



GDPR Policy

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Melrose Education, and its subsidiaries, will maintain certain personal data about individuals for the purposes of satisfying operational and legal obligations whilst fully complying with the current legislation. We recognise the importance of the correct, lawful, and ethical treatment of personal data and will ensure all employees fully understand this policy both at the time of signing and giving express consent and their rights to withdrawal of said consent. We will respect the privacy rights of all individuals, including employees, contractors, customers, potential customers, and business contacts regarding the processing of their personal information.

The type of personal data the Company may require includes information about current, past, and prospective employees, parents, learners, local authorities, suppliers, and others with whom it communicates. This personal data, whether it is held on paper, on computer or other media, will be subject to the appropriate legal safeguards as specified in the General Data Protection Regulation legislation which came into force in May 2018.

The Company fully endorses and adheres to the seven principles laid out in Article 5 of the UK GDPR, and these principles form the foundation to our approach to processing personal data. These principles specify the legal conditions that must be satisfied in relation to the obtaining, handling, processing, transportation, and storage of personal data. Employees and any others who obtain, handle, process, transport, and store personal data for the Company must adhere to these principles.

7 GDPR Principles

The principles are:

1. Lawfulness, fairness, and transparency – i.e., you must have a lawful reason for collecting personal data and must do it in a fair and transparent way.
2. Purpose limitation – i.e., data must only be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those.
3. Data minimisation – i.e., you must not collect any more data than is necessary. Data must be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
4. Accuracy – i.e., data must be accurate and there must be mechanisms in place to keep it up to date. Data must be erased or rectified without delay where applicable.
5. Storage limitation – i.e., data must not be kept for any longer than needed.
6. Integrity and confidentiality (security) – i.e., personal data must be processed in a way that ensures appropriate security including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.
7. Accountability – The Data Controller is responsible for and will ensure written procedures and management documents are in place to demonstrate compliance with Article 5(1) (the 6 preceding Principles).

Satisfaction of Principles

To meet the requirements of the principles, the Company will:

- Observe fully the conditions regarding the fair collection and use of personal data.
- Meet its obligations to specify the purposes for which personal data is used.
- Collect and process appropriate personal data only to the extent that it is needed to fulfil operational or any legal requirement.
- Ensure the quality of personal data used.
- Regularly review the amount of data collected and minimise this where possible or appropriate.
- Apply strict checks to determine the length of time personal data is held.
- Ensure that the rights of individuals about whom the personal data is held can be fully exercised.
- Take the appropriate technical and organisational security measures to safeguard personal data.
- Ensure that personal data is not transferred abroad without suitable safeguards.

- Ensure appropriate written procedures are in place, for example our internal privacy policy, and including documented decision-making processes to ensure traceability.
- Provide appropriate and regular training to relevant staff on the principles of the GDPR and our own internal procedures, including sending as and when appropriate updates to any relevant policies and procedures, including improvement plans.
- Notify the ICO (Information Commissioner's Office) of a data breach within 72 hours of becoming aware of the breach.
- Adhere to and regularly review our Privacy Management Programme.
- Appoint a Company DPO who has overall responsibility for all policies and procedures.
- Ensure each school has an appointed Designated Data Lead to be responsible for the implementation of the Privacy Management Programme.
- Ensure robust Cyber Security policies and procedures are in place.
- Regularly review all data protection and cyber security policies and procedures and identify areas for improvement (where applicable) at each review.

Status of the Policy

This policy has been approved by the Directors, and any breach will be taken very seriously. Any employee who considers that the policy has not been followed in respect of personal data about themselves should raise the matter with their school's designated DDL in the first instance.

Individual Rights

All individuals who are the subject of personal data held by the Company are entitled to:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision making and profiling.

This may include but not be limited to:

- asking what information is held about them and the reasons why it is being held.
- asking how to gain access to data held about them.
- being informed about how the data is kept up to date.
- being informed about what the Company is doing to comply with its obligations.

Employee Responsibilities

All employees are responsible for:

- checking that any personal data that they provide is accurate and up to date.
- informing the Company of any changes to information which they have provided, e.g., change of address.
- checking the accuracy of any information that the Company may send out from time to time, giving details of information that is being kept and processed.
- giving or withdrawing their express consent for the Company to use personal data.

