

**DATA RETENTION POLICY**

Spring 2019

**Manager**

Mrs J Hardisty

Review Date – Spring 2022

**Aims & Objectives:**

The School recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution. Records provide evidence for protecting the legal rights and interests of the school, and provide evidence for demonstrating performance and accountability. This document provides the policy framework through which this effective management can be achieved and audited.

**1. Scope of the policy**

1.1 This policy applies to all records created, received or maintained by staff of the school in the course of carrying out its functions.

1.2 Records are defined as all those documents which facilitate the business carried out by the school and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

1.3 A small percentage of the school’s records will be selected for permanent preservation as part of the institution’s archives and for historical research. This should be done in liaison with the County Archives Service.

**2. Responsibilities**

2.1 The school has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Head of the School.

2.2 The person responsible for records management in the school will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely way. They will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed appropriately.

2.3 Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the school’s records management guidelines.

**3. Relationship with existing policies**

This policy has been drawn up within the context of:

• Freedom of Information policy

• Data Protection policy

• and with other legislation or regulations (including audit, equal opportunities and ethics) affecting the school.

**Records Management Guidelines**

At Gayton, we follow the Information and Records Management Society guidelines for the maintaining and disposal of school records. These can be found on the following pages.

**Management of the School**

This section contains retention periods connected to the general management of the school. This covers the work of the Governing Board, the Headteacher and the Senior Leadership Team, the admissions process and operational administration.

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| Governing Board |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Agendas for Governing Board meetings | There may be data protection issues if the meeting is dealing with confidential issues relating to staff |  | One copy should be retained with the master set of minutes. All other copies can be disposed of. | Secure disposal - shredded |
| Minutes of Governing Board meetings |  |  |  |
| Principal set (signed) |  |  | PERMANENT | If the school is unable to store these then they should be offered to the County Archives Service |
| Inspection copies |  |  | Date of meeting + 3 years | If these minutes contain any sensitive, personal information, they must be shredded |
| Reports presented for the Governing Board | There may be data protection issues if the meeting is dealing with confidential issues relating to staff |  | Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports then the reports should be kept permanently. | Secure disposal – shredded or retain with the signed set of minutes |

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| Governing Board |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Instruments of Government including Articles of Association | No |  | PERMANENT | These should be retained by the school whilst it is open and then offered to Country Archive Services when the school closes |
| Trusts and endowments managed by the Governing Board | No |  | PERMANENT |
| Action plans created and administered by the Governing Board | No |  | Life of the action plan + 3 years | Secure disposal - shredded |
| Policy documents created and administered by the Governing Board | No |  | Life of the policy + 3 years | Secure disposal – shredded |
| Records relating to complaints dealt with byt the Governing Board | Yes |  | Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes. | Secure disposal – shredded |
| Annual reports created under the requirements of the Education Regulations 2002 | No | Education Regulations 2002 SI 2002 No 1171 | Date of report + 10 years | Secure disposal – shredded |
| Proposals concerning the change of status of a maintained school | No |  | Date proposal accepted or declined + 3 years | Secure disposal – shredded |

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| Headteacher and Senior Leadership Team (SLT) |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Log books of activity in the school maintained by the Headteacher | There may be data protection issues if the log book refers to pupils or members of staff |  | Date of last entry in the book + a minimum of 6 years then review | These could be of permanent historical value and should be offered to the County Archives Service if appropriate |
| Minutes of Senior Leadership Team meetings and the meetings of other internal administrative bodies |  | Date of the meeting + 3 years then review | Secure disposal – shredded |
| Reports created by the Headteacher of the SLT |  | Date of report + a minimum of 3 years then review | Secure disposal – shredded |
| Records created by the headteacher, deputy or assistant headteachers or other members of staff with administrative duties |  | Current academic year + 6 years then review | Secure disposal – shredded |
| Correspondance created by headteachers, deputy or assistant headteachers or other members of staff with administrative duties |  | Date of correspondence + 3 years then review | Secure disposal – shredded |
| Headteacher and Senior Leadership Team (SLT) |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Professional development plans | Yes |  | Life of the plan + 6 years | Secure disposal – shredded |
| School development plans | No |  | Life of the plan + 3 years |

