



ACE Schools Multi Academy Trust

# Records Retention Schedule

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## 1. Introduction

This Record retention schedule accompanies and is incorporated into ACE Schools MAT's record management policy. It sets out the time periods that different types of Business Records (as defined in the Record management policy) must be retained for business and legal purposes. This is a lengthy document listing the many types of records used by ACE Schools MAT and the applicable retention periods for each record type.

The retention periods are based on business needs and legal requirements. If you maintain any types of records that are not listed in this schedule, and it is not clear from the existing record types in this Schedule what retention period should apply, please contact *DPO* for guidance.

Any deviations from the retention periods in this Schedule must be approved in advance by the *DPO*.

## 2. Company Records

Record	Recommended retention period	Storage format	Reference
Certificate of incorporation	Indefinitely	Paper/electronic	<u>Companies Act 2006, s 15 (CA 2006)</u>
New certificate of incorporation to reflect change of company name	Indefinitely	Paper/electronic	<u>CA 2006, s 80</u>
Memorandum & articles of association (signed original)	Indefinitely	Paper/electronic	<u>CA 2006, ss 8 and 18</u>
Trading certificate	Indefinitely	Paper/electronic	<u>CA 2006, s 761</u>
Accounting records	3 years from the date on which the record was made (private companies)	Paper/electronic	<u>CA 2006, ss 386 and 388</u>

Record	Recommended retention period	Storage format	Reference
	6 years from the date on which the record was made (public companies)		
Records of all proceedings at directors' meetings, including: —board minutes —minute books —written resolutions of the board —register of sealed documents	10 years from the date of the meeting	Paper/electronic	<u>CA 2006, s 248</u>
Minutes of all proceedings of general meetings	10 years from the date of the meeting	Paper/electronic	<u>CA 2006, s 355</u>
Copies of all members' resolutions passed outside general meetings	10 years from the date of the resolution	Paper/electronic	<u>CA 2006, s 355</u>
All decisions made by a sole member	10 years from the date of the decision	Paper/electronic	<u>CA 2006, ss 355 and 357</u>
Reports and accounts required by HMRC	6 years	Paper/electronic	<u>Value Added Tax Act 1994 (VATA 1994), Sch 11 s 6(3)</u>
Register of directors and their residential addresses	Indefinitely for the register itself	Paper/electronic	<u>CA 2006, s 162</u>
Directors' service contracts and any variations	1 year from termination or expiry of the contract	Paper/electronic	<u>CA 2006, ss 227 and 228</u>

Record	Recommended retention period	Storage format	Reference
Register of directors' interests in shares and debentures	Indefinitely	Paper/electronic	No requirement by <u>CA 2006</u> to maintain a register of directors' interests
Register of secretaries	Indefinitely for the register itself	Paper/electronic	<u>CA 2006, s 275</u>
Register of disclosed interests	Indefinitely for the register itself  An old entry may be removed from the register if more than six years have elapsed since the entry was made  A third party may apply for an entry relating to them to be removed from the register, if it is incorrect	Paper/electronic	<u>CA 2006, ss 793, 808, 816 and 817</u>
Register of members	Indefinitely for the register itself  Former members may be removed from the register after 10 years from the date their membership ceases	Paper/electronic	<u>CA 2006, ss 113 and 121</u>
Contracts for the purchase by a company of its own shares, or if the contract is not in writing, a written memorandum setting out its terms	10 years from:  —the date on which the purchase of all the shares in pursuance of the contract is completed, or	Paper	<u>CA 2006, s 702</u>

Record	Recommended retention period	Storage format	Reference
	—the date on which the contract otherwise determines		
Register of debenture or loan stock holders	Indefinitely for the register itself  There is a 10 year limit on claims arising from the making or deletion or a failure to make or delete any entry in the register	Paper/electronic	<u>CA 2006, s 748</u>
Results of a poll required to be made available on a website	2 years after publication on the website	Paper/electronic	<u>CA 2006, ss 341 and 353</u>
Report of an independent poll assessor required to be made available on a website	2 years after publication on the website	Paper/electronic	<u>CA 2006, s 351 and 353</u>

### 3. Employment Records

#### Personnel Records

Record	Recommended retention period	Storage format	Reference
<p>Rejected job applicant records, including:</p> <ul style="list-style-type: none"> <li>—application letters/forms</li> <li>—CVs</li> <li>—references</li> <li>—certificates of good conduct</li> <li>—interview notes</li> <li>—assessment and psychological test results</li> </ul>	<p>6 months after applicant is notified of rejection in case of Employment Tribunal Claims.</p> <p>If the CV is to be kept for future reference for employment purposes, then this will be with the consent of the candidate.</p>	<p>Paper/electronic</p>	<p><a href="#">ICO Employment Practices Code para 1.7</a></p> <p><a href="#">Equality Act 2010, s 123</a></p>
<p>Application records of successful candidates, including:</p> <ul style="list-style-type: none"> <li>—employment application forms of successful applicants</li> <li>—copies of academic and other training received</li> <li>—references</li> <li>—correspondence concerning employment</li> <li>—CVs</li> </ul>	<p>6 years after employment ceases</p>	<p>Paper/electronic</p>	<p><a href="#">Limitation Act 1980 (LA 1980), s 5</a></p>

