

RETENTION AND DISPOSAL SCHEDULE

1. The following document outlines the retention and disposal requirements for data within the college.
2. It reflects the main functional areas off the college and identifies the person with lead responsibility for division of the data under each area. It should be noted that the lead person has the authority to delegate the completion of the task to a colleague however the lead person must be aware that failure to comply with the deletion requirements may leave the college in breach of the General Data Protection Regulations.
3. The college data protection officer should undertake a review and sample test across each area to ensure ongoing compliance annually.
4. Where a new document is introduced it is the responsibility off the lead person for that area to ensure that the document is added to the schedule.
5. General education guidelines around retention periods can be found at the following website - <https://www.jisc.ac.uk/guides/records-retention-management>

1. General Introduction

The Retention and Disposal Schedule provides information and guidance relative to the retention of paper and electronic documentation for Newbattle Abbey College.

It is anticipated that Newbattle Abbey College will move towards full electronic storage, possibly using document management systems in the future. In the interim, both paper and electronic storage arrangements will be required. Electronic storage is encouraged wherever possible to reduce the physical space required for storage of documents, and to aid locating documents should they be required. Wherever possible, paper documents should not be retained where they are also available electronically, except where a paper copy must be retained for statutory requirements, for example where signatures are required (e.g. in relation to European projects or for legal reasons).

The following schedules gives details of retention periods relevant to Newbattle Abbey College. It is intended that this schedule remains a working document and any errors or omissions should be notified to the Data Protection Officer (dpo@nac.ac.uk) who will arrange for the schedule to be updated.

2. Responsibility for Document Retention

It is the responsibility of all managers to ensure that documentation is stored effectively and efficiently. This Guide is intended to give an indication of requirements, and managers should interpret these to ensure compliance and efficiency within their areas of responsibility.

Managers should bear in mind the requirement to retain documentation and ensure it is easily identifiable and can be retrieved (whether in paper or electronic format) in the event it is needed. Managers should also be mindful of health and safety and available

space within workrooms, classrooms and storage areas. Documentation not required on a day-to-day basis should be stored in appropriate central spaces or electronically.

It is important that documentation is not duplicated. Therefore, the person named in the schedule as having the responsibility for retaining a document is the only person who should retain it. If there is uncertainty about whether this person holds a particular document, this should be checked with them prior to archiving or destroying a document. It is also important to avoid holding both electronic and paper documents in order to maximise storage space, both electronic and physical.

The Data Protection Officer is responsible for the updating and maintenance of this guide. Anyone requiring advice in relation to retention timescales or interpretation of the guide should seek guidance from the Data Protection Officer.

The Senior Administrator is responsible for ensuring that any documentation submitted for storage in the centralised locations is appropriately logged and stored, and that deadlines for destruction are monitored. The Senior Administrator will also ensure that any documentation destroyed from the centralised location is recorded.

3. Reasons for Retaining a Document

Only documents created or owned by Newbattle Abbey College should ordinarily be retained. Documents should not be retained unless there is a reason for doing so.

The document still has a use or business purpose

Where Newbattle Abbey College still has a use for a document, it should be retained until no longer of use. This will normally be obvious but, if in doubt, check with the originator of the document, or with the Data Protection Officer.

There is an applicable Statutory Minimum Retention Period

In some cases, there is a statutory specific minimum time period for retaining certain documents.

Where there is a special statutory minimum period, the document must be retained for at least this period. Some of the relevant statutory minimum retention period are set out below. Any other statutory minimum retention periods that are relevant to the document that Newbattle Abbey College holds must be provided to the Data Protection Officer.

The document is relevant to an outstanding claim or current litigation, arbitration, or investigation, or is subject to a specific legal destruction hold order

If a document is relevant to an outstanding or likely claim, arbitration or litigation, the document must be retained. Please contact the Data Protection Officer before destroying any document that may be subject to such action.

The document has evidential value for a possible claim, litigation, arbitration, or investigation

These prescriptive periods (the time limits within which a legal action must be brought) are relevant. Legal actions raised against Newbattle Abbey College are a possibility. Therefore, the reviewer should consider whether any document could be used to support or oppose a position in an investigation, arbitration, or litigation. If so, the document should be retained until that possibility has expired. Advice on prescriptive periods can be sought from the Data Protection Officer.

The document could be relevant in an audit

In some cases, external bodies have the right to audit the actions and decisions of Newbattle Abbey College. For example, SFC has a right to audit use of funds provided by it up to three years after the funds were provided.

