



PEMBROKE HOUSE



DATA RETENTION & DISPOSAL POLICY



PEMBROKE HOUSE SCHOOL – DATA RETENTION & DISPOSAL POLICY

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PEMBROKE HOUSE SCHOOL – DATA RETENTION & DISPOSAL POLICY

1. POLICY STATEMENT

- 1.1. Pembroke House School (“Pembroke”, “The School”, “We”, “Us”, “Our”) recognises that its records are vital assets which need careful management to enable it to conduct its business and comply with its statutory obligations.
- 1.2. This Policy establishes guidelines for the retention and secure disposal of data collected and processed by The School to ensure compliance with applicable laws, protect individual privacy and minimise the risk of unauthorised access or disclosure.
- 1.3. We recognise that retention should be based on the purpose of data collection, legal requirements, and operational needs.

2. SCOPE OF THE POLICY

- 2.1. This policy applies to all data collected, processed and stored by The School in both physical and electronic formats.
- 2.2. This policy also applies to all personal and sensitive personal data relating to pupils, parents, employees, job applicants, suppliers, visitors, website users and any other individual whose data is collected during the course of The School’s operations.

3. ROLES AND RESPONSIBILITIES

- 3.1. **The School Council:** Shall have the overall responsibility of ensuring that the School meets its data protection compliance obligations.
- 3.2. **The Headteacher:** The Headteacher is responsible for ensuring compliance with data protection legislation and this policy within the day-to-day activities of the school and that all employees are trained on data protection.
- 3.3. **The Data Protection Officer (“DPO”)** is responsible for monitoring compliance, advising on data protection laws, conducting audits and assessments to evaluate the effectiveness of data retention and disposal practices.
- 3.4. **Employees** must familiarise themselves with this Policy, adhere to the prescribed retention periods and seek guidance when uncertain about the appropriate data retention and disposal measures for specific data.

4. GUIDING PRINCIPLES

- 4.1. This policy aims to: -
 - a) Comply with legal and regulatory requirements on data retention.
 - b) Keep personal data no longer than necessary.
 - c) Handle, store and dispose of data responsibly and securely.



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- d) Allocate appropriate resources for data retention and disposal.
- e) Regularly remind employees of their data retention responsibilities.
- f) Monitor and audit compliance with this policy and update it when required.

5. FILING & ARCHIVING OF RECORDS

5.1. On-site Storage: We shall maintain a detailed log of records' movement in and out of the filing rooms and limit access to authorised personnel.

5.2. Offsite Storage: We shall use approved archiving facilities for offsite storage.

6. CONSIDERATIONS FOR RETENTION PERIODS

- 6.1.** When establishing and/or reviewing retention periods, legal and regulatory requirements that dictate the minimum or maximum retention periods for specific types of data, the purpose of data collection, business and operational needs, data subject rights and contractual obligations shall be considered.
- 6.2.** The DPO shall establish criteria to determine retention periods, when and/or if a precise retention period cannot be fixed.
- 6.3.** Notwithstanding the defined retention periods personal data may be deleted before the defined retention period if need be.

7. DATA DISPOSAL METHODS

- 7.1.** Data shall be disposed of using secure and appropriate methods to prevent unauthorised access, loss, or disclosure.
- 7.2.** The following disposal methods may be employed: -
 - a) **Secure Shredding** of physical documents.
 - b) **Secure Burning** of physical documents.
 - c) **Secure Digital Erasure** of digital data such as data wiping or degaussing.
 - d) **Secure Destruction** in cases where physical destruction is necessary, such as for damaged or obsolete electronic devices.

8. DISPOSAL PROCEDURES

- 8.1.** The following procedure shall be followed for the secure disposal of data:
 - a) Identification and classification of data for disposal based on sensitivity and legal requirements.
 - b) Only authorised personnel handle and dispose of data.
 - c) Securely storing data awaiting disposal to prevent unauthorised access or accidental disclosure.



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- d) Disposing of in a timely manner once the retention period has expired.
- e) Documentation of disposal activities, including details of the type of data disposed, disposal method used, date of disposal, and the name of the authorised personnel responsible for the disposal.

9. THIRD PARTY DISPOSAL

9.1. When engaging third-party service providers for data disposal, The School shall select reputable vendors with established data disposal practices, including specific clauses in agreements outlining vendor responsibilities, obligations regarding data disposal, confidentiality and proper disposal methods.

10. DATA DISPOSAL EXCEPTION HANDLING

10.1. In certain situations where data disposal is not feasible or poses significant risks, exceptions may be granted. The following conditions must be met for granting exceptions:

- a) Justification explaining the reasons for retaining data beyond the normal disposal period.
- b) Risk Assessment to evaluate the potential risks associated with retaining the data and implement appropriate safeguards to mitigate those risks.
- c) Approval Process from authorised personnel, such as the Data Protection Officer or senior management.
- d) Training and Awareness programs shall be conducted to educate employees and relevant stakeholders about proper data disposal practices.

