

DATA RETENTION / RECORDS MANAGEMENT POLICY

Date of issue:	November 2018
Originator	Data Protection Officer
Responsible sub-committee:	Risk and Governance Committee
Linked Policies:	Data Protection Policy, Freedom of Information Policy, E-Safety Policy, Data Breach Policy
Review Date:	June 2023
Target audience:	All stakeholders in the Trust
Dissemination via:	Email, SharePoint, Website

Version	Section	Amendments	Date	Author
1.0	n/a	New policy		Data Protection Officer and Executive team
1.1	4.0	Retention Criteria Added SAR retention added Lateral flow test retention added	May 2021	Data Protection Officer

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

- Scope
- Responsibilities
- Relationships with existing policies

1. Scope of the policy

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

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

2. Legal Framework

The trust has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. This policy has due regard to legislation including, but not limited to, the following:

- UK General Data Protection Regulation
- Freedom of Information Act 2000

This policy also has due regard to the following guidance:

- Information Records Management Society (2016) 'Information Management Toolkit for Schools'
- DFE (2018) 'Data Protection: a toolkit for schools'

This policy will be implemented in accordance with the following trust policies and procedures:

- Data Protection Policy
- Freedom of Information Policy
- E-Safety Policy
- Data Breach Policy
- With other legislation or regulations (including audit, equalities act) affecting the trust

3. Responsibilities

The trust has responsibility for maintaining its records and record-keeping systems in line with statutory requirements.

The CEO and headteachers of each of the schools in the trust have overall responsibility for this policy and for ensuring it is implemented correctly.

The Data Protection Officer (DPO) for the trust is also responsible for the management of records and for promoting compliance with this policy and reviewing the policy annually in conjunction with the headteachers.

The DPO is responsible for ensuring that all records are stored securely, in accordance with retention periods as outlined in this policy and that records are disposed of correctly.

All staff members are responsible for ensuring that any records for which they are responsible for are accurate, maintained securely and disposed of correctly in line with the provisions of this policy.



4. Retention Criteria

The trust will only retain personal data for as long as is necessary to fulfil the purposes for which it is collected. When assessing what retention period is appropriate for personal data, we take into consideration:

- The requirements of our trust and the services provided;
- Any statutory or legal obligations;
- The purposes for which we originally collected the personal data;
- The lawful grounds on which we based our processing;
- The types of personal data we have collected;
- The amount and categories of personal data; and
- Whether the purpose of the processing could reasonably be fulfilled by other means.

5. Management of student records

Student records are specific documents that are used throughout a student's life in the education system – they are passed to each school that a student attends and includes all personal information relating to them.

The following information is stored on paper or in electronic format:

- Forename, surname, preferred name/s, gender, date of birth, Unique pupil number, ethnic origin, religion and first language (if not English)
- Details of any siblings
- Emergency contact details
- Allergies including medical conditions
- Names, home addresses and telephone numbers of parent/carers
- Admission date and date of leaving
- Other agencies involved with the student
- Details of SEND
- Notes relating to major incidents and accidents involving the student
- Information about an education, health and care plan (EHC)
- Notes indicating child protection disclosures and reports are held
- Exclusion information
- Correspondence with parents/carers/third party agencies

The following information has a shorter retention period and will therefore be stored separately:

- Consent forms for trips/visits

Much of the above information is also stored on the trust's electronic management information system – Bromcom (previously SIMS) as well as in paper files. One of the schools in the trust also uses MStore to electronically store pupil and staff records. The electronic record will also be transferred to the student's next school by CTF file.

Hard copies of disclosures and reports relating to child protection are stored (in locked cabinets at the relevant school).

Hard copies of complaints are stored in paper format at the relevant schools.

Actual copies of accident and incident information is stored within the MIS, in hardcopy and on local servers.

The Information Management toolkit for schools version 5: Primary schools in the trust will not keep copies of a student's record unless there is ongoing legal action at the time during which the student leaves the schools. However until there is further guidance from the ESFA on the practicality of implementation our student records will remain in the primary schools, unless the secondary school states otherwise.

Secondary schools in the trust will keep the student's records until they reach the age of 25 years.

6. Retention of student records and other student related information

The table below outlines the trust's retention periods for pupil records and that action that will be taken after the retention period.

