



BUCKINGHAMSHIRE
NEW UNIVERSITY

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Records Management Policy

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Contents

Background	2
Purpose	2
Legal Requirements.....	3
Applicability and Scope	3
Responsibilities.....	4
Definitions.....	4
Records Management	5
Record Disposal.....	6
Monitoring.....	6
Key Relevant Documents	6
Appendix 1: JISC Guidance.....	7
Appendix 2: Student Records Management	8
Appendix 3 : Equality Impact Assessment.....	10

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Background

- 1 Buckinghamshire New University (BNU) recognises that the efficient management of its records is essential for effective administration enabling it to comply with its legal and regulatory obligations, and to contribute to the effective overall management of the institution.
- 2 Good management of records helps staff in the performance of their duties by improving access to and organisation of relevant records, archiving or disposing of out of date or superseded records from university systems and reducing duplication of documents and data.
- 3 Good management of records relating to students is also essential for
 - Managing the relationship between the institution and the student
 - Providing support and other services and facilities to the student
 - Controlling the student's academic progress and measuring their achievement, both at the institution and subsequently
 - Providing support to the student after they leave the institution.
- 4 Appropriate procedures and processes practised under good records management should be concerned with:
 - Records creation, including naming conventions and version control
 - Capture and storage of information, including onsite and offsite storage
 - Use and security of information
 - Retention and disposal, including creation of a records retention schedule
- 5 The University will review this policy at regular intervals of a maximum of five years or as and when legislation changes.

Purpose

- 6 The purpose of this policy is to provide a framework for management of records at BNU to ensure that the University:
 - Creates and captures complete, accurate and reliable records in all formats to underpin its decisions and activities
 - Maintains securely, prevents unauthorised access to, and retains access to those records for as long as they are required to support the University's operations
 - Properly disposes of those records as soon as they are no longer required, or in accordance with legal obligations
 - Identifies records for permanent and secure preservation as an historic account of the University's activities
 - Complies with all legal obligations, and information requirements in the management and retention of such records, in accordance with the data protection legislation currently in

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place i.e. UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and the Freedom of Information Act 2000 (FOIA).

Legal Requirements

- 7 The Data Protection Act 2018 regulates how the University processes personal information, it requires data to be accurate, kept up to date, gathered for a specific purpose, retained for no longer than necessary and protected against unauthorised loss, destruction or damage.. The Act allows individuals to request access to their personal data (whether in paper or electronic format), also know as making a subject access request, to which the University must respond within one month. These requirements drive the creation and maintenance of our Records Retention Schedule.
- 8 The Freedom of Information Act 2000 provides a general right of access to the University's records: the public have the right to be told whether information exists and to receive that information (subject to certain exemptions) within 20 working days of making a request. Under section 77 of the FOIA it is an offence to deliberately withhold, alter, conceal or destroy information to prevent disclosure, so the University must demonstrate that any destruction takes place according to documented retention periods. A Code of Practice under the Act requires that public bodies make available a retention schedule to support transparency.
- 9 The Limitation Act 1980 provides a defined timescale beyond which recipients of services can no longer complain to service providers. BNU uses this provision to cover retention of most of our records relating to our students, staff and contracts.
- 10 The Finance Act 2007 provides His Majesty's Revenue and Customs (HMRC) with rights of access to financial records. BNU uses these provisions to manage retention of our key finance and accounting records.
- 11 All staff must ensure that the records for which they are responsible are accurate and are maintained in accordance with the provisions of this Policy and disposed of in accordance with the Records Retention Schedule.

Applicability and Scope

- 12 This policy applies to the management of all documents and records which are created by staff carrying out the business of the University. This includes records and documentation created in the course of research, whether internally or externally funded.
- 13 The policy applies to all records, including those that are in a digital format and those that are in a physical format (hard copy). The recorded information may be in any form (e.g. text, image, sound).
- 14 This policy is supported by the University's *Records Retention Schedule* which provides a list of the groups of records produced by the University and stipulates the length of time that records

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should be retained in order to meet operational and regulatory requirements. The Schedule also details any legislative or archival value considerations when managing the retainment or disposal of records.

Responsibilities

- 15 Each School and Directorate will be responsible for ensuring it remains compliant with the University's policy and *Records Retention Schedule*.
- 16 Heads of School and Heads of Directorates or their nominated representatives will be responsible to the University Executive Team for the implementation of this policy within their respective areas.
- 17 The responsible Head of School or Directorate will be known as the System Owner and will manage and be responsible for managing, maintaining, and disposing of documents in line with the policy and Schedule regardless of the format of the record (digital or physical).
- 18 System Owners may delegate the responsibility of records management to a designated member of staff within their team.
- 19 The University Secretariat is responsible for drawing up guidance for records management.
- 20 The Digital and Technical Services Directorate is responsible for promoting compliance with the policy across the University and providing advice and guidance to staff on how to hold records securely and how to dispose them securely and confidentially.
- 21 The responsibility for reviewing records and securely and confidentially destroying records where the retention period has ended at off-site storage sites (such as an off-site archive) lies with the System Owner for each School or Directorate.
- 22 Where relevant, other stakeholders, such as students, contractors, consultants and visitors should be made aware of their responsibilities under this policy.
- 23 This policy and the University's Records Retention Schedule is also compliant with JISC's [Student Records Guidance \(2019\)](#). See Appendix 1: JISC Guidance for more detail.

