



## RETENTION PERIODS FOR RECORDS

We recognise that by efficiently managing our records, we will be able to comply with legal and regulatory obligations and to contribute to the effective overall management of the nursery. Records provide evidence for protecting the legal rights and interests of the nursery, and provide evidence for demonstrating performance and accountability.

This policy applies to all records created, received or maintained by staff of the nursery in the course of carrying out our functions.

Records are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or received, and then stored, in hard copy or electronically.

We have a responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the owner of the nursery.

The person responsible for records management in the school will give guidance about good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely way. They will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed appropriately.

Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the nurseries records management guidelines.

The following is a list of required and recommended retention records for records which the nursery will follow.

### **CHILDRENS RECORDS**

#### **Children's records - including registers, medication record books and accident record books pertaining to the children**

Requirement - Records should be retained for a reasonable period of time (for example 3 years) after children have left the provision (*Early Years Foundation Stage Welfare Requirements (given legal force by Childcare Act 2006)*)

Recommendation - Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records (*Limitation Act 1980/The Statute of Limitations (Amendment) Act 1991. 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**

Requirement - 3 years after the date on which it happened (*The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163)*)

### **PERSONNEL RECORDS**

#### **Personnel files and training records (including disciplinary records and working time records)**

Recommendation - 6 years after employment ceases (*Chartered Institute of Personnel*)

#### **Application forms and interview notes (for unsuccessful candidates)**

Recommendation - 6 months to 1 year (*Chartered Institute of Personnel*)

#### **DBS Check/Disclosure information**

Requirement - Until the date of Ofsted inspection (*Criminal Record Bureau Organisations that are subject to Ofsted inspections are entitled to retain Disclosure certificates until the date of inspection, after which only the following basic information may be retained and the Disclosures should be securely destroyed in line with the DBS Code of Practice: the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure, the details of the recruitment decision taken*)

#### **Wage/salary records (including overtime, bonuses and expenses)**

Requirement- 6 years (*Taxes Management Act 1970*)

#### **Statutory Maternity Pay (SMP) records**

Requirement - 3 years after the end of the tax year in which the maternity period ends (*The Statutory Maternity Pay (General) Regulations 1986*)

#### **Statutory Sick Pay (SSP) records**

Requirement - 3 years after the end of the tax year to which they relate (*The Statutory Sick Pay (General) Regulations 1982*)

#### **Income tax and National Insurance returns/records**

Requirement - 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**

Recommendation - 6 years from the date of redundancy (*Chartered Institute of Personnel*)

### **HEALTH AND SAFETY RECORDS**

#### **Staff accident records (for organisations with 10 or more employees)**

Requirement - 3 years after the date of the last entry (there are separate rules for the recording of accidents involving hazardous substances) (*Social Security (Claims and Payments) Regulations 1979 (SI 1979/628)*)

#### **Records of any reportable death, injury, disease or dangerous occurrence**

Requirement - 3 years after the date on which it happened (*The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163)*)

#### **Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)1999**

Requirement - 40 years from the date of the last entry (*The Control of Substances Hazardous to Health Regulations 1999 (COSHH) (SI 1999/437)*)

#### **Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees**

Recommendation - Permanently (*Chartered Institute of Personnel*)

### **FINANCIAL RECORDS**

#### **Accounting records**

Requirement - 3 years for private companies, 6 years for public limited companies 6 years for charities(*Section 221 of the Companies Act 1985 Charities Act 1993*)

More detailed information on retention of financial records is provided in *Finance in Early Years Settings*(Ref: A078) Pre-school Learning Alliance

### **ADMINISTRATION RECORDS**

#### **Complaints record book**

Requirement - At least 3 years from the date of the last record (*Early Years Foundation Stage Welfare Requirements (given legal force by Childcare Act 2006)*)

#### **Insurance liability documents**

Requirement - 40 years from date of issue (*The Employers' Liability (Compulsory Insurance) Regulations 1998*)

#### **Minutes/minute books**

Recommendation - Permanently (*Chartered Institute of Personnel*)

Reviewed by:

Date: