**Records Retention Schedule**

 **New Cross College**

Retention of Records

New Cross College in its role as a Data Controller, is conscious of its statutory obligations to be fully transparent in relation to the length of time for which personal data will be kept. The Board of Management has put in place procedures to ensure compliance with all directives in relation to the storing and retention of data sought by the school.

Below are listed guidelines to the length of time various categories of data are stored at the school:

|  |  |  |  |
| --- | --- | --- | --- |
| **Student Records** | **Duration**  | **Final disposition** | **Comments** |
| **Registers/Roll books** | Indefinitely | N/A | Indefinitely. Archived when class leaves + 2 years |
| **State exam results** | N/A | N/A  | SEC responsibility to retain, not a requirement for school/ETB to retain. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Enrolment Forms** | Student reaching 18 years + 7 years  | Confidential shredding | 18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)  |
| **Student transfer forms** (Applies from primary to primary; from one second-level school to another) | Student reaching 18 years + 7 years  | Confidential shredding | Student reaching 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Disciplinary notes | Never destroy  | N/A | Never destroy  |
| Results of in-school tests/exams (i.e. end of term, end of year exams, assessment results) | Student reaching 18 years + 7 years  | Confidential shredding | 18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).  |
| End of term/year reports | Student reaching 18 years + 7 years  | Confidential shredding | 18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Records of school tours/trips, including permission slips, itinerary reports | Never destroy  | N/A | Never destroy  |
| Scholarship applications e.g. Gaeltacht, book rental scheme  | Student reaching 18 years + 7 years  | Confidential shredding | 18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Garda vetting form & outcome - **STUDENTS** | Record of outcome retained for 12 months.  | Confidential shredding | Record of outcome retained for 12 months. School to retain the reference number and date of disclosure on file, which can be checked with An Garda Síochana in the future.  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Student Sensitive Personal Data**  | **Duration** | **Final disposition** | **Comments** |
| Psychological assessments | Indefinitely | N/A  | Never destroy |
| Special Education Needs’ files, reviews, correspondence and Individual Education Plans | Indefinitely | N/A | Never destroy |
| Accident reports | Indefinitely | N/A | Never destroy |
| Child protection records | Indefinitely | N/A | Never destroy |
| Section 29 appeal records | Student reaching 18 years + 7 years  | Confidential shredding | Student reaching 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)  |
| Enrolment/transfer forms where child is not enrolled or refused enrolment | Student reaching 18 years + 7 years  | Confidential shredding | Student reaching 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Records of complaints made by parents/ guardians  | Depends entirely on the nature of the complaint.  | Confidential shredding or N/A, depending on the nature of the records.  | Depends entirely on the nature of the complaint. If it is child-safeguarding, a complaint relating to teacher-handling, or an accident, then retain indefinitely. Never destroy. If it is a complaint of a more mundane nature (e.g. misspelling of child’s name, parent not being contacted to be informed of parent-teacher meeting) or other minor matter, then student reaching 18 years + 7 years (6 years in which to take a claim, and 1 year for proceedings to be served on school) |

| **Unsuccessful Candidates for Interview**  | **Final disposition** | **Comments** |
| --- | --- | --- |
| Applications & CVs of candidates called for interview | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relation Commission to inform the school that a claim is being taken.  |
| Database of applications | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Selection criteria | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Applications of candidates not shortlisted | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Unsolicited applications for jobs | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Candidates shortlisted but unsuccessful at interview | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Candidates shortlisted and are successful but do not accept offer | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Interview board marking scheme & board notes | Confidential shredding | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |
| Panel recommendation by interview board | Confidential shredding  | 18 months from close of competition: 12 months from close of competition plus 6 months for the Workplace Relations Commission to inform the school that a claim is being taken.  |

|  |  |  |
| --- | --- | --- |
| **Staff personnel files**  | **Final Disposition**  | **Comments**  |
| e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.  | Confidential shredding. Retain an anonymised sample for archival purposes. | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Application &/CV | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Interview: database of applications (the section which relates to the employee only) | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Selection criteria  | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Interview board marking scheme & board notes  | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Panel recommendation by interview board  | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Recruitment medical | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Job specification/description | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Contract/Conditions of employment | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Probation letters/forms | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| POR applications and correspondence (whether successful or not) | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Leave of absence applications, including jobshare, career break, maternity/paternity leave, parental leave , force majeure and carer’s leave  | Confidential shredding | Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |
| Allegations/complaints | Confidential shredding | Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).  **Note** the relevant DES Circular re Disciplinary Procedures in relation to the period of time for which a warning remains “active” on an employee’s record.  |
| Grievance and Disciplinary records | Confidential shredding | Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).  **Note** the relevant DES Circular re Disciplinary Procedures in relation to the period of time for which a warning remains “active” on an employee’s record.  |

