

Retention periods for records

The General Data Protection Regulation (GDPR) 2018 does not dictate how long you should keep personal data. The principle of storage limitation says:

- You must not keep personal data for longer than you need it.
- You need to think about – and be able to justify – how long you keep personal data. This will depend on your purposes for holding the data.
- You need a policy setting standard retention periods wherever possible, to comply with documentation requirements.
- You should also periodically review the data you hold, and erase or anonymise it when you no longer need it.
- You must carefully consider any challenges to your retention of data. Individuals have a right to erasure if you no longer need the data.
- You can keep personal data for longer if you are only keeping it for public interest archiving, scientific or historical research, or statistical purposes.

<https://ico.org.uk/>

There are legal requirements that require you to retain some data and these are summarised in the table below.

Children's records	Retention period	Authority
Name, address and date of birth of each child	Two years	Early Years and Childcare Registration handbook - Childcare Register www.gov.uk/government/publications/become-a-registered-early-years-or-childcare-provider-in-england
Name, address and telephone number of a parent, guardian, carer of each child	Two years	Early Years and Childcare Registration handbook - Childcare Register www.gov.uk/government/publications/become-a-registered-early-years-or-childcare-provider-in-england
Register - Daily record of the names of the children looked after and their hours of attendance	A reasonable time after children have left the premises (e.g. until after the next inspection)	Statutory Framework for the Early Years Foundation Stage (given legal force by the Childcare Act 2006) www.gov.uk/government/publications/early-years-foundation-stage-framework--2
	Two years	Early Years and Childcare Registration handbook - Childcare Register www.gov.uk/government/publications/become-a-registered-early-years-or-childcare-provider-in-england
Accidents to children which occur on the premises where childcare is provided	Two years	Early Years and Childcare Registration handbook - Childcare Register www.gov.uk/government/publications/become-a-registered-early-years-or-childcare-provider-in-england

Records of any reportable injuries, death, dangerous occurrence or disease related to children	Twenty one years three months (or three years after the injured party's 18 th birthday)	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended) www.legislation.gov.uk/uksi/2013/1471/regulation/12/made
Records of any reportable injuries, death, dangerous occurrence or disease related to adults	Three years after the date the record was made	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended) http://www.legislation.gov.uk/uksi/2013/1471/regulation/12/made
Medicine administered to a child, date and circumstances, who administered it, including medicine which the child is permitted to self-administer, a record of parent consent	A reasonable time after children have left the premises (e.g. until after the next inspection)	Statutory Framework for the Early Years Foundation Stage (given legal force by the Childcare Act 2006) https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2
	Two years	Early Years and Childcare Registration handbook - Childcare Register www.gov.uk/government/publications/become-a-registered-early-years-or-childcare-provider-in-england
Personnel records	Retention period	Authority
Name, home address and telephone number of every person living or working on the premises or part of premises where childcare is provided	During work and for two years afterwards	Early Years and Childcare Registration handbook - Childcare Register www.gov.uk/government/publications/become-a-registered-early-years-or-childcare-provider-in-england
DBS certificate information for recruitment decisions (other than name, date, certificate no, type, job position, decision)	Six months	Handling of DBS Certificate Information https://www.gov.uk/government/publications/handling-of-dbs-certificate-information/handling-of-dbs-certificate-information
Personal records, performance appraisals, employment contracts	Six years. Due to potential tribunals for the three month risk period or defending county or high court claims	Gov.uk www.gov.uk/employment-tribunals
Wage/salary records (including overtime, bonuses and expenses)	Six years	Taxes Management Act 1970 www.legislation.gov.uk/ukpga/1970/9/contents/enacted
Statutory Maternity Pay (SMP) records	Three years after the end of the tax year to which they relate	The Statutory Maternity Pay (General) Regulations 1986 as amended www.legislation.gov.uk/uksi/1986/1960/contents/made

Statutory Sick Pay (SSP) records	Three years after the end of the tax year to which they relate	The Statutory Sick Pay (General) Regulations 1982 www.legislation.gov.uk/uksi/1982/894
Income tax and National Insurance returns/records	At least three years after the end of the tax year to which they relate	The Income Tax (Employments) Regulations 1993 (as amended) www.gov.uk/keeping-your-pay-tax-records/how-long-to-keep-your-records
Pension auto enrolment records	A minimum of six years	The Pension Regulator http://www.thepensionsregulator.gov.uk/record-keeping.aspx
Pension opt-out notices	Four years	
Accident/medical records regarding exposure to hazardous material in the workplace	Forty years from the date of the last entry	The Control of Substances Hazardous to Health Regulations 2002 (COSHH) www.hse.gov.uk/coshh/index.htm
Records of any reportable injuries, death, dangerous occurrence or disease related to adults	Three years after the date the record was made	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended) www.legislation.gov.uk/uksi/2013/1471/regulation/12/made
Financial Records	Retention Period	Authority
Accounting records – invoices, parent declarations	Three years from the end of the financial year for private companies	Companies Act 2006 www.legislation.gov.uk/ukpga/2006/46/contents
	Six years for public limited companies	
	Six years for charities	Charities Act 2011 https://www.legislation.gov.uk/ukpga/2011/25/contents
Administration records	Retention Period	Authority
Minutes of Directors meetings	Ten years from the date of the meeting for companies	Companies Act 2006 www.legislation.gov.uk/ukpga/2006/46/contents
	six years from the date of the meeting for Charitable Incorporated Organisations	The Charitable Incorporated Organisations (General) Regulations 2012 www.legislation.gov.uk/uksi/2012/3012/contents/made
Risk Assessments	While they remain relevant	Health and Safety Executive www.hse.gov.uk/