



ABC Kidz Educare

“We nurture happiness”

Date Policy Written: 06/07/2021

Date of current revision: 06/07/2021

Date of next revision: 06/07/2022

Person responsible: Esme Olyn

Data retention and destruction policy - 2021

1. Purpose

The purpose of this Policy is to ensure that necessary records and documents of ABC Kidz Educare are adequately protected and maintained and to ensure that records that are no longer needed by ABC Kidz Educare or are of no value are discarded at the proper time. This Policy is also for the purpose of aiding employees of ABC Kidz Educare in understanding their obligations in retaining electronic documents - including e-mail, Web files, text files, sound and picture files, PDF documents, and all Microsoft Office or other formatted files.

2. Policy

This Policy represents the ABC Kidz Educare's policy regarding the retention and disposal of records and the retention and disposal of electronic documents.

This policy will be implemented, maintained, and updated by:

- a. Information Officer: ABC Kidz Educare represented by:

Name: Esmé Olyn

Designation: Manager

Contact details: 071 101 8282

Email: esme@abckidseducare.co.za

Telephone: 010 501 0209

3. Collection of Personal Information

- a) We collect PI directly from the parents and staff when they provide us with personal details, i.e. the Application for Enrolment or the Application for Employment.
- b) Where possible we will inform our Data Subjects when information is optional.

4. Collection of Non-Personal Information

When somebody visits our website collection of non-personal information takes place. This enables us to establish which pages are of most interest to our parents and gives us especially useful data that we use to enhance visitor's experiences to our website. Nobody can be identified from this information. This includes the use of cookies.

5. Security of Personal Information (Data Protection)

ABC Kidz Educare is legally obliged to provide protection for the Personal Information we hold, prevent unauthorized access, and use of the PI and prevent loss of the information. To achieve this:

- a) The electronic files are password protected.
- b) The paper files are stored in a lockable cupboard situated in the office.
- c) Use of PI has been documented in the Privacy policy and implemented in the ECD center. It effectively monitors access and usage of the information.
- d) Access to PI has been documented in the privacy policy and implemented in the ECD center.
- e) Our computers and networks are securely protected through Avast virus protection software, which prevents hacking, spyware, and malware.
- f) Adhering to governance and regulatory norms and standards.
- g) Immediately reacting to and investigating security incidents.
- h) Physical security, i.e.:
 - Access controlled doors.
 - Security guards
 - Biometrics
- i) Secure communications.

6. Retention of Personal Information

ABC Kidz Educare will retain Personal Information in compliance with POPIA and other applicable legislation and Acts.

Information is retained:

- a) For only as long as necessary in terms of the law.

- b) In order for us to meet contractual obligations and also to provide a quality early learning experience for the children in our center.
- c) If various Acts require different retention periods, we will use the longest period.
- d) When information is reasonably required, e.g. reports and assessments, we will retain these records for a longer period.
- e) When required by contract.
- f) Only with the consent of Data Subjects.

7. Retain only if necessary

POPIA requires that “records of personal information must not be kept any longer than is necessary for achieving the purpose for which the information was collected”. There are some exceptions to the rule where information may be kept longer:

8. Reasonable required

- a) Records may be kept longer when the organization reasonably requires the record for lawful purposes related to its activities and functions”. For example, reports and assessments should be kept for at least 10 years.
- b) What is reasonable will depend on the circumstances in each case which may lead to some uncertainty.

Required by contract: For example, the enrolment agreement might state that you are required to provide parents with regular updates regarding their child’s progress to perform under the contract you would therefore need their contact information.

Consent

- Consent under POPI must be specific, voluntary, and informed.
- The burden of proof is on you to show that it was given; a written record would be best.
- It is also important to remember that under 18s normally need a competent person to give consent.

9. When required by Law

Records may be retained for longer when the retention is required or authorized by law. Since numerous laws mandate the retention of different categories of records it can be a challenge just to find the relevant law.

10. Deleting of Personal Information

- a) If Personal Information is collected for a specific purpose, it will be deleted once that purpose has been fulfilled, unless it must be kept for legitimate reasons.
- b) Using the document retention times listed in the various South African Acts, we delete information from our paper files, electronic devices, and backup systems.
- c) Information is never kept for longer than required and is deleted securely at the correct timeframe, .e.g:
 - Contracts – 7 years after the staff or child has left.
 - COVID-19 registers – 1 year from the date of the registers
 - Other registers – 3 years from the date of the register
 - Application Forms – 3 years from the date the staff or child left.