|  |  |  |
| --- | --- | --- |
| Sickness absence records/certificates  | Confidential shredding or N/A (see comment) | Re sick leave scheme (1 in 4 rule) ref DES C/L 0060/2010Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual’s duties within the school, in which case, do not destroy. |
| Pre-employment medical assessment. Occupational health referral, correspondence re retirement on ill-health grounds, medical assessments or referrals | Confidential shredding or N/A (see comment) | Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual’s duties within the school, in which case, do not destroy. |
| Accident/injury at work reports | Confidential shredding or N/A (see comment) | Retain for 10 years, or the duration of the employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), whichever is the greater (unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual’s duties within the school, in which case, do not destroy). |
| Sick leave records (sick benefit forms) | Confidential shredding | In case of audit/refunds, Current year plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) |

|  |  |  |
| --- | --- | --- |
| Records of previous service (incl. correspondence with previous employers) | N/A | DES advise that these should be kept indefinitely.  |
| Pension calculation, pension increases | Confidential shredding | Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee plus + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the longer)  |
| Salary claim forms | Confidential shredding | Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee plus + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the longer)  |

|  |  |  |
| --- | --- | --- |
| Any government returns which identify individual staff/pupils,  | N/A | Depends upon the nature of the return. If it relates to pay/pension/benefits of staff, keep indefinitely as per DES guidelines. If it relates to information on students, e.g. October Returns, Annual Census etc., keep in line with “Student Records” guidelines above.  |

|  |  |  |
| --- | --- | --- |
| **Board of Management Records** | **Final disposition** | **Comments** |
| Board agenda and minutes | N/A | Indefinitely. These should be stored securely on school property  |
| School closure |  | On school closure, records should be transferred as per [Records Retention in the event of school closure/amalgamation](http://www.dataprotectionschools.ie/en/Data-Protection-Guidelines/Records-Retention/School-Closure-Amalgamation/). A decommissioning exercise should take place with respect to archiving and recording data. |
| **Other school based reports/minutes** | **Final disposition** | **Comments** |
| CCTV recordings  | Safe/secure deletion.  | 28 days in the normal course, but longer on a case-by-case basis e.g. where recordings/images are requested by An Garda Síochána as part of an investigation or where the records /images capture issues such as damage/vandalism to school property and where the images/recordings are retained to investigate those issues.  |
| Principal’s monthly report including staff absences | N/A | Indefinitely. Administrative log and does not relate to any one employee in particular: the monthly reports are not structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible. Not a “relevant filing system”.  |

| **Promotion process** | **Final Disposition** | **Comments**  |
| --- | --- | --- |
| Posts of Responsibility | N/A | Retain indefinitely on master file as it relates to pay/pension etc. (See DES guidelines) |
| Calculation of service | N/A | Retain indefinitely on master file  |
| Promotions/POR Board master files | N/A | Retain indefinitely on master file  |
| Promotions/POR Boards assessment report files | N/A | Retain original on personnel file in line with retention periods in “Staff Records” retention guidelines above  |
| POR appeal documents | N/A | Retain original on personnel file, and copy of master & appeal file. Retain for duration of employment + 7 years (6 years in which to take a claim, plus 1 year to serve proceedings on school). Copy on master and appeal file. |
| Correspondence from candidates re feedback | N/A | Depends upon nature of feedback. If feedback is from unsuccessful candidate who is not an employee within the school, keep in line with retention periods in “Staff Records” above. If feedback is from successful candidate or from unsuccessful candidate who is already an employee within the school, keep in line with “Staff personnel while in employment” above.  |

# Exceptions to the Right of Access

A Data Subject about whom XXX School holds personal information does not have a right to see such information where any of the following circumstances apply.

1. If the information is kept for the purpose of preventing, detecting or investigating offences, apprehending or prosecuting offenders, or assessing / collecting any taxes or duties: but only in cases where allowing the right of access would be likely to impede any such activities
2. If the information is kept for certain anti-fraud functions: but only in cases where allowing the right of access would be likely to impede any such functions
3. If granting the right of access would be likely to harm the international relations of the State
4. If the information concerns an estimate of damages or compensation in respect of a claim against the School where granting the right of access would be likely to harm the interests of the School
5. If the information would be subject to legal professional privilege in court
6. If the information is kept only for the purpose of statistics or carrying out research, but only where the information is not disclosed to anyone else, and where the results of the statistical work or research are not made available in a form that identifies any of the individuals involved
7. If the information is back-up data.