisance) claims (other than personal injury) cannot be brought after six years from the date on which the cause of the action occurred.

- Personal injury claims cannot be brought after three years from the date on which the cause of action occurred. For children, this can be extended till they are 21, so documents should be kept till that time has passed.
- Claims based on provisions contained in documents that are 'under seal' cannot be brought after twelve years from the date on which the cause of action occurred.

4. **Is retention required to meet the operational needs of the service?**

- Consider whether the document in question may be useful for future reference, as a precedent or for performance management purposes

5. **Is retention required because the document or record is of historic interest or intrinsic value?**

- If a particular document has historic or financial value, consideration should be given to whether it should be retained by the school, or alternatively by an external body, such as the County Archivist.

Appendix 1 - Document Retention Schedules

Introduction

The following schedules provide guidance on the retention periods applicable to a wide range of the school's documents.

Using the retention schedule

The Schedule should be used in the following ways:

- When new records are created – as a first point of reference in the day-to-day management of records and when opening a new file – will act as guide to how the record should be managed, stored and disposal.
- When configuring an electronic records management system – ensure that all legal and business requirements are met in terms of retention, security, and disposal of all electronic records (including emails, electronic forms, website content and images). Integration of electronic records management into existing systems must include proper consideration of Retention Schedules.
- When designing or implementing new paper filing systems
- When transferring files to offsite storage – office space is at a premium and it is rarely possible to retain files on site for the length of time for which they have to be retained
- When destroying files – In order to protect itself and minimise risk, staff should not maintain records longer than they need to; nor should they destroy records sooner than required.