



**Approval date:** 6 February 2019

**Date to be reviewed:** February 2021

## **Data Retention Policy**

The School has a responsibility to maintain its records and record keeping systems. When doing this, the School will take account of the following factors: -

- The most efficient and effective way of storing records and information;
- The confidential nature of the records and information stored;
- The security of the record systems used;
- Privacy and disclosure; and
- Their accessibility.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the School's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the School from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. The School may also vary any parts of this procedure, including any time limits, as appropriate in any case.

### **Data Protection**

This policy sets out how long employment-related and pupil data will normally be held by us and when that information will be confidentially destroyed in compliance with the terms of the General Data Protection Regulation (GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of the School. The School's Data Protection Policy outlines its duties and obligations under Article 5.1e of the GDPR to ensure data is not processed or stored "for longer than is necessary".

### **Retention Schedule**

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule. When managing records, the School will adhere to the standard retention times listed within that schedule.

Paper records will be regularly monitored by the School Business Manager.

Electronic records will be regularly monitored by the School Business Manager.

The schedule is a relatively lengthy document listing the many types of records used by the school and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.

## **Destruction Of Records**

Where records have been identified for destruction they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted.

The School maintains a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list at least:  
- File reference (or other unique identifier); File title/description; Number of files; Date destroyed and Name of the authorising officer.

## **Archiving**

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. A database of the records sent to the archives is maintained by the School Business Manager. The appropriate staff member, when archiving documents should record in this list the following information: - File reference (or other unique identifier); File title/description; Number of files; Date archived and Name of the authorising officer.

## **Transferring Information To Other Media**

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as digital media or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

## **Responsibility And Monitoring**

The Headteacher has primary and day-to-day responsibility for implementing this Policy. The School Business Manager, in conjunction with the School is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The data protection officer has reviewed the suitability and adequacy of this policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it.

Retention Schedule

**Management of the School**

<b>Governing Body</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Agendas for Governing Body meetings	There may be data protection issues if 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
Minutes of Governing Body meetings	There may be data protection issues if meeting is dealing with confidential issues relating to staff			
Principal Set (signed)			Permanent	If school is unable to store they should be sent to the County Archive Service
Reports Presented to the Governing Body	There may be data protection issues if 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 or retain with the signed set of minutes
Instrument of Government including Articles of Association	No		Permanent	Retained in school whilst the school is open and then transferred to the County Archive Service
Records relating to complaints dealt with by the Governing Body	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for a further retention in case of contentious dispute	SECURE DISPOSAL

<b>Head Teacher and Senior Management Team</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies.	There may be a data protection issues if the log book refers to individual pupils or members of staff		Date of the meeting + 3 years then review	SECURE DISPOSAL
Reports created by the Head Teacher or the management Team	There may be a data protection issues if the log book refers to individual pupils or members of staff		Date of the meeting + a minimum of 3 years then review	SECURE DISPOSAL
Records created by the head teacher, deputy head teachers, head of years and other members of staff with administrative responsibilities	There may be a data protection issues if the log book refers to individual pupils or members of staff		Current Academic year + 6 years the review	SECURE DISPOSAL
Correspondence created by the head teacher, deputy head teachers, head of years and other members of staff with administrative responsibilities	There may be a data protection issues if the log book refers to individual pupils or members of staff		Date of the correspondence + 3 years then review	SECURE DISPOSAL
Professional Development Plans	Yes		Life of the Plan + 6 years	SECURE DISPOSAL
School Development Plans	No		Life of the Plan + 3 years	SECURE DISPOSAL

<b>Operational Administration</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
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	No		Current year + 1 year	STANDARD DISPOSAL

staff, parents or pupils				
Newsletters and other items with a short operational use	No		Current year + 1 year	STANDARD DISPOSAL
Visitors Book & Signing in sheets	Yes		Current year + 6 years then review	SECURE DISPOSAL

## Human Resources

<b>Recruitment</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	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
All records leading up to the appointment if a new member of staff – unsuccessful candidate	Yes		Date of appointment of successful candidate + 6 months	SECURE DISPOSAL
All records leading up to the appointment if a new member of staff – successful candidate	Yes		All the relevant information should be added to the staff personal file (see below) and all other information retained for 6 months	SECURE DISPOSAL
Pre-employment vetting information - DBS Checks	Yes	DBS Update Service Employer Guide June 2014: Keeping children safe in education July 2015 (Statutory Guidance from Dept of Education) Sections 73,74	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	
Proof 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 on	

			the member of staffs personal file	
Pre-employment vetting information – Evidence proving the right to work in the United Kingdom	Yes	An employer's guide to right to check (Home Office May 2015)	Where possible these documents should be added to the Staff Personal 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 Personal File	Yes	Limitation Act 1980 (Section 2)	Termination of Employment + 6 years	SECURE DISPOSAL
Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL
Annual appraisal/assessment records	Yes		Current year + 5 years	SECURE DISPOSAL

