

Document Scope

1. This policy outlines how The Write Time retains and archives data in compliance with:
 - UK GDPR and Data Protection Act 2018
 - Data (Use and Access) Act 2025 (DUAA)
 - Accrediting body requirements (JCQ, Pearson Edexcel, AIM Qualifications)
 - Commercial working relationships and legal obligations
2. For this policy, data will include all formats: paper, electronic media, and any other method used to store information.
3. The Write Time will commit to retaining all data records for a maximum of 7 years (for ESF-related contracts the retention period is 10 years after the final claim is paid by ESF), a shorter period for selected personal data provided may be appropriate to stay within the requirements of the Data Protection Act Principle 5(1)(e).

Legal Basis for Retention

Data is retained under the following lawful bases:

- Legal obligation (e.g. qualification records)
- Contractual necessity (e.g. employment records)
- Legitimate interest (e.g. audit trails)
- Consent (where applicable)

Retention must comply with Principle (e) of UK GDPR: "Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary..." (please see GDPR Policy).

The school conducts regular audits to ensure compliance with the storage limitation and data minimisation principles outlined in UK GDPR Article 5(1)(e). These practices align with guidance from the Information Commissioner's Office (ICO) and the UK Government's data protection framework.

Sensory data and Special category data

In accordance with UK GDPR Article 9 and the Data Protection Act 2018, The Write Time recognises that certain categories of personal data—such as health information, biometric data, and safeguarding records – are classified as *special category data*¹ and require enhanced protection. The retention of such data must be justified by both a lawful basis under Article 6 and a specific condition under Article 9, such as explicit consent, legal obligation, or substantial public interest.

Exceptions to the Prescribed Limit

Reasons for retention longer than 7 years: (i.e., exceptions to point 3 above)

¹ Includes: Racial or ethnic origin, Political opinions, Religious or philosophical beliefs, Trade union membership, Genetic data, Biometric data (used for identification), Health data, Sex life or sexual orientation.

- A threat of litigation / legal action, affected records will not be amended or disposed of until the threat is settled or removed
- Records maintained for retrospective comparison
- Records that relate to individuals or service providers are judged to be unsatisfactory. (This includes records of employees or volunteers who have been subject to serious disciplinary action)
- Records archived for research purposes
- The statute requires a longer period

Student records

As an independent SEN secondary school, The Write Time adheres to the principles of the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, which require that personal data be retained only for as long as necessary for its intended purpose. In line with guidance from the Department for Education (DfE) and the Information and Records Management Society (IRMS), student records—including personal identifiers, educational assessments, and safeguarding documentation—are retained until the pupil's 25th birthday and a minimum of 6 years after the student leaves the school.

The detail of education record to keep is outlined in The Education (Pupil Information) (England) Regulations 2005. The length of the retention period is detailed in section 2 of the Limitation Act 1980 and the SEND code of practice: 0 to 25 years. For further guidance refer to the government guidance website: Data protection in schools, Record keeping and management (<https://www.gov.uk/guidance/data-protection-in-schools/record-keeping-and-management>).

Examination records and certificates

Examination records and certificates (e.g. JCQ, Pearson, AIM, Arts Award, King's Trust) must be retained for at least 12 months if unclaimed, while issued certificates are the responsibility of the learner.

Other data retention requirements for examinations and qualifications are detailed in Appendix 1.

Safeguarding records

Records relating to safeguarding are retained until the student reaches the age of 25, or longer if required by statutory guidance.

Email records

The Write Time will retain all email audit trails and log records for a minimum of 3 years to a maximum of 7 years depending on sensitivity.

ICT Records

All log files and system records which are deemed necessary for retention by IT Services (log files, access files, etc.) will also be kept for a minimum of 3 years to a maximum of 7 years.

Human Resources (HR) Records

The Write Time retains HR records in accordance with the Data Protection Act 2018, UK GDPR, and relevant employment and tax legislation.