11. ARCHIVING PROCEDURES

11.1. The following procedure shall be followed for the secure archiving of data:

- a) Identifying data for archiving.
- b) Completing an archiving form (which is signed by authorised personnel and stored for future reference) that details the data type, data subject, owner, retention period, and storage location.
- c) Secure transfer of data to a chosen storage medium, (encrypted if it is sensitive data)
- d) Access is restricted to authorised personnel only.
- e) Data is retained for the specified period and periodically reviewed for secure disposal once expired.

Commented [1]: We don't have an archiving form, we simply move past employees to another filing cabinet and past pupils to the archive room.

12. COMPLIANCE MONITORING

12.1. A compliance monitoring framework to ensure adherence to the data disposal policy shall be established by The School and shall include conducting periodic internal audits to assess the effectiveness and compliance of data disposal practices, performing compliance assessments, promptly addressing non-compliance issues, maintaining records of

Commented [2]: We don't have a compliance monitoring framework not an internal audit schedule.



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compliance assessments, audit findings and corrective actions taken to demonstrate The School's commitment to data disposal compliance.

13. TRAINING AND AWARENESS

- 13.1.** Comprehensive training programs shall be provided to employees and relevant stakeholders involved in the data disposal process to educate them about the data disposal policy, their obligations in ensuring secure data disposal, inform them about legal and regulatory requirements pertaining to data disposal, retention periods and consequences of non-compliance.
- 13.2.** Records of training sessions shall be maintained to demonstrate compliance with training requirements and as evidence of ongoing awareness initiatives.

14. CONSEQUENCES OF NON-COMPLIANCE

- 14.1.** Failure to comply with this policy may result in disciplinary action, up to and including termination of employment or contract.

15. POLICY REVIEW

- 15.1.** This Policy shall be annually reviewed by the DPO and approved by the School Council.

16. ANNEX 1: RECORDS RETENTION SCHEDULE

DATA SUBJECTS	TYPE OF DATA	STATUTORY RETENTION PERIOD & JUSTIFICATION	DISPOSAL MEASURES
Directors/ Employees	<ul style="list-style-type: none"> ▪ Contact details: Telephone numbers, Personal email and Postal address. ▪ Recruitment data: Work history, Academic certificates, Interview notes, CVs, Cover letters, Information contained in the interview score sheets, Police clearance certificates, References from former employers, Psychometric tests results. ▪ Onboarding data: Contract or letters of offer, Statutory documents such as NSSF, NHIF, KRA PIN, Bank details, Passport photos. ▪ Employee Records: Employee personal data forms, Consent to use personal data form, Staff registers, Payroll and Employee benefits records, Transfer and promotion records, Salary review records, Performance management records, Disciplinary records, Leave records, Training records, Health records, Payroll and employee benefits records, Employee signatures, Communication with employees in form of emails, phone calls, letters. ▪ Health Data: Medical insurance information, On-site clinic visits information including name, type of medication administered, dosage, date of issue; Kitchen staff statutory medical records; WIBA records, DOSH records. ▪ Internship records: Intern personal data sheets and internship evaluation forms. 	<ul style="list-style-type: none"> ▪ A Single Central Register for Exited Staff shall be maintained indefinitely. The register shall contain the following details: <ul style="list-style-type: none"> ○ Name ○ Identification Number ○ Tax Identification Number ○ Employment Start Date ○ Position at employment ○ Checks done on the employee ○ Employment End Date ○ Reason for Termination ○ Position on last date of employment ▪ All other employee records shall be kept for existing employees and directors for the duration of the contract and 10 years thereafter for legal purposes 	<ul style="list-style-type: none"> ▪ Secure deletion such as overwriting, anonymization, degaussing, physical destruction ▪ Shredding, incineration or pulping. <p>Or any other method as may be determined by The School from time to time.</p>



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DATA SUBJECTS	TYPE OF DATA	STATUTORY RETENTION PERIOD & JUSTIFICATION	DISPOSAL MEASURES
		<ul style="list-style-type: none">Any person who dies in service; the file shall be kept until all final dues are paid.For photographs and videos: For the duration of the consent.For cookies: refer to Cookie Policy on www.pembrokehouse.sc.ke.CCTV records: as per CCTV Policy.	



