Records Retention Schedule

******

***Greystones Community National School***

Retention of Records

Schools and ETBs as *data controllers* must be clear about the length of time for which personal data will be kept and the reasons why the information is being retained. In determining appropriate retention periods, regard must be had for any statutory obligations imposed on a data controller. If the purpose for which the information was obtained has ceased and the personal information is no longer required, the data must be deleted or disposed of in a secure manner. It may also be anonymised to remove any personal data. Anonymisation must be irrevocable; removing names and addresses may not necessarily be sufficient.

In order to comply with this legal requirement, *schools/ETB’s* has assigned specific responsibility and introduced procedures for ensuring that files are purged regularly and securely and that personal data is not retained any longer than is necessary.   All records will be periodically reviewed in light of experience and any legal or other relevant indications.

**IMPORTANT**: In all cases, schools should be aware that where proceedings have been initiated, are in progress, or are reasonably foreseeable (although have not yet been taken against the school/board of management/an officer or employee of the school (which may include a volunteer)), all records relating to the individuals and incidents concerned should be preserved and should under no circumstances be deleted, destroyed or purged. The records may be of great assistance to the school in defending claims made in later years.

**WARNING**: In general, the limitation period does not begin to run until the person concerned acquires knowledge of the facts giving rise to the claim and the Statue of Limitations may be different in every case. In all cases where reference is made to “18 years” being the date upon which the relevant period set out in the Statute of Limitations commences for the purposes of litigation, the school must be aware that in some situations (such as the case of a student with special educational needs, or where the claim relates to child sexual abuse, or where the student has not become aware of the damage which they have suffered, and in some other circumstances), the Statute of Limitations **may not begin to run when the student reaches 18 years of age and specific legal advice should be sought by schools on a case-by-case basis.** In all cases where retention periods have been recommended with reference to the relevant statutory period in which an individual can make a claim, these time-frames may not apply where there has been misrepresentation, deception or fraud on the part of the respondent/defendant. In such a circumstance, the school/ETB should be aware that the claim could arise many years after the incident complained of and the courts/tribunals/employment fora may not consider the complainant to be “out of time” to make their claim.

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

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Records relating to pupils/students** | Primary | Vol.Sec | C&C | ETB | **Confidential shredding** | **Comments**  |
| **Enrolment Forms** | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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) | If a form is used- Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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  | Never destroy  | Never destroy | 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  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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  | Never destroy  | Never destroy  | Never destroy  | N/A | Never destroy  |
| Scholarship applications e.g. Gaeltacht, book rental scheme  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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** | N/A **as primary schools pupils will not be undergoing vetting** | Record of outcome retained for 12 months.  | Record of outcome retained for 12 months.  | 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 Siochana in the future.  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Sensitive Personal Data Students** | **Primary** | **Vol Sec.** | **C&C** | **ETB** | **Final disposition** | **Comments** |
| Psychological assessments | Indefinitely | Indefinitely | Indefinitely | Indefinitely | N/A - Never destroy | Never destroy |
| Special Education Needs’ files, reviews, correspondence and Individual Education Plans | Indefinitely | Indefinitely | Indefinitely | Indefinitely | N/A | Never destroy |
| Accident reports | Indefinitely | Indefinitely | Indefinitely | Indefinitely | N/A | Never destroy |
| Child protection records | Indefinitely | Indefinitely | Indefinitely | Indefinitely | N/A | Never destroy |
| Section 29 appeal records | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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  | Student reaching 18 years + 7 years  | Student reaching 18 years + 7 years  | 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.  | Depends entirely on the nature of the complaint.  | Depends entirely on the nature of the complaint.  | 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) |