- Core employment records—including contracts, performance reviews, and disciplinary documentation—are retained for 6 years after the end of employment, in line with the Limitation Act 1980, which allows for legal claims to be brought within this period.
- Payroll and PAYE records are retained for 3 years from the end of the tax year, as required by HMRC.
- Pension records are retained for 6 years after the pension ceases.
- The Write Time retains recruitment and vetting records in accordance with the UK GDPR, Data Protection Act 2018, and guidance from the Disclosure and Barring Service (DBS) and the Information Commissioner's Office (ICO). DBS certificates must not be retained for longer than 6 months following the recruitment decision, unless required by a regulatory body. Basic certificate details (e.g. issue date, certificate number, decision outcome) may be retained for audit purposes, but not the certificate itself, in line with the DBS Data Retention Policy and Handling of Certificate Information Guidance.
- Recruitment records for unsuccessful applicants (e.g. CVs, application forms, interview notes) are retained for 6 to 12 months, in line with the data minimisation principle under UK GDPR and to allow for potential complaints or legal claims under the Equality Act 2010.
- For successful applicants, these documents may be transferred to the personnel file and retained for 6 years after employment ends, consistent with HR recordkeeping standards.

Data Storage

All data storage will comply with The Write Time IT Services (Geex): that in the initial stages, (6-18 months) data will be retained on hard magnetic storage or equivalent, before being copied onto alternative media for archival storage purposes. Cloud-based storage will also be used by Geex for secure backup purposes.

Printed Storage

All printed storage will be collated and retained as per the requirement up to a maximum of 7 years (subject to point 3) in nominated archival facilities provided by The Write Time.

Archiving Procedures

- Archiving is a project or programme specific and must have an owner attached.
- Finance Director will allocate a unique, archive number, location, shelf and box number for the request.
- The labels will need to be printed and attached to the box(s) on three sides.
- When this is completed the Finance Director will coordinate the actual moving of the boxes to the archive store.
- An email will be sent when the process is complete.

Destruction and Disposal

All data of a personal, confidential, or sensitive nature will be securely destroyed when no longer required or when the 7-year limit has been reached.

- Electronic data & backups will be erased in a way that cannot be recovered.
- Media storage devices, CDs, Magnetic storage, and portage storage devices will be physically destroyed to render items unusable and irretrievable
- Paper-based records/data will be mechanically shredded as a minimum if the content is in any way sensitive or confidential.

When Data is destroyed and disposed of a log will be kept of the individual or organisation completing the task.

Appendix 1

JCQ – General qualifications²

JCQ governs general qualifications like GCSEs and A-levels. Their retention guidance includes:

- **Unclaimed Certificates:** Must be retained for at least 12 months from the date of issue 1.
- **Access Arrangements and Special Consideration Documentation:** Retain for 3 years from the date of the exam series 1.
- **Malpractice Investigation Records:** Retain for at least 5 years or longer if legal action is pending.
- **Assessment Records** (e.g. internal assessments, marks, moderation): Retain until the deadline for post-results services has passed, typically until the end of the academic year.

AIM Qualifications³

AIM Qualifications is a vocational awarding body. Their retention guidance includes:

- **Learner Portfolios and Assessment Evidence:** Retain for **3 years** after certification to allow for audit and appeals
- **Certificates:** Unclaimed certificates should be retained for **at least 12 months**
- **Internal Verification and Standardisation Records:** Retain for **3 years** post-certification

Arts Award (Bronze, Silver) – Trinity College London⁴

Arts Award portfolios are learner-led and include creative evidence. Retention guidance includes:

- **Portfolios:** Must be retained for at least 3 years after moderation or certification and can be stored digitally or physically, but must be accessible for audit.
- **Moderator Reports and Assessment Records:** Retain for 3 years.
- **Certificates:** Unclaimed certificates should be retained for 12 months

King's Trust Qualifications⁵

King's Trust is a vocational awarding body. Their retention guidance includes:

- **Portfolios and Tracking sheets:** Retain all learners' work until after the unit results have been issued and any appeals have been completed or the deadline for submitting an appeal has passed.
- **Qualification and Assessment Records** (i.e. entries, units, assessment decisions, assessors, IQA records,): Retain for 3 years.

² Reference: JCQ Instructions for Conducting Examinations and Access Arrangements Booklet – jcq.org.uk

³ Reference: AIM Centre Guide to Quality Assurance 2024-2025 – aim-group.org.uk

⁴ Arts Award Toolkit and Assessment Model Guidance – artsaward.org.uk

⁵ Reference: King's Trust QSP03 Making Claims

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- **Certificates:** Unclaimed certificates should be retained for 12 months