TYPE OF FILE	RETENTION PERIOD	ACTION AT END OF RETENTION PERIOD
Personal identifiers, contacts and personal characteristics		
Images used for identification purposes	DOB plus 25 years	Secure Disposal
Images used for displays in schools	In line with consent	Secure Disposal
Images used for marketing purposes	In line with consent	Secure Disposal
Biometric data	Whilst the student is on roll at the school	Secure Disposal
Names, addresses and characteristics	DOB plus 25 years	Secure Disposal
Admissions		
Register of admissions	DOB plus 25 years	Secure Disposal
Admissions paperwork	Held by LA	
Admissions appeals	Held by LA	
Students' educational records		
Primary school	Whilst the student is on roll	Transferred to the next school
Secondary school	DOB plus 25 years	Secure Disposal
Public examination results	Added to student's record and retained in line with above	Secure Disposal
Internal examination results	Added to student's record and retained in line with above	Secure Disposal
Medical information and administration		
Permission slips	For the duration of the period that medication is given	Secure Disposal
Medical conditions – on-going management		Secure Disposal
Paper Copies	Transferred to next school	
Electronic Copies	DOB plus 25 years	
Lateral Flow test information – staff and students	12 months from the date of the last entry in the Covid lateral flow testing logs as set out in the privacy notice	Secure Disposal
SEND		
SEND files, reviews and individual education plans	DOB plus 25 years	May be kept longer if the schools may need to defend themselves in a 'failure to provide sufficient education' case
EHC plans	DOB plus 25 years	Secure Disposal unless it is a subject of a legal hold
Accessibility strategy documents	DOB plus 25 years	Secure Disposal unless it is a subject of a legal hold
Curriculum management		
SAT's results	DOB plus 25 years	Secure Disposal
Published Admission Number reports	Current academic year plus 6	Secure Disposal
Value added and contextual data	Current academic year plus 6	Secure Disposal
Student's work	Returned to the student at the end of the academic year	Secure Disposal
Extra-curricular activities		
Field file – information provided for a specific school trip	Until the conclusion of the trip unless there has been a major incident when it should be added to the core system and retained in line (e.g. DOB plus 25 years)	Secure Disposal
Financial information relating to school trips	Current academic year plus 6	Secure Disposal

Parental consent forms for trips where no major incident occurred	Duration of trip	Secure Disposal
Parental consent forms for trips where a major incident occurred	DOB plus 25	Secure Disposal
Catering and free school meal management		
Meal administration	Whilst the student is on roll	Secure Disposal
Meal eligibility	DOB plus 25	Secure Disposal
Child protection information		
Child protection information held on pupil file	DOB plus 25 years	Secure Disposal
Child protection information held in separate files	DOB plus 99 years	Secure Disposal
Other		
Exclusions	DOB plus 25 years	Secure Disposal

7. Retention of staff records (electronic and paper)

TYPE OF FILE	RETENTION PERIOD	ACTION AT END OF RETENTION PERIOD
Operational		
Personnel file	Termination of employment plus 7 years	Secure Disposal
Annual appraisal and assessment records	Current plus 2	Secure Disposal
Recruitment		
All records leading up to the appointment of a new member of staff – unsuccessful candidates	Date of appointment plus 6 months	Secure Disposal
All records leading up the appointment of a new member of staff – successful candidate	Relevant information added to personal file, all other information retained for 6 months	Secure Disposal
DBS certificates	No longer than 6 months	Secure Disposal
Proof of ID as part of the enhanced DBS check	Added to personal file – date of leaving plus 7 years	Secure Disposal
Evidence of right to work in the UK	Added to personal file – date of leaving plus 7 years	Secure Disposal
Disciplinary and grievance procedures		
Child protection allegations	Added to staff file, retained for 10 years from date of allegation or normal retirement age – whichever is the longer. Allegations that are found to be malicious should be removed from personnel files.	Secure disposal
Oral warnings	Date of warning plus 6 months	Secure Disposal
Written warning – level 1	Date of warning plus 6 months	Secure Disposal
Written warning – level 2	Date of warning plus 12 months	Secure Disposal
Final warning	Date of warning plus 18 months	Secure Disposal
Records relating to unproven incidents	Conclusion of the case, unless it is child protection (refer to child protection retention period)	Secure Disposal

