

## **BI-NUR-012 NURSERY DATA STORAGE AND RETENTION PERIODS POLICY**

### Document reference

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### Version control

Date	Version	Status	Summary of Changes
23 February 2023	1.0	Active	Initial Version

### Document approval

Define the approval authorities for the document

Document version	Document approved by	Position	Date
1.0	Nursery Management Committee		23 February 2023

### Distribution

Date of issue	Version		
23 February 2023			
This policy should be assigned to the following groups; Please tick one box for each group.			
Group Name	Mandatory	Group Name	Mandatory
All Users	<input type="checkbox"/>	Heads of Department	<input type="checkbox"/>
Trustees	<input type="checkbox"/>	BCE Staff	<input type="checkbox"/>
Researcher (Wet)	<input type="checkbox"/>	Nursery	<input checked="" type="checkbox"/>
Researcher (Dry)	<input type="checkbox"/>	Visitors	<input type="checkbox"/>
BSU Staff	<input type="checkbox"/>	Credit Card Users	<input type="checkbox"/>
BSU Users	<input type="checkbox"/>	Ionising Radiation Users	<input type="checkbox"/>
Notes:			

Associated policies, procedures and guidance
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This policy should be read in conjunction with:
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## 1. Retention Period Chart

- 1.1. Please note this policy is a sub-section of the Babraham Institute’s Data Retention Policy. For more information, please refer to the BI Policy.

Record	Retention period	Statutory Authority/Non Statutory recommendation
Accounting records	6 years for public limited companies and charities this should include the current year of trading.	Statutory requirement Section 221 Companies Act 1985  Statutory requirement Charities Act 1993 (amended 2006)
Nursery Education Funding Scheme	7 years	Statutory requirement Local Authority
Children's records which include attendance records, registers, care plans, medication records/accident, home injuries and incident records.	All children's records must be kept while the child is in attendance at the setting and recommended for at least 3yrs after the child has left the provision  Accident records must be kept until the child reaches 21 (limitation Act 1980)	EYFS Statutory requirement 2017 <i>3.71 Records relating to individual children must be retained for a reasonable period of time after they have left the provision</i> <i>56. Individual providers should determine how long to retain records relating to children</i>  The Data Protection Act 1998/GDPR 2018 does not specify periods for the retention of personal data. It is left to data controllers to decide how long personal data should be retained, taking into account the Data Protection Principles (see Data Protection Act Overview/GDPR principles), business needs and any professional guidelines.
Child Welfare Records  <i>(If sibling attends a copy of records will be kept if they have ongoing concerns until sibling leaves the setting /starts school /new setting)</i>	Transferred to the new setting/school with the child when they leave the setting. If new setting/school unknown then setting to retain for 6 years from the date of last entry and then archive until the child reaches 25 years old.	The Independent Inquiry into Child Sexual Abuse requires all institutions to retain their records relating to the care of children for the duration of the Inquiry under Section 21 of the <b>Inquiries Act 2005</b> . There is therefore an obligation to preserve records for the Inquiry for as long as is necessary. The Data Protection Act 1998/GDPR 2018 does not specify periods for the retention of personal data. It is left to data controllers to decide how long personal data should be retained, taking into account the Data Protection Principles (see Data Protection Act Overview/GDPR principles), business needs and any professional guidelines.  <b>Primary school</b> – These are retained while the child is in the school; then transfer to the relevant secondary school. <b>Secondary school</b>

		– These are retained until the child is <b>25 years</b> old and then shredded.
Children’s Learning and Developmental Records	Whilst in the setting these are retained and then passed onto parents upon leaving.	EYFS Statutory Requirement
Complaints Records	Recommended at least 6 years from the date of the last record	EYFS Statutory Requirement 2017 IRMS <a href="http://irms.org.uk/">http://irms.org.uk/</a>
Insurance liability documents	40 years from date of expiry	Statutory requirement The Employers’ Liability (Compulsory Insurance) Regulations 1998 Health and Safety executive <a href="http://www.hse.gov.uk/">http://www.hse.gov.uk/</a>
DBS Check/Disclosure	6 months after the date on which recruitment decisions have been taken, or after the date which the dispute about the accuracy of the disclosure has been resolved	EYFS Statutory requirement 2017 DBS service DBS (code of practice) settings should destroy disclosure form/any photocopies after this time but <b>MUST</b> record the following information for Ofsted The date of issue of the 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
Records of any reportable death, injury, disease or dangerous occurrence (Reported by Nursery, dealt with by H & S Department)	3 years after the date record was made	Requirement: The reporting of Injuries, Disease and Dangerous occurrences regulations 1995 (RIDDOR) (as amended)
Accident/medical records as specified by the control of substances hazardous to health regulations (COSHH)	40 years from the date of the last entry	Requirement The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Visitors books /signing in sheets	The current year +6yrs	Recommendation IRMS <a href="http://irms.org.uk/">http://irms.org.uk/</a>

## 2. Storing Information

- 2.1. This new policy was adopted at the staff meeting held in August 2007. Reviewed in March 2020.
- 2.2. Non-digital data including child, parent and staff personal details are stored in a fire proof, locked filing cabinet, the filing cabinet is stored in the nursery office which is also locked during out of hours. Accident forms, Medicine records and existing injuries or incident forms are stored in the child's individual folder which is kept in the child's base room.
- 2.3. Digital data is stored on encrypted memory sticks and on specific data protected early years software, such as, First Steps, EY Funding Portal and Blossom, all of which adhere to GDPR regulations. Data is also stored on an encrypted hard drive.
- 2.4. Once families and children leave the setting original documents are copied and stored on an encrypted hard drive for the necessary retention period. Original copies are destroyed and once the retention period has passed for a particular document, it is deleted from the system.
- 2.5. Individual photographs of children are displayed; upon leaving the setting images are given to the child's parents or are destroyed. Group photographs remain in the setting. When photographs are used for the purposes of the website specific parental permission is sought. On occasion nursery receives images from children's parents these are kept on site at all times.
- 2.6. If you have any concerns about how data has been handled please contact the Data Protection controller at [dpo@babraham.ac.uk](mailto:dpo@babraham.ac.uk)

## 3. Further information

- 3.1. This Policy was adopted by Babraham Nursery and agreed by the Nursery Management and Data Controller in May 2018. It was reviewed in August 2022.
- 3.2. Associated policies, procedures and guidance are listed on the cover sheet. The Policy Owner named on the cover sheet can be contacted with any queries.