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DATA SUBJECTS	TYPE OF DATA	STATUTORY RETENTION PERIOD & JUSTIFICATION	DISPOSAL MEASURES
	<ul style="list-style-type: none"> ▪ Staff exit data: Information contained in Resignation, Termination, Summary dismissal and Retirement letters, Exit interview forms and responses, Information contained in the clearance forms, Final discharge and Certificate of service. ▪ Complaints/requests, Online identifiers such as cookies and related tags, IP addresses. ▪ CCTV records, Photographs/ Videos. 		
Pupils	<ul style="list-style-type: none"> ▪ Personal Identification Information: Name, date of birth, gender, nationality, and contact details. ▪ Educational Records: Academic performance, attendance, assessment results, and disciplinary records. ▪ Health and Welfare Information: Medical records, dietary requirements, special educational needs (SEN), and safeguarding information. ▪ Parental/Guardian Information: Contact details, relationship to the pupil, and communication preferences. ▪ Financial Information: Payment records for tuition, extracurricular activities, and other school-related fees. ▪ Images, Videos, and Audio Recordings: Photographs, videos, and audio recordings for educational or promotional purposes. ▪ Digital Data: Email communications, login details for school systems, and records of online activities conducted through school platforms. ▪ CCTV records 	<ul style="list-style-type: none"> ▪ Duration of enrollment at The School and 10 years thereafter for legal purposes. ▪ The school shall maintain a single central register indefinitely for all pupils enrolled at the school highlighting <ul style="list-style-type: none"> ○ Name ○ Date of Birth ○ Names of Parents/Guardians ○ Names of Siblings ○ The Date of Joining the School ○ The Date of Leaving ○ The Reasons for Leaving 	<ul style="list-style-type: none"> ▪ Secure deletion such as overwriting, anonymization, degaussing, physical destruction ▪ Shredding, incineration or pulping. <p>Or any other method as may be determined by The School from time to time.</p>

Commented [3]: What do we all this document as I don't think it is a Single Central Register - we should use the same verbeage for the document for clarity.



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DATA SUBJECTS	TYPE OF DATA	STATUTORY RETENTION PERIOD & JUSTIFICATION	DISPOSAL MEASURES
		<ul style="list-style-type: none"> ○ Academic performance history ▪ For photographs and videos: per the duration of the pupil image consent form. ▪ For cookies: refer to Cookie Policy. ▪ CCTV records: as per CCTV Policy. 	
Job Applicants	<ul style="list-style-type: none"> ▪ Identification details: name, date of birth, ID no/passport number, ▪ Contact details: telephone number, personal email address, postal address, ▪ Education & Work History: Information contained in CVs, Cover Letters, Academic and professional certificates. ▪ Interviews: Interview dates, Responses given during job interview and Interview notes. ▪ Background search results including Police clearance certificates, References from former employers and Information from referees. ▪ CCTV footage. 	<ul style="list-style-type: none"> ▪ Duration of the recruitment process and 3 years thereafter for verification and audit purposes and for legal claims. ▪ For cookies: refer to Cookie Policy. ▪ CCTV records: as per CCTV Policy. 	<ul style="list-style-type: none"> ▪ Secure deletion such as overwriting, anonymization, degaussing, physical destruction. ▪ Shredding, incineration or pulping. <p>Or any other method as may be determined by The School from time to time.</p>



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	<ul style="list-style-type: none">▪ Correspondence: Any correspondence with job applicants through emails or phone calls, cookies and online identifiers.			
Visitors	<ul style="list-style-type: none">▪ Contact details: Name, Phone number.▪ Identification details: Name, ID, Passport details, Car registration number.▪ CCTV records.▪ Complaints/requests.		<ul style="list-style-type: none">▪ Period of visit and 3 years thereafter for legal purposes (BSO)▪ For CCTV records: as per the	<ul style="list-style-type: none">▪ Secure deletion such as overwriting, anonymization, degaussing, physical destruction▪ Shredding, incineration or pulping.Or any other method as may be determined by The School from time to time.



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DATA SUBJECTS	TYPE OF DATA	STATUTORY RETENTION PERIOD & JUSTIFICATION	DISPOSAL MEASURES
			CCTV Policy
Suppliers	<ul style="list-style-type: none"> ▪ Identification details: Name, ID or Passport number, Gender, Nationality. ▪ Contact details: Telephone number, Personal email address. ▪ Contractual details. ▪ Payment details: KRA PINS, Bank details, ▪ Queries, complaints and correspondence of whatever nature. ▪ CCTV Records. ▪ Online identifiers: IP addresses, cookies, website tags, usernames. 	<ul style="list-style-type: none"> ▪ Duration of the relationship and 6 years thereafter for legal purposes ▪ For photographs and videos: for the duration of the consent ▪ For cookies: refer to Cookie Policy. ▪ CCTV records: as per CCTV Policy. 	<ul style="list-style-type: none"> ▪ Secure deletion such as overwriting, anonymization, degaussing, physical destruction ▪ Shredding, incineration or pulping. <p>Or any other method as may be determined by The School from time to time.</p>
Website Users /Members of the Public	<ul style="list-style-type: none"> ▪ Identification details: Name. ▪ Contact details: Phone number, Email address. ▪ Customer Correspondence. ▪ Online Identifiers: IP address, cookies, IDs of the device used to access the site, web browser details (type, version) etc. 	As per the Terms and Conditions of the Website Provider.	