Definitions

Record	The UK GDPR Article 4 - information and documentation – Records Management Part 1 defines 'records' as: Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business.
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	Records at the University may be in either physical (hard copy) or digital / electronic format and may also contain imagery.
Non-records	Non-records do not require formal management. Examples of non-records include convenience copies, rough drafts, duplicates
Records lifecycle	The life span of a record from its creation to its disposal
retention period	The duration of time for which the record should be maintained or 'retained', irrespective of format. Retention periods vary and are based on a variety of factors for a type of record.
Retention schedule	A listing of the identified and approved retention period for each type of record identified
System Owner	The person responsible for implementing the Policy. The System Owner could be a Head of School or Head of Directorate and is able to nominate the responsibility to a member of their staff

Records Management

- 24 Not all documents are records. Records management generally distinguishes between **records** and **non-records**; the latter do not need formal management. Documents should be *formally declared* as records so that they can be managed.
- 25 All records should be accurate, complete and held securely to facilitate audit processes and satisfy the University's responsibilities under the UK GDPR and in accordance with the University's Information Classification Policy
- 26 The University's *Records Retention Schedule* states how long documents should be retained and will be reviewed every five years as per JISC guidance.
- 27 No document should be kept longer than stated on the Records Retention Schedule. Documents listed on the Records Retention Schedule should be reviewed at least twice a year; documents whose retention period has reached its end should be securely and confidentially destroyed.
- 28 System Owners, or their nominee, will be responsible for ensuring that their area reviews the records it holds and authorising that records that are past their retention can be securely and confidentially destroyed.
- 29 Over the course of the academic year 2023-2024 BNU will be transitioning to comply with its new Records Retention Schedule., During this period Schools and Directorates will be updating their records retention practices in line with the latest JISC guidance.

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Record Disposal

- 30 A Record Disposal Register will be maintained to record the destruction of University records regardless of the format. The register will hold information on the records disposed of, reason for disposal, date of destruction, name and job title of person who authorised the destruction.
- 31 System Owners are responsible for completing the Record Disposal Register when deleting any information they are responsible for.
- 32 Where records are scheduled for destruction, but, are subject to a Freedom of Information or Environmental Information request destruction will be delayed until the request has been concluded.
- 33 Where records have been identified for disposal they should be disposed of in an appropriate way in accordance with their classification. Care should be taken to ensure that all records containing personal or sensitive information are disposed of securely.

Monitoring

- 34 Monitoring of the implementation of, and compliance with, this policy will be undertaken at an operational level by Digital and Technical Services Directorate with regular reporting on implementation, non-implementation, compliance and non-compliance to the University Management Group.
- 35 An annual report of records destroyed will be presented to Resources / Audit Committee in order to give assurance to the University's Council that BNU is compliant with the legal requirements regarding records retention and disposal.
- 36 An annual summary of record retention and management processes will be included within the Data Protection Officer's report to University Executive Team and its summary reported to Council.

Key Relevant Documents

- 37 This policy should be read and understood in the context of other University Policies including:
 - Data Protection Policy
 - Freedom of Information Policy
 - Information Classification Policy
 - Privacy Notices.
 - Records Retention Schedule

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Appendix 1: JISC Guidance

38 JISC has produced guidance tables for Higher Education record retention that can be accessed as an excel spreadsheet [here](#). These tables have been used as the basis for BNU's Records Retention Schedule.

39 The JISC guidance covers seven areas:

- Academic Administration
- Research
- Corporate Management and Compliance
- Human Resources
- Corporate Resources
- Information Compliance
- Communications

40 JISC describes its guidance as such:

“This guide is limited to retention guidance for records and information in higher and further education institutions.

It is aimed at information and records professionals working within these institutions, as well as anyone working within those institutions who comes into regular contact with records such as administrative, teaching and IT staff.

For more information on student records in particular, read our [guidance document \(pdf\)](#).”