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| Admissions Process |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| All records relating to the creation and implementation of the school admissions policy | No | School Admissions Code 2014 | Life of the policy + 3 years then review | Secure disposal – shredded |
| Admissions – if the admission is successful | Yes | Date of admission + 1 year |
| Admissions – if the appeal is unsuccessful | Yes | Resolution of case + 1 year |

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| Admissions Process |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Register of Admissions | Yes | School Attendance 2014 | Every entry in the admission register must be preserved for a period of three years after the date on which the entry was made. | Review – schools may wish to consider keeping the admission register permanently as often schools receive enquiries from past pupils to confirm the dates they attended the school |
| Proofs of address supplied by parents as part of the admissions process | Yes | School Admissions Code 2014 | Current year + 1 year | Secure disposal – shredded |
| Supplementary information form including additional information such as religion, medical conditions, etc. | Yes |  | The information should be added to the pupil file | Secure disposal – shredded |

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| Operational Administration |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| General file series | No |  | Current year + 5 years then review | Secure disposal – shredded |
| Records relating to the creation and publication of the school brochure or prospectus | No |  | Current year + 3 years | Standard disposal |
| Records relating to the creation and distribution of circulars to staff, parents or pupils | No |  | Current Year + 1 year | Standard disposal |
| Newsletters and other items with a short operational use | No |  | Current Year + 1 year | Standard disposal |
| Visitors books and signing in sheets | Yes |  | Current year + 6 years then review | Secure disposal – shredded |
| Records relating to the creation and management of Parent Teacher Associations | No |  | Current year + 6 years then review | Secure disposal – shredded |

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| Recruitment |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| All records leading up to the appointment of a new headteacher | Yes |  | Date of appointment + 6 years | Secure disposal – shredded |
| All records leading up to the appointment of a new member of staff – unsuccessful candidates | Yes |  | Date of appointment of successful candidate + 6 months | Secure disposal – shredded |
| All records leading up to the appointment of a new member of staff – successful candidate | Yes |  | All the relevant information should be added to the Staff Personnel File (see overleaf) and all other information retained for 6 months | Secure disposal – shredded |
| Pre-employment vetting information – DBS check | No | DBS Update Service Employer Guide 2014; Keeping Children Safe in Education 2018 | The school does not have to keep copies of DBS certificates. If the school does so, the copy must NOT be retained for more than 6 months |  |

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| Recruitment |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Proofs of identity collected as part of the process of checking ‘portable’ enhanced DBS disclosure | Yes |  | Where possible these should be checked and a note kept of what was seen and what has been checked. If it is felt necessary to keep copy documentation, then this should be placed in the member of staff’s personnel file. |  |
| Pre-employment vetting information – evidence proving the right to work in the UK | Yes | An employer’s guide to right to work checks (Home Office 2015) | Where possible these documents should be added to the Staff Personnel File (see below), but if they are kept separately then the Home Office requires that the documents are kept for termination of employment plus not less than two years. |  |
| Staff Personnel File | Yes | Limitation Act 1980 | Termination of employment + 6 years | Secure disposal – shredded |
| Timesheets | Yes |  | Current year + 6 years | Secure disposal – shredded |
| Annual appraisal/assessment records | Yes |  | Current year + 5 years | Secure disposal – shredded |

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| Management of Disciplinary & Grievance Processes |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Allegation of a child protection nature against a member of staff, including where the allegation is unfounded | Yes | Keeping Children Safe in Education 2018 | Until the person’s normal retirement age of 10 years from the date of the allegation, whichever is the longer then review. Note allegations that are found to be malicious should be removed from personnel files. If found, they are to be kept on the file and a copy provided to the person concerned | Secure disposal – shredded |
| Disciplinary Proceedings:1. Oral warning
 | Yes |  | Date of warning + 6 months |  |
| 1. Written warning level 1
 |  | Date of warning + 6 months | Secure disposal – shredded (if warnings are placed on personnel files then they must be weeded from the file) |
| 1. Written warning level 2
 |  | Date of warning + 12 months |
| 1. Final warning
 |  | Date of warning + 18 months |
| 1. Case not found
 |  | If the incident is child protection related then see above, otherwise dispose of at the conclusion of the case | Secure disposal – shredded |

