



General Data Protection Regulation (GDPR) and destruction/deletion of records.

When it comes to keeping pupil records, some teaching members follow the NHS example and hold records for 8 years but where minors are concerned you will need to keep them for longer. Our insurers recommend 25 years. Please refer to the guidance previously circulated and in the members' section of the STAT website.

The GDPR principle highlights that you can keep anonymised data for as long as you want. In other words, you can either delete or anonymise the personal data once you no longer need it. We would recommend that you should regularly review the information you hold on your pupils and erase or anonymise personal data at the appropriate time.

When removing, returning, deleting or destroying any personal data, every reasonable and affordable step should be taken to ensure it is done in a manner which is secure and ensures privacy; thereby keeping the risk of theft, loss or interception to an absolute minimum.

In general, if personal data can be anonymised, then where possible, identifying data must not be collected in the first place.

On a computer, when data is removed or deleted securely, care must be taken to ensure that:

- Duplications are identified.
- Historical versions are identified (e.g. in computer history).
- Versions held in backup files or servers are identified.
- All identified versions that are no longer required are deleted securely and irrevocably. Professional advice may be needed for example from an IT specialist.

On occasion it may be necessary to retain evidence of the removal, deletion or destruction of personal data, particularly when the pupil has requested information regarding the erasure or has asserted the right to be forgotten.

If you receive a request to have personal data erased or forgotten in accordance with a pupil's statutory right, then you may need to inform any other recipients of that data so that the recipient may make steps to remove, return, delete or destroy the data as appropriate.

You must be prepared to respond to subject access requests (where pupils have the right to access their personal data) for personal data stored offline, and you must still comply with all the other principles and rights. The word 'deletion' can mean different things in relation to electronic data, and we recognise it is not always possible to delete or erase all traces of the data held on a pupil. The key issue is to ensure you put the data beyond use. If it is appropriate to delete personal data from a live system, you should also delete it from any back-up of the information on that system.

It may be likely that data also exists in a number of other places, including private devices that are not connected to a server (such as laptops, tablets and phones). Please consult the device settings for guidance for erasing of electronic data if and when necessary.

Data may also be printed and kept as paper copies, with no real process for the safe destruction of such data when it is no longer required.

The GDPR does not set a specific size that documents need to be shredded to in order to comply with the regulation. It is true that the GDPR covers far more than the deletion of physical documentation, as the rules apply to the storage of any kind of personal data. However, physical documents are often overlooked when attempting to achieve to GDPR compliance, so it is important that you take the time to understand the processes that you use and to update them accordingly.

If you have any of the following documents in paper format you will need to comply with GDPR:

- Client data
- Medical information
- Personal information

If such documents need to be destroyed, the best device to use for destruction of paper format documents is a cross-cutting shredder. Other shredders may not completely obscure lines of text. Cross-cutting shredders are readily available from all main stationery retailers and online retail companies.

Should this not be an option, complete destruction by burning is another option.

If you are in any doubt about any of this, or would like further information, please contact the STAT office.