11. Suspension of Record Disposal In Event of Litigation or Claims

In the event ABC Kidz Educare is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning ABC Kidz Educare or the commencement of any litigation against or concerning ABC Kidz Educare, such employee shall inform the Information officer and any further disposal of documents shall be suspended until such time as the Information officer, with the advice of counsel, determines otherwise. The

Information officer shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

12. Applicability

This Policy applies to all physical records generated during ABC Kidz Educare's operation, including both original documents and reproductions. It also applies to the electronic documents.

13. Electronic documents

- a) **Electronic Mail:** Not all emails need to be retained, depending on the subject matter.
- All e-mails—from internal or external sources—is to be deleted after 12 months.
 - Staff will strive to keep all but an insignificant minority of their e-mail related to business issues.
 - ABC Kidz Educare will archive e-mail for six months after the staff has deleted it, after which time the e-mail will be permanently deleted.
 - All ABC Kidz Educare's business-related email should be downloaded to a service center or user directory on the server.
 - Staff will not store or transfer ABC Kidz Educare-related e-mails on non-work-related computers except as necessary or appropriate for ABC Kidz Educare purposes.
 - Staff will take care not to send confidential/proprietary ABC Kidz Educare information to outside sources.
 - Staff with more than 500MB in their e-mail account will be unable to send or receive messages until the size of their account is reduced. Staff will be notified by ABC Kidz Educare as their account size approaches 500 MB.
 - Any e-mail staff deems vital to the performance of their job should be copied to the staff's H: drive folder and printed and stored in the employee's workspace.
- b) **Electronic Documents:** including Microsoft Office Suite and PDF files. Retention also depends on the subject matter.
- **PDF documents** – The length of time that a PDF file should be retained should be based upon the content of the file and the category under the various sections of this policy. The maximum period that a PDF file should be retained is 6 years. PDF files the employee deems vital to the performance of his or her job should be printed and stored in the employee's workspace.
 - **Text/formatted files** - Staff will conduct annual reviews of all text/formatted files (e.g., Microsoft Word documents) and will delete all those they consider unnecessary or outdated. After five years, all text files will be deleted from the network and the staff's desktop/laptop. Text/formatted files the staff deems vital to the performance of their job should be printed and stored in the staff's workspace.

ABC Kidz Educare does not automatically delete electronic files beyond the dates specified in this Policy. It is the responsibility of all staff to adhere to the guidelines specified in this policy.

In certain cases, a document will be maintained in both paper and electronic form. In such cases the official document will be the electronic document.

14. Credit card record retention and destruction

A credit card may be used to pay for the following ABC Kidz Educare's products and services: Fees, stationery, etc.

All records showing customer credit card number must be locked in a desk drawer or a file cabinet when not in immediate use by staff.

If it is determined that information on a document, which contains credit card information, is necessary for retention beyond 2 years, then the credit card number will be cut out of the document.

15. Web Page Files: Internet Cookies

Categories of Data Subjects and Personal Information and Special Personal Information

Category: Consumers and Potential, i.e. Parents and Guardians of Children	
Personal Information	Retention period
<ul style="list-style-type: none"> • Billing information • Email address • Emergency contact (if parent not available) • Full Names • Home and postal address • Marital status. If divorced, the custody and visiting arrangements. • Telephone numbers 	5 years after parents left
Special Personal Information	Retention period
<ul style="list-style-type: none"> • Credit score and references • ID number • Medical aid number and main member details • Occupation and place of employment • Passport number if no SA ID • Payment arrangements • Race or ethnic origin 	5 years after parents left

Category: Children	
Personal Information	Retention period
<ul style="list-style-type: none"> • Admission and Discharge Dates • Age • Allergies • Attendance Register • COVID-19 Temperature Screening Register and other information • Full name • Date of Birth • Medications (currently being administered) • Partial care requires, i.e. half or full day 	5 years from the date the child left
Special Personal Information	Retention period
<ul style="list-style-type: none"> • Adoption history (if any) • Birth history • Child's medical history • Form 22 – Reporting Suspicions of Child Abuse • ID number • Immunisation Records • When the child met/is meeting his/her milestones 	5 years from the date the child left

