

The TLC Nursery Federation



Data Retention Policy

This policy applies to Slough Centre Nursery	
Policy reviewed and updated:	November 2025
Date of next review:	November 2026
This policy will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation where appropriate.	

Introduction and Core Principles

This policy sets out the retention periods for all records, whether paper-based or electronic, held by Slough Centre Nursery. It ensures compliance with the **UK General Data Protection Regulation (UK GDPR)**, specifically the **Storage Limitation Principle**, which mandates that personal data must be kept for no longer than is necessary for the purposes for which it is processed.

Retention periods are determined by statutory, regulatory, and legal requirements, most notably:

1. **Limitation Act 1980:** This extends the period within which legal claims (especially relating to injury or negligence involving a child) can be made, requiring longer retention for safeguarding and accident records (up to the individual's 25th birthday).
2. **HMRC & Companies Act:** Governing financial and employment data.
3. **Early Years Foundation Stage (EYFS) Statutory Framework:** Governing records of attendance and welfare.

Statutory Retention Schedule

The following table details the maximum retention periods for key categories of data.

Data category	Record type	Retention period	Legal/Regulatory authority
CHILD AND WELFARE RECORDS			
Child Protection/Safeguarding Records (Serious Concerns/Referrals)	Records of concerns, referrals, multi-agency documents (where the concern was founded or led to intervention).	Until the child's 25th birthday	Limitation Act 1980; NSPCC Guidance
Accident/Injury Records (Children)	Records of minor/non-reportable injuries, administration of medication.	Until the child's 25th birthday	Limitation Act 1980 (Best practice for claims)
RIDDOR Reports (Reportable injuries, diseases, or dangerous occurrences)	Statutory records of incidents reportable to the HSE.	3 years from the date of the last entry.	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)
Child Admission/Enrolment Forms, Contracts, Contact Details	Basic administrative records held post-departure.	3 years after the child has permanently left the nursery.	EYFS Statutory Framework (Reasonable Period); Limitation Act 1980 (Minimum)

Daily Attendance Registers	Proof of attendance for funding/statutory requirement.	3 years after the date of entry.	EYFS Statutory Framework (Reasonable Period)
Child Development/Learning Records (e.g., Learning Journey, Observations, Assessments)	Non-sensitive developmental records.	1 year after the child has permanently left. (Note: Learning Journey records are given to parents upon leaving where possible.)	EYFS Statutory Framework
FINANCIAL RECORDS			
Accounting Records (Invoices, Receipts, Sales Records, Bank Statements, Grants)	Records necessary to verify company accounts and tax returns.	6 years from the end of the last company financial year they relate to.	HMRC / Taxes Management Act 1970 / Companies Act 2006 (for charities/public companies)
Insurance Policies (Especially Employer's Liability)	Records required for proving historical coverage.	40 years from the date the policy was taken out.	Best Practice / Health and Safety Executive (HSE)
STAFF & HR RECORDS			
DBS Certificates (Copy)	The original certificate copy.	6 months from the date the recruitment decision was made.	DBS Code of Practice (Retain <i>only</i> date, name, certificate number, and decision after 6 months).
Personnel Files (Current and Former Employees)	Employment contracts, disciplinary records, appraisal records.	6 years after termination of employment.	Limitation Act 1980 (Statute of Limitations for contractual claims)
Wage and Salary Records (Including Overtime/Bonuses)	Records of payments made to staff.	6 years from the end of the tax year they relate to.	Taxes Management Act 1970
Statutory Pay Records (SMP, SSP) ⁴	Records related to Statutory Maternity/Sick Pay.	3 years after the end of the tax year they relate to.	Statutory Pay Regulations

Recruitment Records (Unsuccessful Candidates)	Application forms, interview notes, interview scores.	6-12 months from the date the vacancy was filled.	Best Practice (To defend against discrimination claims)
ADMINISTRATIVE & GOVERNANCE RECORDS			
Complaints Log/Records	Formal records of all complaints and their resolutions.	3 years from the date the complaint was recorded/closed.	EYFS Statutory Framework
Visitor Log/Signing-in Book	Record of non-staff and non-child presence on the premises.	3 years from the date of the last entry.	Best Practice/Health & Safety

Secure Disposal Procedures

When a record reaches the end of its designated retention period, it must be disposed of securely and irretrievably.

Paper Records

- All documents containing personal, sensitive, or confidential information must be destroyed using a **cross-cut shredder** or collected via a secure, certified confidential waste disposal service.
- The disposal should be logged, noting the type of record destroyed and the date of destruction.

Electronic Records

- Electronic files (documents, emails, spreadsheets, and digital photos/videos) must be permanently deleted from all storage locations, including desktop hard drives, shared network drives, cloud services (e.g., Google Drive, iCloud), and the computer's **recycle bin/trash folder**.
- Where data is backed up, all reasonable steps must be taken to ensure the data is purged from backup cycles after deletion from the live system.

Archiving and Preservation

In cases where records must be retained for legal or historical reasons (e.g., historical attendance data, photos used for promotional purposes with consent), the data must be securely archived.

- Archived data must be encrypted and access-controlled.
- Data must only be kept in a format that makes identification of the data subject difficult, or where necessary, kept with the highest levels of security applied.