Appendix 2: Student Records Management

- 41 BNU recognises the particular importance of effective student records management. In accordance with JISC recommendations, authorised staff will maintain a record of:
- The content, format and location of all student records
 - The names and designations of all staff with access to student records, and any limitations on that access
 - Student records which have been transferred to another part of the institution, particularly after the student has left;
 - Organisations, professional bodies, statutory regulators to whom personal data relating to the student has been provided.
- 42 Student records will be stored and indexed or have metadata applied so that they can be identified and retrieved quickly and easily.
- 43 Paper records should be housed securely in line with the requirements of Data Protection Legislation.
- 44 Student records will only be kept for as long as is necessary to:
- fulfil and discharge the contractual obligations established between the institution and the student, including the completion of any non-academic disciplinary action;
 - provide information on the academic career and achievements of the student to employers, licensing/regulatory bodies and other organisations, as well as to the student as part of their lifelong learning record;
 - record the activities of the student as an individual and as a consumer of student support and other institutional services as a means of managing those services and planning and developing them in the future.
- 45 The nature of the activities which give rise to these categories of records drives their retention.
- 46 The contractual relationship between the institution and the student is subject to the same statutory limitations on action as any other contract. This includes records of disciplinary action taken against the student. The records will be disposed of accordingly. The date at which the student leaves the institution normally provides the retention 'trigger'.
- 47 Records relating to the student as a learner will be retained for longer than other student records. The University accepts it has an obligation, during a student's working life, to provide information on what they have studied and achieved, i.e. a Transcript.
- 48 Students' lifelong learning records or progress files also include additional data on relevant non-academic achievements and activities (e.g. voluntary work). The retention period for these records reflects the need to fulfil this obligation over prolonged periods of time, perhaps for the lifetime of the student. These records will be kept separate from those relating to other aspects of the relationship so that non-academic records are not retained for unnecessarily lengthy periods, consuming storage resources and creating potential breaches of the Data Protection Act 2018.

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- 49 Records relating to the student as an individual and as a user of student support and institutional services are relatively short term and will be retained for a short finite period once the student leaves the institution. This period is shorter than for records relating to the wider contractual arrangements.
- 50 The University will also comply with any specific records management requirements from Professional, Statutory, and Regulatory Bodies such as the Nursing and Midwifery Council or Social Work England.

Appendix 3 : Equality Impact Assessment

1. What is changing and why?				
Buckinghamshire New University (BNU) recognises that the efficient management of its records is essential for effective administration enabling it to comply with its legal and regulatory obligations, and to contribute to the effective overall management of the institution. Therefore, the Document Retention Policy needs to be updated to reflect the changes to Data Protection Laws and the introduction of GDPR.				
2. What do you know?				
The current Policy is now out of date and requires updating to reflect the changes to the law.				
3. Assessing the impact				
	Could benefit	May adversely impact	What does this mean? <i>Impacts identified from what you know (actual and potential)</i>	What can you do? <i>Actions (or why no action is possible) to advance equality of opportunity, eliminate discrimination, and foster good relations</i>
a) How could this affect different ethnicities? <i>Including Gypsy, Roma, Traveller, Showmen and Boaters, migrants, refugees and asylum seekers.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The updated Policy has the potential to benefit all groups that work, study and/or graduate at BNU. It covers their legal rights to be forgotten, should they wish and means that their records will be stored securely and only kept for as long as is absolutely necessary. GDPR applies to everyone regardless of ethnicity.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
b) How could this affect cisgender and transgender men and women (including maternity/pregnancy impact), as well as non-binary people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to everyone regardless of gender or sexuality. Gender reassigned staff and students could particularly benefit from the removal of out of date titles, genders and names.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.

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c) How could this affect disabled people or carers? <i>Including neurodiversity, invisible disabilities and mental health conditions.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GDPR Law applies to all those with disabilities and their carers. This policy could further aid disabled people and carers through helping keep track of reasonable adjustments requests.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
d) How could this affect people from different faith groups?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to people of all faiths equally.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
e) How could this affect people with different sexual orientations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to people of sexual orientations equally.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
f) How could this affect different age groups or generations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to people of all age groups and generations equally.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
g) How could this affect those who are married or in a civil partnership?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to people of all marital status equally. The destruction of	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can

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			records with out of date names and/or partnership statuses could prove beneficial.	request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
h) How could this affect people from different backgrounds such as: socio-economic disadvantage, homeless, alcohol and/or substance misuse, people experiencing domestic and/or sexual violence, ex-armed forces, looked after children and care leavers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to people of all backgrounds equally. Those from socio-economically disadvantaged backgrounds could benefit from proper management of records relating to financial cost of living help or universal credit.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
i) How could this affect people with multiple intersectional experiences?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above, GDPR Law applies to people with multiple intersectional experiences equally.	Ensure documents are retained and stored in accordance with the law, destroyed when required and handled sensitively. Individuals can request the right to be forgotten. The University will have a specific timeframe to delete/remove records, or to ensure an individual's right to be forgotten is implemented.
4. Overall outcome				
No major change needed <input checked="" type="checkbox"/>	Adjust approach <input type="checkbox"/>	Adverse impact but continue <input type="checkbox"/>	Stop and remove <input type="checkbox"/>	
5. Details of further actions needed				
Regular review and monitoring of records to ensure they meet GDPR requirements and are destroyed or deleted in line with the Policy				
6. Arrangements for delivery and future monitoring				
The Data Protection/GDPR Officer will ensure that records are kept updated and destroyed in a timely manner as per the Policy. Individual Directorates will ensure their Document Retention Schedules are kept updated and that records are routinely reviewed and deleted or destroyed when necessary as per the Policy.				
7. Completed by:	Wendy Binmore	Committee Officer	Date	23/05/2023

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8. Signed off by:	Emma Tomsett	Secretariat Manager	Date	18/09/2023
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