Record	Recommended retention period	Storage format	Reference
<ul style="list-style-type: none"> <li>—interview notes and evaluation forms</li> <li>—assessment and psychological test papers and results</li> </ul>			
<p>Employment contracts, including:</p> <ul style="list-style-type: none"> <li>—personnel and training records</li> <li>—written particulars of employment</li> <li>—changes to terms and conditions</li> </ul>	6 years after employment ceases	Paper/electronic	<a href="#">LA 1980, s 5</a>
Copies of identification documents (eg passports)	6 years after employment ceases	Paper/electronic	<a href="#">LA 1980, s 5</a>
Identification documents of foreign nationals (including right to work)	2 years from the date of termination of employment	Paper/electronic	Immigration Restrictions on Employment) Order <a href="#">SI 2007/3290, Art 6(1)(b)</a>
Records concerning a temporary worker	6 years after employment ceases	Paper/electronic	<a href="#">LA 1980, s 5</a>
<p>Employee performance records, including:</p> <ul style="list-style-type: none"> <li>—probation reviews</li> <li>—review meeting and assessment interviews</li> </ul>	6 years after employment ceases	Paper/electronic	<a href="#">LA 1980, s 5</a>



Record	Recommended retention period	Storage format	Reference
<ul style="list-style-type: none"> <li>—appraisals and evaluations</li> <li>—promotions and demotions</li> </ul>			
<p>Records relating to and/or showing compliance with Working Time Regulations 1998 including:</p> <ul style="list-style-type: none"> <li>—registration of work and rest periods</li> <li>—working time opt-out forms</li> </ul>	2 years from the date on which the record was made	Paper/electronic	Working Time Regulations 1998, <a href="#">SI 1998/1833, reg 9</a>
Redundancy records	6 years from date of redundancy	Paper/electronic	<a href="#">LA 1980, s 5</a>
Annual leave records	6 years after the end of each tax year	Paper/electronic	<a href="#">LA 1980, s 5</a>
Parental leave records	6 years after the end of each tax year	Paper/electronic	<a href="#">LA 1980, s 5</a>
Sickness records	6 years after the end of each tax year	Paper/electronic	<a href="#">LA 1980, s 5</a>
Records of return to work meetings following sickness, maternity etc	6 years after the end of each tax year	Paper/electronic	<a href="#">LA 1980, s 5</a>

#### 4. Payroll and Salary Records

Record	Recommended retention period	Storage format	Reference
Records for the purposes of tax returns including wage/salary records, records of overtime, bonuses and expenses	6 years	Paper/electronic	Taxes Management Act, 1970 s 12B <a href="#">Finance Act 1998, Schedule 18, para 21</a>
PAYE records, including: —wage sheets —deductions working sheets —calculations of the PAYE income of employees and relevant payments	3 years	Paper/electronic	Income Tax (Pay As You Earn) Regulations 2003, <a href="#">SI 2003/2682, reg 97</a>
Income tax and NI returns, income tax records and correspondence with HMRC	3 years after the end of the financial year to which they relate	Paper/electronic	Income Tax (Employments) Regulations 1993, <a href="#">SI 1993/744, reg 55</a>
Records demonstrating compliance with national minimum wage requirements	3 years beginning with the day upon which the pay reference period immediately following that to which they relate ends	Paper/electronic	National Minimum Wage Regulations 2015, <a href="#">SI 2015/621, reg 59</a>
Details of benefits in kind, income tax records (P45, P60, P58, P48 etc), annual	6 years (but general time limit under the <a href="#">TMA 1970</a> is	Paper/electronic	<a href="#">Taxes Management Act 1970</a>

Record	Recommended retention period	Storage format	Reference
return of taxable pay and tax paid	reducing to 4 years from 1 April 2012)		
Employee income tax and national insurance returns and associated HMRC correspondence	3 years from end of tax year to which they relate	Paper/electronic	Income Tax (Pay as You Earn) Regulations 2003, <a href="#">SI 2003/2682, reg 97</a>
Statutory sick pay (SSP) records	3 years after the end of the tax year to which they relate	Paper/electronic	The requirement to maintain SSP records for three years after the end of the tax year to which they relate was revoked in 2014, but an employer may still be required by HMRC to produce such records as are in his possession or power which contain, or may contain, information relevant to satisfy HMRC that statutory sick pay has been and is being paid.  The Statutory Sick Pay (General) Regulations 1982, <a href="#">SI 1982/894, reg 13(A)</a>
Wage/salary records (including overtime, bonuses and expenses)	6 years	Paper/electronic	<a href="#">Taxes Management Act 1970, s 43</a>
Records relating to hours worked and	3 years	Paper/electronic	National Wage Act 1998, s 9