Data Security

The need to ensure that data is kept securely means that precautions must be taken against physical loss or damage and that both access and disclosure must be restricted.

All staff are responsible for ensuring that:

- any personal data which they hold is kept securely.
- personal information is not disclosed either orally or in writing or otherwise to any unauthorised third party.

Rights to Access Information

Employees and other subjects of personal data held by the Company have the right to make a subject access request about information that is being kept about them on computers/computer systems/databases and paper-based data held in manual filing systems. Any person who wishes to exercise this right should make the request in writing to their principal. The Company will ensure any requests for information are provided free-of-charge.

Employees have the right to “be forgotten” in that once it is no longer necessary for the Company to hold information, the employee can request that it be deleted. The Company will be responsible for removing any external links to any information held.

The Company aims to comply with requests for access to personal information as quickly as possible but will ensure that it is provided within one month unless there is a good reason for delay. In such cases, the reason for delay will be explained in writing to the individual making the request. Any information provided will be done so in an accessible, concise, and intelligible format, and will be disclosed securely. Information requested in this way will only be refused if an exemption or restriction applies, or if the request is manifestly unfounded or excessive.

Subject Consent

The need to process data for normal purposes has been communicated to all data subjects. In some cases, if the data is sensitive, for example information about health, race, or gender then express consent to process the data will be obtained. Processing may be necessary to operate the Company's policies, such as health, safety, equality, and diversity.

Please also refer to our Subject Access Request (SAR) and Other Rights for Individuals Policy.

Retention of Data

The Company will keep some forms of information for longer than others. All staff are responsible for ensuring that both legal and statutory retention requirements are adhered to, and that information is not kept for longer than necessary (in accordance with the GDPR Retention Schedule and the retention period information below).

Confidentiality – Data Protection

You should be aware that the obligations placed on you because of the law and this policy are in addition to the duty of confidentiality which you owe to the Company in respect of all information (including personal data) processed by you; by the Company; its customers; employees; suppliers and any other data subjects.

You must keep all personal data which you process on behalf of the Company confidential and must not disclose any such information unless authorised to do so.

Termination

You should be aware that all information (including personal data) processed by employees during their employment with the Company (whether in a manual or automated fashion) is, and will, remain the property of the Company. On termination of your employment with the Company, you must promptly return the original and any copies (whether in manual or automated form) of any information including personal data obtained by you during your employment to the Company.

GDPR and Safeguarding

Working Together to Safeguard Children 2018 (1:27) states:

“The Data Protection Act 2018 and General Data Protection Regulations (GDPR) do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children.”

1. Records Relating to Child Protection

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
1.1	Child protection files	Yes	Education Act 2002, s175, related guidance "Safeguarding Children in Education", September 2004	Date of birth + 25 years	Secure disposal.
1.2	Allegation of child protection nature against a member of staff, including where the allegation is unfounded	Yes	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance). Education Act 2002 Guidance "Dealing with Allegations of Abuse against Teachers and Other Staff" November 2005	Until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer	Secure disposal.

2. Records Relating to Governance (School Community Board/Directors)

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
2.1	Minutes				
2.1a	Principal set (signed)	No		Permanent	Must be available in school for 6 years from the meeting then stored elsewhere.
2.1b	Inspection copies	No		Date of meeting + 3 years	Secure disposal.
2.2	Agendas	No		Date of meeting	Secure disposal.
2.3	Reports	No		Date of report + 6 years	Retain in school for 6 years from report date. Can consider archiving/storing anything important.
2.4	Annual parents' meeting papers	No		Date of meeting + 6 years	Retain in school for 6 years from meeting date. Can consider archiving/storing anything important.

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
2.5	Action plans	No		Date of action plan + 3 years	Secure disposal.
2.6	Policy documents	No		Expiry of policy	Retain in school whilst policy operational (this includes if the expired policy is part of a past decision-making process).
2.7	Complaints files	Yes		Date of resolution of complaint + 6 years	Review for further retention in the case of contentious disputes. Secure disposal.

