

Records Retention Schedule for Cork ETB

Retention of Records

Schools and ETBs 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, Cork ETB has assigned specific responsibility and introduced procedures for ensuring that files are purged regularly and securely and that personal data are 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/centres 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 Statute 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/centre 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/centre 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	Retention Period	Final Disposition	Comments
Registers/Roll books	Indefinitely	N/A	Never destroy. Archive when class leaves + 2 years
State Exam Results	N/A	N/A	SEC responsibility to retain, not a requirement for school/ETB to retain.
Enrolment Forms	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 and from one second-level school to another)	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	Indefinitely	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	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	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	Indefinitely	N/A	Never destroy.
Scholarship Applications e.g. Gaeltacht, Book Rental Scheme	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	Record of outcome retained for 12 months.	Confidential shredding	Record of outcome retained for 12 months.

Sensitive Personal Data on Students	Retention period	Final disposition	Comments
Psychological Assessments	Indefinitely	N/A - Never destroy	Never destroy
Special Education Needs Files, Reviews, Correspondence and Individual Education Plans	Indefinitely	N/A	Never destroy
Accident Reports	Indefinitely	N/A	Never destroy
Child Protection Records	Indefinitely	N/A	Never destroy
Section 29 Appeal Records	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 18 years + 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Enrolment/Transfer Forms where child is not enrolled or refused enrolment	Student reaching 18 years + 7 years	Confidential shredding	Student reaching 18 years + 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Records of Complaints made by parents/ guardians	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 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 the ETB)

Staff Records	Retention period	Final Disposition	Comments
Recruitment process The suggested retention periods apply to unsuccessful candidates only. For successful candidates see retention periods set out below.	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Applications & CVs of candidates	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Database of Applications	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Selection Criteria	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Applications of Candidates not shortlisted	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Unsolicited Applications for Jobs	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Candidates shortlisted but unsuccessful at interview	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Candidates shortlisted and successful but do not accept offer	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Interview Board Marking Scheme & Board Notes	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).

Panel Recommendation by Interview Board	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Appeal documentation for internal competitions where an appeal procedure is in place	18 Months	Confidential shredding	18 months from date of Appeal Boards decision: (12 months from Appeal Boards decision plus 6 months for any potential proceedings to take place).
CV's of applicants not successful but recommended for a panel	18 Months	Confidential shredding	18 months from date of Appeal Boards decision: (12 months from Appeal Boards decision plus 6 months for any potential proceedings to take place).

Staff Personnel Files (whilst in employment) e.g. applications, qualifications, references, recruitment, job specification, contract, Teaching Council registration, records of staff training etc.	Retention Period	Final Disposition	Comments
Applications/CVs from initial appointment and from any subsequent successful appointment (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Qualifications (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
References (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Selection Criteria (kept in general recruitment file)	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Interview Board Marking Scheme & Board Notes (Kept in general recruitment file)	18 Months	Confidential shredding	18 months from interview date: (12 months from interview date plus 6 months for any potential proceedings to take place).
Panel Recommendation by Interview Board (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for

			proceedings to be served on the ETB)
Recruitment Medical (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Job Specification/Description (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Contract/Conditions of Employment (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Probation Letters/Forms (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
POR Service Details (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Leave of Absence Applications, e.g. career break, maternity leave, paternity, carers, annual leave etc. (Personnel file)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Job Share	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Working Time Act (attendance hours, holidays, breaks)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB). There is a statutory requirement to retain for 3 years.
Allegations/Complaints	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served).
Grievance and Disciplinary records	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served). Please note that the time periods for which a warning remains “active” on an employee’s record will be in accordance with the agreed Disciplinary Procedure, in such instances these will automatically default to a status of “Time Lapsed” in the file.

Occupational Health Records	Retention Period	Final Disposition	Comments
Sickness Absence Records/Certificates	Employment period + 7 years	Confidential shredding or N/A.	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served) and for pension service calculations
Occupational Health Referral	Employment period + 7 years	Confidential shredding or N/A.	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served) and for pension service calculations
Correspondence re Retirement on Ill-health Grounds	Employment period + 7 years	Confidential shredding or N/A.	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served) and for pension service calculations
Medical Assessments or Referrals	Employment period + 7 years	Confidential shredding or N/A.	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served) and for pension service calculations
Sick Leave Records (sick benefit forms)	Employment period + 7 years	Confidential shredding	Retain for duration of employment plus 7 years (6 years to take a claim, plus 1 year for proceedings to be served) and for pension service calculations

Superannuation/Pension/Retirement Records	Retention Period	Final Disposition	Comments
Records of Previous Service (incl. correspondence with previous employers)	Indefinitely	N/A	DES advises that these should be kept indefinitely. Never destroy.
Pension Calculation	Employment period + 7 years	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Incremental credit	Employment period + 7 years or life of employee/pensioner.	Confidential shredding	Duration of employment + 7 years (6 years in which to take a claim against the ETB, plus 1 year for proceedings to be served on the ETB)
Pension Benefit Statements to Paymaster Generals Office	7 years	Confidential shredding	7 years in which query may arise

Government Returns	Retention Period	Final Disposition	Comments
Any returns which identify individual staff/pupils.	Depends on the nature of the return.	N/A	If the return 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	Retention Period	Final Disposition	Comments
Board Agenda and Minutes	Indefinitely	N/A	Never destroy.
Permanent School Closure	As per guidelines.		On school closure, records should be transferred as per Records Retention in the event of school (ETB) closure/amalgamation . A decommissioning exercise should take place with respect to archiving and recording data.

Other School-based Reports/ Minutes	Retention Period	Final Disposition	Comments
CCTV Recordings	28 days	Safe/secure deletion/overwriting.	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 ETB property and where the images/recordings are retained to investigate those issues.
Principal's Monthly Report including Staff Absences	Indefinitely	N/A	Never destroy. 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	Indefinitely	Final Disposition	Comments
Audited Accounts	Indefinitely	N/A	Never destroy.
Payroll and Taxation	End of Tax Year + 6 years or indefinitely.		Revenue Commissioners require that records be kept for at least 6 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. The DES requires pay, taxation and related personnel service records be retained indefinitely.
Invoices/Back-up Records/Receipts	7 years		Retain for 7 years.

Signed: _____
 Chief Executive
 Timothy Owens

Signed: _____
 Chairperson
 Cllr. Patrick Gerard Murphy