Record	Recommended retention period	Storage format	Reference
payments made to workers			The National Wage Regulations 1999, reg 38
Statutory maternity pay records, calculations, certificates or other medical evidence	3 years after the end of the tax year in which the maternity period ends	Paper/electronic	Statutory Maternity Pay (General) Regulations 1986, <a href="#">SI 1986/1960, reg 26</a>

## 5. Health and Safety Records

Record	Recommended retention period	Storage format	Reference
Records of reportable injuries, diseases or dangerous occurrences —reportable incidents —reportable diagnoses —injury arising out of accident at work (including The Canada-UK Foundation's accident book)	3 years from date of the entry	Paper/electronic	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013), <a href="#">SI 2013/1471, reg 12</a>
Lists/register of employees who have been exposed to asbestos dust,	40 years from the date of the last entry made in the record	Paper/electronic	Control of Asbestos Regulations 2012, <a href="#">SI 2012/63, reg 22(1)</a>

Record	Recommended retention period	Storage format	Reference
including health records of each employee			
Medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry made in the record	Paper/electronic	The Control of Lead at Work Regulations 2002 (CLAW 2002), <a href="#">SI 2002/2676, reg 10</a>
Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry made in the record	Paper/electronic	The Control of Substances Hazardous to Health Regulations 2002 (COSHH 2002), <a href="#">SI 2002/2677, reg 11</a>
Records of monitoring of exposures to hazardous substances (where exposure monitoring is required under COSHH)	Where the record is representative of the personal exposures of identifiable employee—40 years from the date of the last entry made in the record  Otherwise, 5 years from the date of the last entry made in the record	Paper/electronic	COSHH 2002, reg 10(5)
Records of tests and examinations of control systems and protective equipment under COSHH	5 years from the date on which the record was made	Paper/electronic	COSHH 2002, reg 9
Medical records under the Ionising Radiations Regulations 1999	Until the person to whom the record relates reaches or would have reached 75 years of age, but	Paper/electronic	Ionising Radiations Regulations 1999, <a href="#">SI 1999/3232, reg 24</a>

Record	Recommended retention period	Storage format	Reference
	in any event for at least 50 years from the date of last entry		

## 6. Anti-Money-Laundering and Counter-Terrorist Financing Records

Record	Recommended retention period	Storage format	Reference
Records, documents or information relating to an occasional transaction	5 years from the date you know or have reasonable grounds to suspect the transaction is complete	Paper/electronic	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017), <a href="#">SI 2017/692, reg 40(1)-40(4)</a> and <a href="#">40(6)</a>
Records, documents or information relating to: —any transaction occurring as part of a business relationship, or —CDD measures taken in connection with that relationship	5 years from the date you know or have reasonable grounds to suspect the business relationship has come to an end  Subject to a long-stop retention period of 10 years for records relating to each individual transaction	Paper/electronic	MLR 2017, reg 40(1)-40(4) and 40(6)
A copy of any documents and information obtained to satisfy CDD	Five years from the date on which you are relied on	Paper/electronic	MLR 2017, reg 40(1)-40(4) and 40(6)

Record	Recommended retention period	Storage format	Reference
requirements, when your CDD is relied on by another relevant person			

## 7. Staff Emails and Documents

Record	Recommended retention period	Storage format	Responsibility
Staff emails that do not relate to any of the named retention categories mentioned in this policy.	One month from leaving date before deletion of all material	Electronic	HR to ensure leavers understand, IT Department to delete one month after leaving
Staff document files within profile areas that do not relate to any of the named retention categories mentioned in this policy.	One month from leaving date before deletion of all material	Electronic	HR to ensure leavers understand. Line manager to ensure documents to be retained are saved in other folders. IT Department to delete one month after leaving
Curriculum Department folders and documents that do not relate to any of the named retention categories mentioned in this policy.	Older archived documents should be reviewed	Electronic	Curriculum leads to ensure the department reviews files and folders at least annually and deletes un-needed data

Record	Recommended retention period	Storage format	Responsibility
Administration and Finance folders and documents that do not relate to any of the named retention categories mentioned in this policy.	Older archived documents should be reviewed	Electronic	Admin managers reviews files and folders at least annually and deletes un-needed data