3. Records Relating to School Management

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
3.1	Logbooks	Yes		Date of last entry in book + 6 years	Secure disposal.
3.2	Minutes of the senior management team and other internal administrative bodies	Yes		Date of meeting + 5 years	Retain in school for 5 years from meeting date. Can consider archiving/storing anything important.
3.3	Reports made by the principal or management team	Yes		Date of report + 3 years	Retain in school for 3 years from report date. Can consider archiving/storing anything important.
3.4	Records created by principal teachers, assistant principal, teachers, and other members of staff with administrative responsibilities	Yes		Closure of file + 6 years	Secure disposal.
3.5	Correspondence created by principal, assistant principals, and other members	No/Yes		Date + 3 years	Secure disposal.

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
	of staff with administrative responsibilities				
3.6	Professional development plans	Yes		Closure + 6 years	Secure disposal.
3.7	School development plans	No		Closure + 6 years	Review for further retention. Secure disposal.
3.8	Admissions - if the admission is successful	Yes		Admission + 1 year	Secure disposal.
3.9	Admissions - if the appeal is unsuccessful	Yes		Resolution of case + 1 year	Secure disposal.
3.10	Proof of address supplied by parents as part of the admissions process	Yes		As per admission record	Secure disposal.
3.11	Supplementary information form including additional information such as religion and medical conditions supplied as part of the admissions process	Yes		As per admission record	Secure disposal.

4. Records Relating to Learners

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
4.1	Admission registers	Yes		Entry + 7 years	Retain in school for 7 years from entry. Can consider archiving these records if have the facility.
4.2	Attendance registers	Yes		Date of register + 3 years	Secure disposal
4.3	Learner files retained in schools	Yes			
4.3a	Primary	Yes		Retain for time which the	Transfer to the secondary school (or other primary

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
				learner remains at the primary school	school) when the child leaves the school.
4.3b	Secondary	Yes	Limitation Act 1980	Date of birth + 25 years	Transfer to another secondary school if required. In the case of exclusion it may be appropriate to transfer the record to the Pupil Referral Unit. Secure disposal.
4.4	Learner files	Yes			
4.4a	Primary	Yes		Retain for time which the learner remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school.
4.4b	Secondary	Yes	Limitation Act 1980	Date of birth + 25 years	Transfer to another secondary school if required. In the case of exclusion it may be appropriate to transfer the record to the Pupil Referral Unit. Secure disposal
4.5	Special Educational Needs files, reviews, and individual education plans	Yes		Date of birth + 25 years	Secure disposal
4.6	Correspondence relating to authorised absence and issues	Yes		Date of absence + 2 years	Secure disposal
4.7	Examination results				
4.7a	Public	No		Year of exams + 6 years	Secure disposal
4.7b	Internal examination results	Yes		Current year + 5 years	Secure disposal

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
4.8	Any other records created in the course of contact with learners	Yes/No		Current year + 3 years	Review at the end of 3 years and retain with learner file if necessary. Secure disposal
4.9	Statement maintained under the Education Act 1996 Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	Date of birth + 30 years	Secure disposal unless legal action is pending
4.10	Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	Date of birth + 30 years	Secure disposal unless legal action is pending
4.11	Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	Secure disposal unless legal action is pending
4.12	Accessibility strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	Secure disposal unless legal action is pending
4.13	Parental permission slips for school trips, where there has been no major incident	Yes		Conclusion of the trip	Secure disposal unless legal action is pending
4.14	Parental permission slips for school trips, where there has been a major incident	Yes	Limitation Act 1980	Date of birth of learner involved in the incident + 25 years	Secure disposal. Permission slips for all learners on trip need to be retained for period to show that the rules had been followed for all learners.
4.15	Records created by schools to obtain approval to run an educational visit outside the classroom, primary schools	No	3-part supplement of the Health & Safety of Pupils on Educational Visits (HASPEV) (1998)	Date of visit + 14 years	Secure disposal.
4.16	Records created by schools to obtain approval to run an educational visit outside the classroom, secondary schools	No	3-part supplement of the Health & Safety of Pupils on Educational Visits (HASPEV) (1998)	Date of visit + 10 years	Secure disposal.

