

Retention of Records Schedule

Schools as *data controllers* must be clear about the length of time for which personal data will be kept and the reasons why the information is being retained. In determining appropriate retention periods, regard must be had for any statutory obligations imposed on a data controller. If the purpose for which the information was obtained has ceased and the personal information is no longer required, the data must be deleted or disposed of in a secure manner. It may also be anonymised to remove any personal data. Anonymisation must be irrevocable; removing names and addresses may not necessarily be sufficient.

In order to comply with this legal requirement, Scoil Mhuire Lacken has assigned specific responsibility and introduced procedures for ensuring that files are purged regularly and securely and that personal data is not retained any longer than is necessary. All records will be periodically reviewed in light of experience and any legal or other relevant indications.

IMPORTANT: In all cases, schools should be aware that where proceedings have been initiated, are in progress, or are reasonably foreseeable (although have not yet been taken against the school/board of management/an officer or employee of the school (which may include a volunteer)), all records relating to the individuals and incidents concerned should be preserved and should under no circumstances be deleted, destroyed or purged. The records may be of great assistance to the school in defending claims made in later years.

WARNING: In general, the limitation period does not begin to run until the person concerned acquires knowledge of the facts giving rise to the claim and the Statue of Limitations may be different in every case. In all cases where reference is made to "18 years" being the date upon which the relevant period set out in the Statute of Limitations commences for the purposes of litigation, the school must be aware that in some situations (such as the case of a student with special educational needs, or where the claim relates to child sexual abuse, or where the student has not become aware of the damage which they have suffered, and in some other circumstances), the Statute of Limitations **may not begin to run when the student reaches 18 years of age and specific legal advice should be sought by schools on a case-by-case basis.** In all cases where retention periods have been recommended with reference to the relevant statutory period in which an individual can make a claim, these time-frames may not apply where there has been misrepresentation, deception or fraud on the part of the respondent/defendant. In such a circumstance, the school/ETB should be aware that the claim could arise many years after the incident complained of and the courts/tribunals/employment fora may not consider the complainant to be "out of time" to make their claim.

Student Records	**Primary**	**Vol Sec.**	**C&C**	**ETB**	**Final disposition**	**Comments**
Registers/Roll books	Indefinitely	Indefinitely	Indefinitely	Indefinitely	N/A	Indefinitely. Archive when class leaves + 2 years
State exam results	N/A	N/A	N/A	N/A	N/A	SEC responsibility to retain, not a requirement for school/ETB to retain.

Records relating to pupils/students	Primary	Vol.Sec	C&C	ETB	**Confidential shredding**	**Comments**

Enrolment Forms	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Confidential shredding	18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Student transfer forms (Applies from primary to primary; from one second-level school to another)	If a form is used- Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Disciplinary notes	Never destroy	Never destroy	Never destroy	Never destroy	N/A	Never destroy

Results of in-school tests/exams (i.e. end of term, end of year exams, assessment results)	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Confidential shredding	18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school).

End of term/year reports	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Confidential shredding	18 is age of majority plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Records of school tours/trips, including permission slips, itinerary reports	Never destroy	Never destroy	Never destroy	Never destroy	N/A	Never destroy
Scholarship applications e.g. Gaeltacht, book rental scheme	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Confidential shredding	18 is age of majority plus 7 years (6 years in which to take a claim against the school,

						plus 1 year for proceedings to be served on the school)
Garda vetting form & outcome - **STUDENTS**	N/A **as primary schools pupils will not be undergoing vetting**	Record of outcome retained for 12 months.	Record of outcome retained for 12 months.	Record of outcome retained for 12 months.	Confidential shredding	Record of outcome retained for 12 months. School to retain the reference number and date of disclosure on file, which can be checked with An Garda Siochana in the future.

Sensitive Personal Data Students	Primary	Vol Sec.	C&C	ETB	Final disposition	Comments
Psychological assessments	Indefinitely	Indefinitely	Indefinitely	Indefinitely	N/A - Never destroy	Never destroy
Special Education Needs' files, reviews, correspondence and Individual Education Plans	Indefinitely	Indefinitely	Indefinitely	Indefinitely	N/A	Never destroy
Accident reports	Indefinitely	Indefinitely	Indefinitely	Indefinitely	N/A	Never destroy
Child protection records	Indefinitely	Indefinitely	Indefinitely	Indefinitely	N/A	Never destroy
Section 29 appeal records	Student reaching 18	Student reaching 18	Student reaching 18	Student reaching 18	Confidential shredding	Student reaching 18 years + 7 years (6 years in which to take

	years + 7 years	years + 7 years	years + 7 years	years + 7 years		a claim against the school, plus 1 year for proceedings to be served on the school)
Enrolment/transfer forms where child is not enrolled or refused enrolment	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 18 years + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)