| **Staff Records** | **Primary** | **Vol Sec.** | **C&C** | **ETB** | **Final disposition** | **Comments** |
| --- | --- | --- | --- | --- | --- | --- |
| **Recruitment process**Note: these suggested retention periods apply to unsuccessful candidates only. They do NOT apply to successful candidates, or candidates who are/were also employees already within your school applying for another post/position. For successful candidates, or candidates who are/were also employees already within your school applying for another post/position, see retention periodsset out below. | **✓** | **✓** | **✓** | **✓****Note:** Recruitment and employment records are held at ETB Head Office in the HR and Finance Depts**.** | Confidential shredding  | 18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken. |
| 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal 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 Equality Tribunal to inform the school that a claim is being taken.  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Staff personnel files (whilst in employment)**  | **Primary** | **Vol.Sec** | **C&C** | **ETB** | **Final Disposition**  | **Comments**  |
| e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.  |  |  |  | Note: records & personnel files retained at ETB head office level | 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) |
| Qualifications |  |  |  |  | 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) |
| References |  |  |  |  | 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 |  |  |  | Records & personnel files retained at ETB head office level | 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 share |  |  |  |  | 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) |
| Career Break |  |  |  |  | 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) |
| Maternity 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) |
| Paternity leave |  |  |  |  | Confidential shredding | Retain for 2 years following retirement/resignation or the 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) (whichever is the greater).  |
| Parental leave |  |  |  |  | Confidential shredding | Must be kept for 8 years - Parental Leave Act 1998Retain for 8 years or the 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) (whichever is the greater). There is a statutory requirement to retain for 8 years. |
| Force Majeure leave |  |  |  |  | Confidential shredding | Retain for 8 years or the 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) (whichever is the greater). There is a statutory requirement to retain for 8 years. |
| Carers leave |  |  |  |  | Confidential shredding | Must be kept for 8 years - Carer's Leave Act 2001Retain for 8 years or the 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) (whichever is the greater). There is a statutory requirement to retain for 8 years |
| Working Time Act (attendance hours, holidays, breaks) |  |  |  |  | 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). There is a statutory requirement to retain for 3 years |
| Allegations/complaints |  |  |  |  | ETB one doesn’t have a time period advised | Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).  **Please 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 |  |  |  |  |  | Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).  **Please 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.  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Occupational Health Records** | Primary | Vol Sec.  | C&C | ETB | **Confidential Shredding** | **Comments** |
| Sickness absence records/certificates  |  |  |  | Retain on staff personnel file at ETB HO | Confidential shreddingOr do not destroy.  | 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 |  |  |  |  | Confidential shreddingOr do not destroy? | 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. |
| Occupational health referral |  |  |  |  | Confidential shredding Or Do not destroy.  | 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. |
| Correspondence re retirement on ill-health grounds |  |  |  |  | Confidential shreddingOr Do not destroy.  | 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 | 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). |
| Medical assessments or referrals |  |  |  |  | Confidential shreddingOrDo not destroy.  | 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 Medmark assessment 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) |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Superannuation /Pension /Retirement records** | **Primary**  | **Vol Sec.** | **C&C** | **ETB** | **Final Disposition** | **Comments** |
| Records of previous service (incl. correspondence with previous employers) |  |  |  | Superannuation records are held at ETB head office in the HR and Finance Depts. | N/A | DES advise that these should be kept indefinitely.  |
| Pension calculation |  |  |  |  | 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)  |
| Pension increases (notification to Co. Co.) |  |  |  |  | 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)  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Government returns** | **Primary** | **Vol Sec.** | **C&C** | **ETB** | **Final disposition** | **Comments** |
| Any returns which identify individual staff/pupils,  |  |  |  | Submitted online to DES. Printout retained by ETB HO | 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** | **Primary** | **Vol Sec.** | **C&C** | **ETB** | **Final disposition** | **Comments** |
| Board agenda and minutes |  |  |  | Sent to ETB for approval | 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** | **Primary** | **Vol Sec.** | **C&C** | **ETB** | **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 |  |  |  | Submitted to ETB HO | 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”.  |
| **Financial Records** | **Primary** | **Vol Sec.** | **C&C** | **ETB** | **Final disposition** | **Comments** |
| Audited Accounts  |  |  |  | Retained ETB head office | n/a | Indefinitely  |
| Payroll and taxation |  |  |  | Retained ETB head office |  | Revenue Commissioners require that records be kept for at least six years after the end of the tax year. Records must be made available for inspection by authorised officers of the Revenue Commissioners or of the Dept. of Social Protection. Note: The DES requires of schools that “pay, taxation and related school personnel service records should be retained **indefinitely** within the school. These records can be kept either on a manual or computer system. |
| Invoices/back-up records/receipts |  |  |  |  |  | Retain for 7 years |

| **Promotion process** | Primary  | Vol Sec. | C&C | ETBEmployment records are held at ETB head office in the HR and Finance Depts. | **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.  |