



Little
muddy me

Data Retention Policy

In line with the requirements of the General Data Protection Regulation (GDPR) this policy outlines how long Little Muddy Me Pre-School retains various types of data.

Paper records may be scanned and kept electronically if legible – files are to be labelled with destroy dates and password protected.

Paper records are locked away securely and disposed of using cross-cut shredders.

Children's Records			
Record	Retention Period	Status	Authority
Children's records – registers, medication records, accident records	It's a minimum requirement that records are retained for a reasonable period (e.g. 3 years after children have left the provision. But we follow the recommendation that records are kept until the age of 21 – or until the child the age of 24 for child protection, SEND records and health care plans. Records in relation to safeguarding concerns need to be kept in accordance with the Local Safeguarding Children's Board requirements	Requirement	Minimum requirement - Statutory Framework for the EYFS 2017 (given legal force by Childcare Act 2006) Recommendation - <i>(Limitation Act 1980/The Statute of Limitations (Amendment) Act 1991. Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years old)</i>
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)
Personnel Records			
Record	Retention Period	Status	Authority

Application forms and interview notes for unsuccessful candidates	6 months to a year	Recommendation	Chartered Institute of Personnel and Development (CIPD)
Personnel file and training records (including disciplinary records and working time records)	6 years after employment ceases Records of unfounded allegations of a child protection nature must be kept until the person's normal retirement age or 10 years after the date of allegation; allegations found to be malicious must be removed from personnel files.	Requirement	(CIPD) Keeping Children Safe in Education, DfE 2016
DBS check information	Original DBS disclosures: a maximum of 6 months Provider must be able to show Ofsted they have kept a record of DBS disclosures and the DBS Code of Practice permits them to retain the following details: date of issue of certificate, name of subject, type of certification requested, position for which certificate was requested, unique reference number, details of recruitment decision taken.	Recommendation	DBS / Ofsted
Wage/salary records (including overtime and bonuses and expenses)	6 years	Requirement	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Maternity Pay Regulations 1986
Parental Leave Records	5 years from the birth/adoption of the child or 18 years if the child receives disability allowance	Recommendation	CIPD
Statutory Sick Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	CIPD

Income tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate	Requirement	The Income Tax Regulations 1993
Redundancy details, calculations of payments, refunds, notifications of State	6 years after employment ends	Recommendation	CIPD
National Minimum Wage Records	3 years after the end of the pay reference period following the one that the records cover	Requirement	National Minimum Wage Act 1998
Pensions scheme and member records	6 years from the automatic enrolment staging date	Requirement	The Pensions Regulator
Staff accident records	3 years after the date of the last entry in the book (separate rules for accidents involving hazardous substances)	Requirement	Social Security (Claims & Payments) Regulations 1979
Records of reportable death, injury, disease or dangerous occurrence	3 years after the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)
Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Financial Records			
Accounting records (e.g. cash books, invoices, receipts)	3 years from the end of the financial year for private and charitable companies, 6 years for public limited companies	Requirement	Companies Act 2006
Administration Records			
Record	Retention Period	Status	Authority
Employers Liability Insurance Records	For as long as possible	Recommendation	Health and Safety Executive
Visitors books / signing in sheets	The current year plus 6 years	Recommendation	IRMS
Policy documents	For the life of the policy/setting plus 3 years	Recommendation	IRMS
Complaints	At least 6 years after the date of the resolution of the complaint	Recommendation	IRMS

Minutes/minute books from meetings	At least 10 years from the date of the meeting	Requirement (for companies with over 10 staff) Recommendation (for companies under 10 staff)	Companies Act 2006
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