When a document is or might be required for an audit, it must be retained until the audit right has expired. Where audits are likely to take place and records are required to be retained for longer periods, this should be notified to the Data Protection Officer.

The document is a management document, or a policy or procedure, or standard terms and conditions (e.g. staff handbook, disciplinary procedures)

All high-level management documents evidencing decisions, and one copy of each version (together with the dates it was in use) of all policies and procedures, should be retained. Authorisation prior to destruction should be sought from the Data Protection Officer.

4. Final Review

If conditions noted in 3 above do not apply, and there is no reason to retain a document, it should be destroyed under the provisions of this schedule. Where there is any doubt about the destruction of a document, advice should be sought from an appropriate manager or the Data Protection Officer.

5. Freedom of Information (Scotland) Act 2002

Under the Freedom of Information (Scotland) Act 2002, Scottish Ministers have issued a code of practice providing guidance to Scottish public authorities as to the practice which it would be desirable for the authorities to follow in connection with the keeping, management and destruction of records. Although not mandatory, following this code would provide a strong defence in the case of complaints.

Under the Freedom of Information (Scotland) Act 2002, members of the public are entitled to request copies of recorded information held by a public authority (requests for information). The time limit for responding to a request for information is 20 working days from receipt of the request.

6. Data Protection Legislation

Newbattle Abbey College is a registered Data Controller and must comply with the Data Protection Act 2018 and the General Data Protection Regulations. Individuals have the right to request a copy of any information held about them. In general, they are entitled to receive a copy of the information held about them as at the date of receipt by Newbattle Abbey College of the request for information (Subject Access Request).

However, the information that Newbattle Abbey College provides in response to a Subject Access Request may take account of any amendment or deletion that would have been made regardless of the receipt of the request. Therefore, outstanding Subject Access Requests that have not yet been proceeded do not require to be taken into account before making a decision to destroy a document, provided that the decision to destroy is not based in any way on this Subject Access Request. The time limit for responding to Subject Access Requests is one month from the receipt of a valid request.

Personal Data (which means any data from which or through which a living individual can be identified) must be accurate and may only be retained if the data is strictly necessary for a specified purpose. The review of files containing Personal Data must take account of these provisions and the destruction of irrelevant and out of date Personal Data is a legal requirement.

7. Destruction of Documents

Under the Freedom of Information (Scotland) Act 2002, a permanent record must be kept of the destruction of all of documents listed below.

Paper Documents

The manager responsible for retaining the record should approve the destruction of the document. Approval should also be sought from the Data Protection Officer to ensure no potential litigation claims or other actions are outstanding.

The Senior Administrator will be responsible for maintaining this record where documentation is stored centrally and appropriate for destruction. Managers will be responsible for maintaining this record where documentation is stored locally.

Electronic Documents

There is no central list of electronic documents held or due for destruction. Managers are responsible for retaining records of where electronic documentation is held in their areas and when documentation is destroyed. It is essential that we hold these records to demonstrate that the College is acting in accordance with this guide and with the law. It is anticipated that if Document Management Systems are introduced in the future, recording of documents and their destruction may potentially be automated.

8. Records Prior to the implementation of this schedule

It is accepted that, as this schedule was introduced in September 2020, records prior to this date may already have been destroyed, or may not be in place. Should any requests for information or difficulties arise, advice should be sought from the Data Protection Officer.

This schedule should be read in conjunction with other relevant College policies, procedures and guidance documents, whether specifically listed above or subsequently published or amended.

The College reserves the right to update, introduce, or revise policies and procedures from time to time.

Compliance with the most current versions of applicable policies and procedures, as published, is expected.

Title:	Retention and Disposal Schedule
Lead Officer:	DPO/Senior Administrator
Date last reviewed	July 2024
Next Review date:	July 2027
Approved By:	Board
Date first approved:	July 2024

HUMAN RESOURCES

Data / Document Type	Recommended Retention period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Offer letter	6 years after leaving	Director of Operations
Contract of Employment	6 years plus current year after leaving	Director of Operations
Job Application Form	12 months after application period closed	Director of Operations
Employee Reference	12 months after applicant appointed	Director of Operations
Employee Name	6 years after leaving	Director of Operations
Address	6 years after leaving	Director of Operations
Emergency Contact details	Immediately after employee leaves	Director of Operations
National Insurance Number	6 years after leaving	Director of Operations
DOB	6 years after leaving	Director of Operations
Occupational Health Form	6 years after leaving	Director of Operations
P45	6 years plus current year after leaving	Director of Operations
P46	6 years plus current year after leaving	Director of Operations
Copy of Birth Certificate	Delete after Disclosure checks returned	Director of Operations
Copy of Passport	Delete after Disclosure checks returned	Director of Operations
Copy of Driving Licence	Delete after Disclosure checks returned	Director of Operations
Probationary Review	6 years after leaving	Director of Operations
Appraisal	6 years after leaving	Director of Operations