Category: Employees and Employment Candidates	
Personal Information	Retention period
<ul style="list-style-type: none"> • Age • Attendance Registers • Date of birth • Email address • Emergency contacts • Employment date • Full name and title • Gender • General practitioner contact details • Home and Postal addresses • Language 	5 years after employment ended

<ul style="list-style-type: none"> • Marital status • Number of dependents • Qualifications, where and when obtained. • Telephone numbers • Time sheets • Training records 	
Special Personal Information	Retention period
<ul style="list-style-type: none"> • Any disabilities • Banking details • Details of payments to third parties (deductions from salary) • Disciplinary and grievance records • Driver's license • Employment contracts • Employment history • Forms 29 and 30 - Police Clearances • Identity number • Leave records. • Medical aid records • Passport number if no ID • Pension Fund records • Performance appraisals • Probation evaluations • Race or ethnic origin • References • Remuneration/salary records • SACE and CPTD registration and details • SITE registration, details, and records • Tax registration, details, and records • UIF registration, details, and records 	5 Years after employment ended

Category: Vendors, Suppliers, Extra-curricular Providers and Other Business (which may include employees)	
Personal Information	Retention period
<ul style="list-style-type: none"> • Contact numbers • Directors' information • E-mail address • Identity and/or company information • Information about products or services • Name and contact details of organisation • Name and title of contact in the organisation • Other information not specified, reasonably required to be processed for business operations. • Postal and/or street address 	5 Years
Special Personal Information	Retention period
<ul style="list-style-type: none"> • Bank account details • Complaints • Employment history if extra-curricular provider • Invoices, payment receipts, statements, and reconciliations • Qualifications if extra-curricular provider • Recommendations and references 	5 years

Category: Payroll information	Retention period
<ul style="list-style-type: none"> • Employee Deduction Authorizations • Payroll Deductions • Garnishments, Assignments, Attachments 	5 years after termination

<ul style="list-style-type: none"> • Payroll Registers (gross and nett) • Access card records/registers • Remuneration/salary records • UIF registration, details, and records • Tax registration, details, and records 	
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Category: Accounting and Finance	Retention period
<ul style="list-style-type: none"> • Accounts Payable ledgers and schedules • Accounts Receivable ledgers and schedules • Annual Audit Reports and Financial Statements • Annual Audit Records, including work papers and other documents that relate to the audit • Annual Plans and Budgets • Bank Statements and Canceled Checks • Employee Expense Reports • General Ledgers • Interim Financial Statements • Notes Receivable ledgers and schedules • Investment Records • Credit card records (documents showing customer credit card number) 	<p>5 Years 5 years</p> <p>Permanent</p> <p>7 years after completion of audit</p> <p>7 years</p> <p>7 years</p> <p>7 years</p> <p>Permanent</p> <p>7 years</p> <p>7 years</p> <p>7 years after sale of investment</p> <p>2 years</p>

Category: Contracts	Retention period
<ul style="list-style-type: none"> • Contracts and Related Correspondence (including any proposal that resulted in the contract and all other supportive documentation) 	5 years after expiration or termination

Category: Property records	Retention period
<ul style="list-style-type: none"> • Correspondence, Property Deeds, Assessments, Licenses, Rights of Way • Original Purchase/Sale/Lease Agreement • Property Insurance Policies 	Permanent

Category: Health and Safety	Retention period
<ul style="list-style-type: none"> • Records of accident and incident reports • Staff, parents, and children's medical records • Medical surveillance records • Emergency evacuation records • Health and Safety checklist • Risk assessment records • Records of each recommendation made to the employer in terms of issues that affect the health of employees and reports made to an inspector about the recommendations. 	5 years

This policy was adopted and signed on _____ **July 2021**. At **Braamfontein** and is in full force and effect at **ABC Kidz Educare**. Where necessary all the parents have been informed of this policy. All our employees have a good understanding of the contents of this policy and if at any time any of the clauses in this policy are contravened, normal disciplinary sanctions, as per the Basic Conditions of Employment Act, will be taken.

Name and Signature : Proprietor

Name and Signature 2: Principal