

RETENTION OF RECORDS GUIDANCE

Childrens Records	Retention Period	Legislation
Children’s records including registers, medication, parental permission forms, record books, contractual documentation, complaints book, local authority data for funded places and accident record books pertaining to children.	Standard cases – recommended: 6 years after the child has left the setting.	Early Years Foundation Stage 2017 Childcare Act 2006
Special circumstances: Serious complaint Child protection issues A child is badly injured A child is on regular medication A child has severe allergies A child has a serious illness	Recommended until the child reaches the age of 25. Seek legal advice about making and retaining copies, particularly if you are required to provide information to a third party.	Limitation Act 1980 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.
Records of any reportable death, injury, disease or dangerous occurrence, accident/incident records and risk assessments specific to a child	Recommended that records are kept until the child reaches 25 years of age.	The reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
Other records containing personal information or images of children and families: Photographs/videos Websites Social media posts Texts Emails Apps Cloud storage	Keep photographic/video/audio-visual permissions given by parents on behalf of children for 21 years and 6 months. Ensure written parental permission is in place to take and post photos and videos online. Ensure data is stored in accordance with the data protection/confidentiality policy.	ICO – Registration as a Data Controller GDPR 2018
Visitors book	As a minimum, must be kept between inspection periods. Seek legal advice in special circumstances (see above).	Early Years Foundation Stage 2017

Ofsted Reports	As a minimum, must be kept between inspection periods. Keep for reference as evidence of compliance and good practice.	Early Years Foundation Stage 2017
Risk assessments	Standard cases – minimum 3 years from date recorded. Special circumstances may need to be kept for longer (see above)	
Personnel Records	Retention Period	Legislation
Personnel files and training records (including application form, work history, references, supervision, 1:1s, appraisals, performance reviews, qualifications, disciplinary records, working time records and training records)	6 years after employment ceases	Chartered Institute of Personnel and Development Ofsted
CVs, application forms and interview notes (for unsuccessful candidates)	6 months to 1 year	Chartered Institute of Personnel and Development
DBS check/disclosure information Essential details to be recorded from the original DBS certificate, i.e. name, date of birth, reference number, date of issue	By law, the only details that can be kept for longer than 6 months are the date of the check, reference number and the result. Recommended these details are kept for 6 years.	DBS Code of Practice The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken
Safeguarding – adult records	Retirement if concerns relating to potential abuse/behaviour unsuitable	Working together to safeguard children – LSCB
Wages/salary records (including overtime, bonuses and expenses)	6 years after the end of the tax year to which the records relate.	Taxes and management Act 1970
Statutory Maternity Pay (SMP), adoption and paternity pay records	3 years after the end of the tax year in which the maternity period ends.	The Statutory Maternity Pay Regulations 1986
Statutory Sick Pay (SSP) records	3 years after the end of the tax year to which the records relate.	The Statutory Sick Pay Regulations 1982
Income Tax and National Insurance returns/records	At least 3 years after the end of the tax year to which they relate	The Income Tax (Employments) Regulations 1993
Redundancy details calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy.	Chartered Institute of Personnel and Development

Health and Safety	Retention Period	Legislation
Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made (there are separate rules for the recording of accidents involving hazardous substance)	Social Security (Claims and Payments) Regulations 1979
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date on which the record was made.	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	The Control of Substances Hazardous to Health Regulations 1999 (COSHH)
Financial	Retention Period	Legislation
Accounting records Copy of self-assessment forms and supporting records of income and expenditure, including: Bank statements Receipts Invoices Cash book Gift Aid records Accounts book/records	Must be retained for at least 6 years (or at least 3 years in the case of charitable companies); where Gift Aid payments are received records will need to be maintained for 6 years with details of any substantial donors and to identify 'tainted charity donations' in accordance with HMRC guidance	Section 386 of the Companies Act 2006 Charities Act 2011
Administration Records	Retention Period	Legislation
Public Liability Insurance Insurance records	For as long as possible e.g. 40 years from date of issue. Recommended that complete records of all insurance policies taken out are kept. Seek legal advice in a special circumstance (see above).	The employers' Liability Regulations 1998 Health and Safety Executive
Minutes/minute books	10 years from the date of the meeting for companies	Companies Act 2006
	6 years from the date of the meeting for Charitable Incorporated Organisations	The Charitable Incorporated Organisations Regulations 2012
	Permanently	Chartered Institute of Personnel and Development
Data Protection Audit	Reviewed and updated annually	