Data / Document Type	Recommended Retention period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Disciplinary Hearing Notes	Delete after expiry of warning or if no action on completion of disciplinary / performance matter	Director of Operations
Disclosure Scotland Record Sheet	6 years after leaving	Director of Operations
Fitness for work notes Special category data (health)	6 years after leaving	Director of Operations
Letter confirming promotion	6 years after leaving	Director of Operations
Letter of resignation	6 years after leaving	Director of Operations
Confirmation of resignation	6 years after leaving	Director of Operations
Service Level Agreement	6 years plus current year after end of agreement	Director of Operations
Absence Data	6 years after leaving	Director of Operations
P60	6 years after leaving	Director of Operations
Payslip (Manual)	6 years after leaving	Director of Operations
Earnings arrestment	6 years after leaving	Director of Operations
Mat b1	6 years after leaving	Director of Operations
New staff login	delete notification when action completed	Director of Operations
Existing staff leaving	within 1 month of termination	Director of Operations

FINANCE

Data Type	Recommended Retention period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Credit card receipts	7 years	Director of Operations
Supplier contact details	7 years	Director of Operations
Supplier bank details	7 years	Director of Operations
Customer contact details	7 years	Director of Operations
Customer bank details	7 years	Director of Operations

Data Type	Recommended Retention period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
BACS payment	7 years	Director of Operations
Purchase Invoices	7 years	Director of Operations

PAYROLL

Data Type	Recommended Retention period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Staff personal details	7 years	Director of Operations
Staff contact details	7 years	Director of Operations
Staff bank details	7 years	Director of Operations
Staff employment details	7 years	Director of Operations
Staff absence details	7 years	Director of Operations
Staff payment records and payslips	7 years	Director of Operations

PENSIONS

Data Type	Recommended Retention period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
opt out form	3 years	Director of Operations
Re enrolment form	3 years	Director of Operations
Correspondence on behalf of pension Provider	4 years	Director of Operations

MARKETING

Data Type	Recommended Retention Period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion

Enquires from member of the public	4 months from date of receipt or within 2 months of completion of event	Business Development Manager
Monthly report of enquiries	2 years	Business Development Manager
Booking form	2 years	Business Development Manager
Members of public email details (click and tick)	Review every 6 years	Business Development Manager
Mailchimp for newsletter distribution (email) quarterly newsletter	Person can unsubscribe at any time	Business Development Manager
Personal details for ad hoc curriculum events e.g. Gaelic	Delete when event completed	Business Development Manager

BUSINESS PARK

Data Type	Recommended Retention Period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Tenant Details	12 months from end of tenancy	Director of Operations

STUDENT DATA

Data Type	Recommended Retention Period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Course Application	3 years	Senior Administrator
Interview Documentation	3 years	Senior Administrator
Enrolment	3 years	Senior Administrator
Bursary Application	4 years	Senior Administrator
Student Disciplinary Record	3 years	Senior Administrator
Registers of attendance	12 months on completion of all Newbattle courses.	Senior Administrator
Student Record	4 years	Senior Administrator

Support for Learning details i.e. Personal Learning Support Plans	3 years	Curriculum Manager
Candidate results from SQA	ongoing annually	Senior Administrator
Learner at Work Assessment	3 years	Curriculum Manager
Personal details for Board and accommodation	7 years	Senior Administrator
New students	3 years	Senior Administrator
Students withdrawn	delete within 1 month of leaving	Senior Administrator
Students leaving	Delete within 1 month of course completion	Senior Administrator
Turn it In - Student data	Delete within 3 months of course completion	Senior Administrator
New student photo	Delete within 1 month of course completion	Senior Administrator
Guidance records (to enable reference completion)	Delete within 2 years of course completion	Senior Administrator

MISCELLANEOUS

Document Type	Recommended Retention Period (data must be destroyed at end of retention period)	Lead Responsibility for Data Deletion
Register of interests for Board	up to including date of leaving Board	Senior Administrator
List of Board members details	up to including date of leaving Board	Senior Administrator
CCTv images	20 days then automatic deletion	Estates & Facilities Manager
Non residential Student Details for fobs issued	2 years from completion of course	Estates & Facilities Manager