

# BHASVIC

## DATA RETENTION POLICY

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## Data Retention policy

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## 1 POLICY

- 1.1 BHASVIC (the "**College**") must, in respect of its processing of personal data, comply with the Data Protection Act 2018, the UK GDPR (General Data Protection Regulation) 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.
- 1.4 This policy applies to all College employees, Governors, consultants, contractors and temporary personnel hired to work on behalf of the College ("**College Personnel**").
- 1.5 All College personnel with access to personal data must comply with this Retention Policy.
- 1.6 Please read this policy carefully. All College personnel must comply with it at all times. If you have any queries regarding it, please consult your manager and / or the Data Protection Officer. You are advised that any breach of this policy will be treated seriously and may result in disciplinary action being taken against you.
- 1.7 College personnel will be directed to this policy when they start and may receive periodic revisions to it. This policy does not form part of any College personnel's contract of employment and the College reserves the right to change this policy at any time. All College personnel 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. In particular, it sets out details of the College's policies for the retention of Special Category personal data.

## 3 DATA RETENTION PERIODS

- 3.1 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 types of data that they each hold.
- 3.2 If any member of College personnel 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.

#### 4 RETENTION PERIODS FOR DIFFERENT CATEGORIES OF DATA

Type of Data	Retention Period	Reason	Method of Disposal
Detailed Personnel Files; training records; notes of grievance and disciplinary hearings	6 years from the end of employment	Provision of references and limitation period for litigation	Shredding
Basic Employment Record (start and end date – job title)	10 years from the end of employment and past their pensionable age.	Provision of basic factual references	Shredding
Detailed Electronic staff records (including PDRs, annual leave, sickness info)	6 years from the end of employment	Provision of references and limitation period for litigation	Bulk Deletion
Basic Electronic staff records (start and end date – job title)	10 years from the end of employment and past their pensionable age.	Provision of basic factual references	Shredding
Staff Application forms; interview notes	6 months from the date of the interviews	Limitation period for litigation	Shredding
Facts relating to redundancies (less than 20 redundancies)	3 years from the date of redundancies	Limitation period for litigation	Shredding
Facts relating to redundancies (20 or more redundancies)	12 years from the date of redundancies	Limitation period for litigation	Shredding
Income Tax and NI returns; correspondence with Tax Office	At least 3 years after the end of the financial year to which the records relate	Income Tax (Employment) Regulations 1993	Manual deletion
Statutory Maternity Pay records and calculations	At least 3 years after the end of the financial year to which the records relate	Statutory Maternity Pay (General) Regulations 1986	Manual deletion
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	Manual deletion
Wages and salary records and pension records	10 years from the end of employment and past their pensionable age.	Taxes Management Act 1970  In order to supply pension providers and answer queries	Shredding
Accident Books, records and reports of accidents	3 years after the date of the last entry	RIDDOR 1995	Shredding
Health Records	During Employment	Management of Health and Safety at Work Regulations	Shredding
Health Records where reason for termination of employment is concerned with health, including stress related illness	3 years	Limitation period for personal injury claims	Shredding
Medical Records kept by reason of the Control of Substances hazardous to health	40 years	COSHH 1999	Shredding
Student Records including	10 years for the majority	Limitation period for	

academic achievements, and conduct for daytime students	of data  Indefinitely for records of achievement	negligence  There is a general expectation that we will keep exam results and we receive regular requests for this information	
Next of kin details for students	2 years from completion of course	In order to collect destination information	UNIT-e Bulk deletion
Complaints file (for stage 2 complaints)	3 years from the last action on a complaint	In case of queries	Shredded
Information captured on online application forms	1 week after enrolment (regardless of whether the student has enrolled or withdrawn)	In case of queries about online applications	Bulk Deletion tool
Paper Application forms for withdrawn U19 applicants	1 year after the years enrolment	In order to check various details in the event of reapplication	Shredded
Electronic Student records for U19 students who withdrew their application	3 years after initial application	In order to check various details in the event of reapplication	Bulk deletion process within the database
Adult Ed online enrolment forms stored in the CMS	1 week after the start of the course	In case of queries about application / refunds / complaints	Bulk deletion process within the database
Adult Ed enrolment forms received by email	2 months after the course end	In case of queries about application / refunds / complaints	Bulk deletion process
Adult Ed paper enrolment forms	Annually at the end of the academic year	In case of queries about application	Confidential Waste
Adult Ed Electronic records	2 years from the end of the course	In case of queries and for statistical purposes	Data anonymised after 2 years
Governor Records	Termination of employment plus 6 years	Statutory requirement	Paper copies shredded and soft copy deleted manually

## 5 CHANGES TO THIS POLICY

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