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| Health & Safety |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Health and safety policy statements | No |  | Life of policy + 3 years | Secure disposal – shredded |
| Health and safety risk assessments | No |  | Life of risk assessment + 3 years |
| Records relating to accident/injury at work | Yes |  | Date of incident + 12 years in the case of serious accidents a further retention period will need to be applied |
| Accident reporting – adults | Yes | Social Security (Claims and Payments) regulations 1979; Social Security Administration Act 1992 | Date of the incident + 6 years |
| Accident reporting – child | Yes | Date of the incident + 25 years |
| Control of Substances Hazardous to Health (COSHH) | No | COSHH Regulations 2002; Records kept under the 1994 and 1999 regulations to be kept as if the 2002 regulations had not been made | Current year + 40 years |

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| Health & Safety |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos | No | Control of Asbestos at Work Regulations 2012 | Last action + 40 years | Secure disposal – shredded |
| Process of monitoring of areas where employees and persons are likely to have become in contact with radiation | No |  | Last action + 50 years |
| Fire Precautions log books | No |  | Current year + 6 years |

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| Payroll & Pensions |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Maternity pay records | Yes | Statutory Maternity Pay Regulations 1986 | Current year + 3 years | Secure disposal – shredded |
| Records held under Retirement Benefits Schemes Regulations 1995 | Yes |  | Current year + 6 years |

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| Risk Management & Insurance |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Employer’s Liability Insurance Certificate | No |  | Closure of the school + 40 years | Secure disposal – shredded |

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| Asset Management |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Inventories of furniture and equipment | No |  | Current year + 6 years | Secure disposal – shredded |
| Burglary, theft and vandalism report forms | No |  | Current year + 6 years |
| Accounts & Statements, including Budget Management |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Annual accounts | No |  | Current year + 6 years | Standard disposal |
| Loans and grants managed by the school | No |  | Date of last payment on the loan + 12 years then review | Secure disposal – shredded |
| All records relating to the creation and management of budgets including the annual budget statement and background papers | No |  | Life of the budget + 3 years |
| Invoices, receipts, order books and requisitions, delivery notices | No |  | Current financial year + 6 years |
| Records relating to the collection and banking of monies | No |  | Current financial year + 6 years |
| Records relating to the identification and collection of debt | No |  | Current financial year + 6 years |

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| Contract Management |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| All records relating to the management of contracts under seal | No | Limitation Act 1980 | Last payment on the contract + 12 years | Secure disposal – shredded |
| All records relating to the management of contracts under signature | No | Last payment on the contract + 6 years |
| Records relating to the monitoring of contracts | No |  | Current year + 2 years |

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| School Fund |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Cheque books | No |  | Current year + 6 years | Secure disposal – shredded |
| Paying in books | No |  | Current year + 6 years |
| Ledger | No |  | Current year + 6 years |
| Invoices | No |  | Current year + 6 years |
| Receipts | No |  | Current year + 6 years |
| Bank statements | No |  | Current year + 6 years |
| Journey books | No |  | Current year + 6 years |

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| School Meals Management |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Free School Meal registers | Yes |  | Current year + 6 years | Secure disposal – shredded |
| School Meals registers | Yes |  | Current year + 3 years |
| School Meals summary sheets | No |  | Current year + 3 years |

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| Property Management |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Title deeds of properties belonging to the school | No |  | PERMANENTThese should follow the property unless the property has been registered with the Land Registry |  |
| Plans of property belonging to the school | No |  | These should be retained whilst the building belongs to the school and should be passed onto any new owners if the building is leased or sold. |  |
| Leases of property leased by or to the school | No |  | Expiry of lease + 6 years | Secure disposal – shredded |
| Records relating to the letting of school premises | No |  | Current financial year + 6 years | Secure disposal – shredded |

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| Maintenance |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| All records relating to the maintenance of the school carried out by contractors | No |  | Current year + 6 years | Secure disposal – shredded |
| All records relating to the maintenance of the school carried out by school employees including maintenance log books | No |  | Current year + 6 years |

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| Pupil’s Educational Record |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Pupil’s educational record  | Yes | The Education Regulations 2005 | Retain whilst the child remains at the primary school | The file should follow the pupil when he/she leaves the primary school. This will include:* To another primary school
* To a secondary school
* To a pupil referral unit
* If the pupil dies whilst at primary school, the file should be returned to the Local Authority (LA) to be retained for the statutory retention period.