Records of complaints made by parents/ guardians	Depends entirely on the nature of the complaint.	Depends entirely on the nature of the complaint.	Depends entirely on the nature of the complaint.	Depends entirely on the nature of the complaint.	Confidential shredding or N/A, depending on the nature of the records.	Depends entirely on the nature of the complaint. If it is child-safeguarding, a complaint relating to teacher-handling, or an accident, then retain indefinitely. Never destroy. If it is a complaint of a more mundane nature (e.g. misspelling of child's name, parent not being contacted to be informed of parent-

						teacher meeting) or other minor matter, then student reaching 18 years + 7 years (6 years in which to take a claim, and 1 year for proceedings to be served on school)

Staff Records	Primary	Vol Sec.	C&C	ETB	Final disposition	Comments

Recruitment process Note: these suggested retention periods apply to unsuccessful candidates only. They do NOT apply to successful candidates, or candidates who are/were also employees already within your school applying for	✓	✓	✓	✓ **Note:** Recruitment and employment records are held at ETB Head Office in the HR and Finance Depts**.**	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.

another post/position. For successful candidates, or candidates who are/were also employees already within your school applying for another post/position, see retention periods set out below.						

Applications & CVs of candidates called for interview	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Database of applications	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Selection criteria	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.

Applications of candidates not shortlisted	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Unsolicited applications for jobs	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Candidates shortlisted but unsuccessful at interview	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Candidates shortlisted and are successful but do not accept offer	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Interview board marking scheme & board notes	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.
Panel recommendation by interview board	✓	✓	✓	✓	Confidential shredding	18 months from close of competition: 12 months from close of competition

						plus 6 months for the Equality Tribunal to inform the school that a claim is being taken.

Staff personnel files (whilst in employment)	Primary	Vol.Sec	C&C	ETB	Final Disposition	Comments
e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.				Note: records & personnel files retained at ETB head office level	Confidential shredding. Retain an anonymised sample for archival purposes.	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Application &/CV	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Qualifications	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years

						(6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)

References	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Interview: database of applications (the section which relates to the employee only)	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Selection criteria	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Interview board marking scheme & board notes	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)

Panel recommendation by interview board	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Recruitment medical	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Job specification/ description	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Contract/Conditions of employment	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)

Probation letters/forms	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
POR applications and correspondence (whether successful or not)	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Leave of absence applications				Records & personnel files retained at ETB head office level	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Job share	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)

Career Break	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Maternity leave	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Paternity leave	✓	✓	✓	✓	Confidential shredding	Retain for 2 years following retirement/resignation or the duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the greater).

Parental leave	✓	✓	✓	✓	Confidential shredding	Must be kept for 8 years - Parental Leave Act 1998 Retain for 8 years or the duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the greater). There is a statutory requirement to retain for 8 years.
Force Majeure leave	✓	✓	✓	✓	Confidential shredding	Retain for 8 years or the duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the greater). There is a statutory requirement to retain for 8 years.

Carers leave	✓	✓	✓	✓	Confidential shredding	Must be kept for 8 years - Carer's Leave Act 2001 Retain for 8 years or the duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the greater). There is a statutory requirement to retain for 8 years
Working Time Act (attendance hours, holidays, breaks)	✓	✓	✓	✓	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school). There is a statutory requirement to retain for 3 years
Allegations/complaints	✓	✓	✓	✓	ETB one doesn't have a time period advised	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). **Please note** the relevant DES Circular re Disciplinary Procedures in relation to the period of time for which a warning remains "active" on an employee's record.

Grievance and Disciplinary records	✓	✓	✓	✓		Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). **Please note** the relevant DES Circular re Disciplinary Procedures in relation to the period of time for which a warning remains "active" on an employee's record.

Occupational Health Records	Primary	Vol Sec.	C&C	ETB	**Confidential Shredding**	**Comments**
Sickness absence records/certificates	✓	✓	✓	Retain on staff personnel file at ETB HO	Confidential shredding Or do not destroy.	Re sick leave scheme (1 in 4 rule) ref DES C/L 0060/2010 Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.
Pre-employment medical assessment	✓	✓	✓	✓	Confidential shredding Or do not destroy?	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.

Occupational health referral	✓	✓	✓	✓	Confidential shredding Or Do not destroy.	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.
Correspondence re retirement on ill-health grounds	✓	✓	✓	✓	Confidential shredding Or Do not destroy.	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.