5. Records Relating to Child Curriculum

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
5.1	School development plan	No		Current year + 6 years	Secure disposal.
5.2	Curriculum returns	No		Current year + 3 years	Secure disposal.
5.3	Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at end of each year and allocate a new retention period. Secure disposal.
5.4	Timetable	No		Current year + 1 year	It may be appropriate to review these records at end of each year and allocate a new retention period. Secure disposal.
5.5	Class record books	Yes/No		Current year + 1 year	It may be appropriate to review these records at end of each year and allocate a new retention period. Secure disposal.
5.6	Mark books	Yes/No		Current year + 1 year	It may be appropriate to review these records at end of each year and allocate a new retention period. Secure disposal.
5.7	Record of homework set	No		Current year + 1 year	It may be appropriate to review these records at end of each year and allocate a new retention period. Secure disposal.
5.8	Learners' work	Yes		Current year + 1 year	It may be appropriate to review these records at end of each year and allocate a new

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
					retention period. Secure disposal.
5.9	Examination results	Yes		Current year + 6 years	Secure disposal
5.10	SATs records, examination papers and results	Yes		Current year + 6 years	Secure disposal
5.11	PAN reports	Yes		Current year + 6 years	Secure disposal
5.12	Value added and contextual data	Yes		Current year + 6 years	Secure disposal
5.13	Self-evaluation forms	Yes		Current year + 6 years	Secure disposal

6. Records Relating to Personnel Records

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
6.1	Timesheets, sick pay	Yes	Financial Regulations	Current year + 6 years	Secure disposal
6.2	Staff personnel files	Yes		Leave date + 25 years	Secure disposal
6.3	Interview notes and recruitment records	Yes		Date of interview notes + 6 months if unsuccessful. If successful place in personnel file.	Secure disposal
6.4	Pre-employment vetting information (including DBS checks)	Yes	DBS guidelines	Date of check + 6 months	Secure disposal
6.5	Disciplinary proceedings	Yes	Where the warning relates to child		

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
			protection issues see 1.2.		
6.5a	File note	Yes		Date of warning + 6 months	Secure disposal
6.5b	First written warning	Yes		Date of warning + 6 months	Secure disposal
6.5c	Final written warning	Yes		Date of warning + 12 months	Secure disposal
6.5d	Dismissal	Yes	Where the warning relates to child protection issues see 1.2.	Retain on employee file – see 6.2	Secure disposal
6.5e	Investigation but no further action – allegation unfounded	Yes		If child protection see 1.2, otherwise destroy	Secure disposal
6.6	Records relating to accident/injury at work	Yes		Date of incident + 12 years	In case of serious accidents a further retention period will need to be applied. Secure disposal
6.7	Annual appraisal and assessment records	Yes		Current year + 5 years	Secure disposal
6.8	Salary cards	Yes		Leave date + 85 years	Secure disposal
6.9	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI 1999/567)	Current year + 3 years	Secure disposal
6.10	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	Secure disposal

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
6.11	Proofs of identity collected as part of the process for checking "portable" enhanced DBS disclosure	Yes		Where possible these should be checked and a note/copy of what was checked placed on personnel file. If felt necessary to keep any documentation this should also be placed in personnel file.	Secure disposal of notes/copies and return of originals.

7. Records Relating to Health and Safety

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
7.1	Accessibility plans	Yes	Disability Discrimination Act	Current year + 6 years	Secure disposal
7.2	Accident reporting		Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	Date of incident + 12 years	Secure disposal
7.2a	Adults	Yes		Date of incident + 7 years	Secure disposal
7.2b	Children	Yes		Date of birth of child + 7 years	Secure disposal

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
7.3	COSHH			Current year + 10 years	Where appropriate an additional retention period may be allocated. Secure disposal
7.4	Incident reports	Yes		Current year + 20 years	Secure disposal
7.5	Policy statements			Date of expiry + 1 year	Secure disposal
7.6	Risk assessments			Current year + 3 years	Secure disposal
7.7	Process of monitoring areas where employees and persons are likely to have come in contact with asbestos			Last action + 40 years	Secure disposal
7.8	Process of monitoring areas where employees and persons are likely to have come in contact with radiation			Last action + 50 years	Secure disposal
7.9	Fire precautions logbook			Current year + 6 years	Secure disposal