If the pupil transfers to an independent school, transfers to home schooling or leaves the country, the file should be returned to the LA to be retained for the statutory retention period. Primary schools do not ordinarily have sufficient storage space to store records for pupils who have not transferred in the normal way. It makes more sense to transfer the record to the LA as it is more likely that the pupil will request the record from the LA. |
| Examination Results – Pupil Copies | Yes |  |  |  |
| Public |  |  | This information should be added to the pupil file | Uncollected certificates should be returned to the examination board. |
| Internal |  |  |  |

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| Pupil’s Educational Record |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Child protection information held on pupil file | Yes | Keeping Children Safe in Education 2018 | If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file. | Secure disposal – shredded |
| Child protection information held in separate files | Yes | DOB of the child +25 years then review |

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| Attendance |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Attendance registers | Yes | School attendance: Departmental advice for maintained schools 2014 | Every entry in the attendance register must be preserved for a period of three years after the date on which the entry was made. | Secure disposal – shredded |
| relating to authorised absence | Yes | Education Act 1996 | Current academic year + 2 years |

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| SEN |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| SEN files, reviews and individual pupil profiles | Yes | Limitation Act 1980 | DOB + 25 years – however, our files follow the children to secondary school as this would be retained on the pupil file |  |
| EHCP | Yes | Education Act 1996; Special Educational Needs and Disability Act 2001 | Secure disposal – shredded |
| Advice and information provided to parents regarding educational needs | Yes | Special Educational Needs and Disability Act 2001 | Secure disposal – shredded |
| Accessibility strategy | Yes | Secure disposal – shredded |

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| Curriculum Management – Statistics and Management Information |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Curriculum returns | No |  | Current year + 3 years | Secure disposal – shredded |
| SATs results | Yes |  | The SATs results should be recorded on the pupil’s educational file and will therefore be retained until the pupil reaches the age of 25 years. The school may wish to keep a composite record of all the whole year SATs results. These could be kept for + 6 years for comparison. |

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| Curriculum Management – Statistics and Management Information |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| SATs papers | Yes |  | The examination papers should be kept until any appeals/validation process is complete. | Secure disposal – shredded |
| Published Admission Number (PAN) reports | Yes |  | Current year + 6 years |
| Value added and contextual data | Yes |  |
| Self-Evaluation Forms | Yes |  |

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| Curriculum Management – Implementation of Curriculum |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Schemes of work | No |  | Current year + 1 year | Secure disposal – shredded |
| Timetable | No |  |
| Class Record Books | No |  |
| Mark Books | No |  |
| Record of homework set | No |  |
| Pupils’ Work | No |  | Where possible, pupils’ work should be returned to the pupil at the end of the academic year. If it is not the school’s policy, then current year+ 1 year |

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| Educational Visits Outside the Classroom |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Records created by schools to obtain approval to run an Educational Visit outside the classroom | Yes | Outdoor Education Advisers’ Panel National Guidance Website | Date of visit + 14 years | Secure disposal – shredded |
| Parental consent forms for school trips where there has been no major incident | Yes |  | Conclusion of the trip | Although the consent forms could be retained for DOB + 22years, the requirement for them being needed is low and most schools do not have the storage capacity to retain |
| Parental consent forms for school trips where there has been a major incident | Yes | Limitation Act 1980 | DOB of the pupil involved in the incident + 25 years. Permission slips for all pupils need to be retained to show that rules had been followed for all pupils. |  |

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| Family Liaison Officers – Learning Mentors |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Daily Communication Books | Yes |  | Current year + 2 years | Secure disposal – shredded |
| Reports for outside agencies – where the report has been included on the case file created by the outside agency | Yes |  | Whilst the child is attending school then destroy |
| Referral forms | Yes |  | While the referral is current |
| Contact data sheets | Yes |  | Current year then review, if contact is no longer active, then destroy |
| Contact database enquiries | Yes |  |
| Group registers | Yes |  | Current year + 2 years |

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| Local Authority |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| Secondary transfer sheets | Yes |  | Current year + 2 years | Secure disposal – shredded |
| Attendance returns | Yes |  | Current year + 1 year |
| School Census returns | No |  | Current year + 5 years |
| Circulars and other LA correspondence | No |  | Operational use |

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| Central Government |
| Basic Description | Data Protection Issues | Statutory Provisions | Retention Period | Action at the end of the administrative life of the record |
| OFSTED reports and papers | No |  | Life of the report | Secure disposal – shredded |
| Returns made to central government | No |  | Current year + 6 years |
| Circulars and other correspondence | No |  | Operational use  |