Accident/injury at work reports	✓	✓	✓	✓	Confidential shredding	Retain for 10 years, or the duration of the employment plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), whichever is the greater (unless sickness absence relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy).
Medical assessments or referrals	✓	✓	✓	✓	Confidential shredding Or Do not destroy.	Retain for 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school), unless Medmark assessment relates to an accident/ injury/ incident sustained in relation to or in connection with the individual's duties within the school, in which case, do not destroy.
Sick leave records (sick benefit forms)	✓	✓	✓	✓	Confidential shredding	In case of audit/refunds, Current year plus 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school)
Superannuation /Pension /Retirement records	**Primary**	**Vol Sec.**	**C&C**	**ETB**	**Final Disposition**	**Comments**

Records of previous service (incl. correspondence with previous employers)	✓	✓	✓	Superannuation records are held at ETB head office in the HR and Finance Depts.	N/A	DES advise that these should be kept indefinitely.
Pension calculation	✓	✓	✓	✓	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee plus + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the longer)
Pension increases (notification to Co. Co.)	✓	✓	✓	✓	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee plus + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the longer)

Salary claim forms	✓	✓	✓	✓	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) or for the life of employee/former employee plus + 7 years (6 years in which to take a claim against the school, plus 1 year for proceedings to be served on the school) (whichever is the longer)

Government returns	Primary	Vol Sec.	C&C	ETB	Final disposition	Comments
Any returns which identify individual staff/pupils,				Submitted online to DES. Printout retained by ETB HO	N/A	**Depends upon the nature of the return. If it relates to pay/pension/benefits of staff, keep indefinitely as per DES guidelines. If it relates to information on students, e.g. October Returns, Annual Census etc., keep in line with "Student Records" guidelines above.**

Board of Management Records	Primary	Vol Sec.	C&C	ETB	Final disposition	Comments
Board agenda and minutes	✓	✓	✓	Sent to ETB for approval	N/A	Indefinitely. These should be stored securely on school property
School closure	✓	✓	✓	✓		On school closure, records should be transferred as per Records Retention in the event of school closure/amalgamation. A decommissioning exercise should take place with respect to archiving and recording data.

Other school based reports/minutes	Primary	Vol Sec.	C&C	ETB	Final disposition	Comments
CCTV recordings	✓	✓	✓	✓	Safe/secure deletion.	28 days in the normal course, but longer on a case-by-case basis e.g. where recordings/images are requested by An Garda Síochána as part of an investigation or where the records /images capture issues such as damage/vandalism to school property and where the images/recordings are retained to investigate those issues.
Principal's monthly report including staff absences	✓	✓	✓	Submitted to ETB HO	N/A	Indefinitely. Administrative log and does not relate to any one employee in particular: the monthly reports are not structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible. Not a "relevant filing system".

Financial Records	Primary	Vol Sec.	C&C	ETB	Final disposition	Comments
Audited Accounts	✓	✓	✓	Retained ETB head office	n/a	Indefinitely
Payroll and taxation	✓	✓	✓	Retained ETB head office		Revenue Commissioners require that records be kept for at least six years after the end of the tax year. Records must be made available for inspection by authorised officers of the Revenue Commissioners or of the Dept. of Social Protection. Note: The DES requires of schools that "pay, taxation and related school personnel service records should be retained **indefinitely** within the school. These records can be kept either on a manual or computer system.
Invoices/back-up records/receipts	✓	✓	✓	✓	✓	Retain for 7 years

Promotion process	Primary	Vol Sec.	C&C	ETB Employment records are held at ETB head office in the HR and Finance Depts.	**Final Disposition**	**Comments**
Posts of Responsibility	✓	✓	✓		N/A	**Retain indefinitely on master file as it relates to pay/pension etc. (See DES guidelines)**
Calculation of service	✓	✓	✓		N/A	Retain indefinitely on master file
Promotions/POR Board master files	✓	✓	✓		N/A	Retain indefinitely on master file
Promotions/POR Boards assessment report files	✓	✓	✓		N/A	Retain original on personnel file in line with retention periods in "Staff Records" retention guidelines above
POR appeal documents	✓	✓	✓		N/A	Retain original on personnel file, and copy of master & appeal file. Retain for duration of employment + 7 years (6 years in which to take a claim, plus 1 year to serve proceedings on school). Copy on master and appeal file.

Correspondence from candidates re feedback	✓	✓	✓		N/A	Depends upon nature of feedback. If feedback is from unsuccessful candidate who is not an employee within the school, keep in line with retention periods in "Staff Records" above. If feedback is from successful candidate or from unsuccessful candidate who is already an employee within the school, keep in line with "Staff personnel while in employment" above.

This Policy/ Schedule was ratified at the Board of Management Meeting on _____ & will be reviewed every two years or as the legislation/ guidelines changes:

Signed: _____ Date: _____
Chairperson Board of Management

Signed: _____ Date: _____