8. Administrative Records

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
8.1	Employer's liability certificate			Closure of school + 40 years	Secure disposal
8.2	Inventories of equipment and furniture			Current year + 6 years	Secure disposal

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
8.3	General file series			Current year + 5 years	Review to see if further retention period required. Secure disposal
8.4	School brochure or prospectus			Current year + 3 years	Disposal
8.5	Circulars (staff, parents, learners)			Current year + 1 year	Review to see if further retention period required. Secure disposal
8.6	Newsletters, ephemera			Current year + 1 year	Review to see if further retention period required. Secure disposal
8.7	Visitors' book			Current year + 2 year	Review to see if further retention period required. Secure disposal

9. Records Relating to Finance

Basic File Description		Data Protection Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
9.1	Annual accounts		Financial Regulations	Current year + 6 years	Secure disposal
9.2	Loans and grants		Financial Regulations	Date of last payment on loan + 12 years	Secure disposal
9.3	Contracts				
9.3a	Under seal			Contract completion date + 12 years	Secure disposal
9.3b	Under signature			Contract completion date + 6 years	Secure disposal
9.3c	Monitoring records			Current year + 2 years	Secure disposal

Basic File Description		Data Protection Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
9.4	Copy orders			Current year + 2 years	Secure disposal
9.5	Budget reports, budget monitoring etc.			Current year + 3 years	Secure disposal
9.6	Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	Current year + 6 years	Secure disposal
9.7	Annual budget and background papers			Current year + 6 years	Secure disposal
9.8	Order books and requisitions			Current year + 6 years	Secure disposal
9.9	Delivery documentation			Current year + 6 years	Secure disposal
9.10	Debtors' records		Limitations Act	Current year + 6 years	Secure disposal
9.11	School fund - cheque books			Current year + 3 years	Secure disposal
9.12	School fund - paying in books			Current year + 6 years	Secure disposal
9.13	School fund - ledger			Current year + 6 years	Secure disposal
9.14	School fund - invoices			Current year + 6 years	Secure disposal
9.15	School fund - receipts			Current year + 6 years	Secure disposal
9.16	School fund - bank statements			Current year + 6 years	Secure disposal

Basic File Description		Data Protection Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
9.17	School fund - school journey books			Current year + 6 years	Secure disposal
9.18	Learner grant applications	Yes		Current year + 3 years	Secure disposal
9.19	Free school meals registers	Yes		Current year + 6 years	Secure disposal
9.20	Petty cash books			Current year + 6 years	Secure disposal

10. Records Relating to Property

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
10.1	Title deeds			Permanent	These should follow the property
10.2	Plans			Permanent	Retain in school whilst operational. Can then be archived/stored elsewhere.
10.3	Maintenance and contractors		Financial Regulations	Current year + 6 years	Secure disposal
10.4	Leases			Expiry of lease + 6 years	Secure disposal
10.5	Lettings			Current year + 3 years	Secure disposal
10.6	Burglary, theft, and vandalism report forms			Current year + 6 years	Secure disposal
10.7	Maintenance logbooks			Last entry + 10 years	Secure disposal
10.8	Contractors' reports			Current year + 6 years	Secure disposal

11. Records Relating To Local Authorities

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
11.1	Secondary transfer sheets (primary)	Yes		Current year + 2 years	Secure disposal
11.2	Attendance returns	Yes		Current year + 1 year	Secure disposal
11.3	Circulars from LEA	Yes		Whilst required	Review to see if further retention period required. Disposal

12. Records Relating to the Department of Education

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
12.1	HMI reports			These do not need to be retained	Secure disposal
12.2	Ofsted reports and papers			Replace former report with new inspection report	Review to see if further retention period required. Secure disposal
12.3	Returns			Current year + 6 years	Secure disposal
12.4	Circulars from Department of Education			Whilst required operationally	Review to see if further retention period required. Disposal

13. Records Relating to SLAs or Work Experience

Basic File Description		DP Issue	Statutory Provisions	Retention Period	Action at End of Administrative Life of Record
13.1	Service level agreements			Until superseded	Secure disposal
13.2	Work experience agreement	Yes		Date of birth of child + 18 years	Secure disposal