8. Retention of leadership and management records

TYPE OF FILE	RETENTION PERIOD	ACTION AT END OF RETENTION PERIOD
Board of trustees/LGB		
Instruments of government, including articles of association	Permanent	Permanent
Policy documents	Life of policy plus 6 years	Secure Disposal
Records relating to complaints dealt with by LGB/Trust Board	Date of resolution plus 6 years	Secure Disposal
Agendas for LGB/Board meetings	One copy permanently retained with minutes of the meeting	Permanent
Signed copy of minutes	Permanent	Permanent
Meeting papers/reports for LGB/Board meetings	Date of meeting plus 6 years	Secure Disposal
Minutes of SLT meetings and other administrative bodies	Date of meeting plus 6 years	Secure Disposal
School development plan	Duration of plan plus 6 years	Secure Disposal

9. Retention of health and safety records

TYPE OF FILE	RETENTION PERIOD	ACTION AT END OF RETENTION PERIOD
Health and safety risk assessments	Duration of risk assessment plus 6 years	Secure Disposal
Records relating to accidents and injuries at work	Date of incident plus 6 years	Secure Disposal
Accident reporting – adults	Date of incident plus 6 years	Secure Disposal
Accident reporting – students	DOB plus 25 years	Secure Disposal
Control of substances hazardous to health	Current academic year plus 40 years	Secure Disposal
Information relating to areas where persons are likely to come into contact with asbestos	Date of last action plus 40 years	Secure Disposal
Information relating to areas where persons are likely to come into contact with radiation	Date of last action plus 50 years	Secure Disposal
Fire precautions log books	Current academic year plus 6 years	Secure Disposal

10. Retention of financial records

TYPE OF FILE	RETENTION PERIOD	ACTION AT END OF RETENTION PERIOD
Maternity pay records	Retained and managed by payroll provider	Secure Disposal
Records held under retirement benefits scheme	Current academic year plus 6 years	Secure Disposal
Employers liability insurance certificate	Closure of school plus 40 years	Secure Disposal
Inventories of furniture and equipment	Current academic year plus 6 years	Secure Disposal

Burglary, theft and vandalism report forms	Current academic year plus 6 years	Secure Disposal
Annual accounts	Current academic year plus 6 years	Secure Disposal
Loans and grants managed by the school	Date of last payment plus 12 years	Secure Disposal
Invoices, receipts, requisitions and delivery notices	Current financial year plus 6 years	Secure Disposal
Records relating to the collection and banking of monies	Current financial year plus 6 years	Secure Disposal
Records relating to the identification and collection of debt	Current financial year plus 6 years	Secure Disposal
Records relating to the management of contracts under seal	Last payment plus 12 years	Secure Disposal
Records relating to the management of contracts under signature	Last payment plus 6 years	Secure Disposal
Records relating to the management of the school fund e.g. cheque books, ledgers, invoices, receipts, bank statements	Current academic year plus 6 years	Secure Disposal

11. Retention of other school records

TYPE OF FILE	RETENTION PERIOD	ACTION AT END OF RETENTION PERIOD
Title deeds of the properties belonging to the trust	Permanent	Transferred to new owners if buildings are leased/sold
Plans of property belonging to the trust	For as long as the buildings belong to the trust	Transferred to new owners if buildings are leased/sold
Leases of property leased by or to schools in the trust	Expiry of lease plus 6 years	Secure Disposal
Records relating to the letting of school premises	Current financial year plus 6 years	Secure Disposal
Records relating to maintenance work carried out at trust properties by CONTRACTORS	Current academic year plus 6 years	Secure Disposal
Records relating to maintenance work carried out at trust properties by school employees	Current academic year plus 6 years	Secure Disposal
Records relating to Subject Access Requests	Date of resolution plus 6 years	Secure Disposal of the Subject access request correspondence and copies of documents provided for the request
Operational administration		
Records relating to the creation and publication of the school prospectus/brochures	Current academic year	Non Secure Disposal
Records relating to the creating of circulars to staff, parents, students	Current academic year	Secure Disposal

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Newsletters and other items with short operational use	Current academic year	Non Secure Disposal
Visitors books/sign-in information	Current academic year plus 6 years	Secure Disposal



12. Storing and protecting information

Refer to Section 17 of the Data Protection Policy – Data Security

13. Disposal of data

Where disposal of information is outlined as non-secure disposal, this will be recycled appropriate to the form of the information e.g. paper recycling

Where disposal is outlined as secure disposal, this will be collected by a registered confidential waste organisation and electronic information will be scrubbed clean and where possible cut..

Where information must be kept permanently schools must ensure that this is kept securely in the most appropriate format.

15. Monitoring and review

This policy will be reviewed on an annual basis. This review will be led by the DPO in conjunction with headteachers of the schools and the outcome of the review shared with trustees.