<b>Management of Disciplinary and grievance Processes</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	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 Statutory guidance for schools and colleges March 2015" "Working together to safeguard children. A guide to inter-agency working to safeguarding and promote the welfare of children March 2015"	Until the persons normal retirement age or 10 years from the date of the allegation whichever is the longer the REVIEW. Note allegations that are found to be malicious should be removed from the personnel files. If found they are to be kept on the file and a copy provided to the person concerned.	SECURE DISPOSAL these records must be shredded
Disciplinary Proceedings	Yes			
Oral Warning			Date of warning + 6 months	SECURE DISPOSAL (if warnings are placed on

Written warning - Level 1			Date of warning + 6 months	personal files then they must be weeded from the file)
Written warning - Level 2			Date of warning + 12 months	
Final Warning			Date of warning + 18 months	
Case not found			If the incident is child protection related then see above otherwise dispose of at the conclusion of the case	SECURE DISPOSAL

<b>Health and Safety</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	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
Health & Safety Risk assessments	No		Life of Risk Assessment + 3 years	SECURE DISPOSAL
Records relating to accident/injury at work	Yes		Date of the incident + 12 years. In the case of serious accidents a further retention period will need to be applied	SECURE DISPOSAL
Accident Reporting	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Administration Act 1992 section 8 Limitation Act 1980		
Adults			Date of the incident + 6 years	SECURE DISPOSAL
Children			DOB child + 25 years	SECURE DISPOSAL
Control of Substances Hazardous to Health (COSHH)	No	Control of Substances Hazardous to Health Regulations 2002 SI 2002 No 2677 Regulation 11; records kept under the 1994 and 1999	Current Year + 40 years	SECURE DISPOSAL

		Regulations to be kept as if the 2002 Regulations had not been made. Regulation 18 (2)		
Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	No	Control of Asbestos at Work Regulation 2012 SI 1012 No 632 Regulation 19	Last Action + 40 years	SECURE DISPOSAL
Fire Precautions log book	No		Current year + 6 years	SECURE DISPOSAL

### Financial Management of the School

Asset Management				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	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
Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL
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 the REVIEW	SECURE DISPOSAL
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	SECURE DISPOSAL
Invoices, receipts, order books and requisitions, delivery notices	No		Current year + 6 years	SECURE DISPOSAL
Records relating to the collection and banking of monies	No		Current year + 6 years	SECURE DISPOSAL
Records relating to the identification	No		Current year + 6 years	SECURE DISPOSAL



and collection of debt				
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<b>School Fund</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Cheque books	No		Current year + 6 years	SECURE DISPOSAL
Paying in books	No		Current year + 6 years	SECURE DISPOSAL
Ledger	No		Current year + 6 years	SECURE DISPOSAL
Invoices	No		Current year + 6 years	SECURE DISPOSAL
Receipts	No		Current year + 6 years	SECURE DISPOSAL
Bank Statements	No		Current year + 6 years	SECURE DISPOSAL
Journey Books	No		Current year + 6 years	SECURE DISPOSAL

<b>School Meal Management</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Free School Meal Registers	Yes		Current year + 6 years	SECURE DISPOSAL
School Meal Registers	Yes		Current year + 6 years	SECURE DISPOSAL

## Property Management

<b>School Meal Management</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Records relating to the letting of the school premises	No		Current Financial Year + 6 years	SECURE DISPOSAL

<b>Maintenance</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	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
All records relating to the maintenance of the school carried out by school employees including maintenance log book	No		Current year + 6 years	SECURE DISPOSAL

## Pupil Management

<b>Pupils Education Record</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Pupils Educational Record required by the Education (Pupil information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No 1437		
Primary		Retain whilst the child is at 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 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 Local Authority 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 Local Authority as it is more likely the pupil will request the record from the Local Authority
Child Protection information held on pupil file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015" "Working together to safeguard children. A guide to inter-agency working to safeguarding and promote the welfare of children March 2015"	If any of the 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 – these documents MUST be shredded
Child Protection information held in separate file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015" "Working together to safeguard children. A guide to inter-agency working to safeguarding and promote the welfare of children March 2015"	DOB of the child + 25 years the review. This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the Local Authority Social Services Record	SECURE DISPOSAL – these documents MUST be shredded
Attendance Registers	Yes	School Attendance Departmental advice for maintained schools,	Every entry in the attendance must be preserved for a period of three years after the	SECURE DISPOSAL

		academies, independent schools and local authorities. October 2014	date on which the entry was made	
Correspondence relating to authorised absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL

<b>Special Educational Needs</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Special Educational Needs files, reviews and individual Education Plans	Yes	Limitation Act 1980 (Section 2)	DOB of the pupil + 25 years	REVIEW Note the retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a "failure to provide a sufficient education" case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period and this should be documented
State Maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs Disability Act 2001 Section 1	DOB of the pupil + 25 years (this would normally be retained on the pupil file)	SECURE DISPOSAL unless the document is subject to a legal holding
Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs Disability Act 2001 Section 2	DOB of the pupil + 25 years (this would normally be retained on the pupil file)	SECURE DISPOSAL unless the document is subject to a legal holding
Accessibility Strategy	Yes	Special Educational Needs Disability Act 2001 Section 14	DOB of the pupil + 25 years (this would normally be retained on the pupil file)	SECURE DISPOSAL unless the document is subject to a legal holding

### Extra Curricular Activities

<b>Educational Visits outside the Classroom</b>				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	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 – Primary Schools	No	Outdoor Education Advisers' Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practise"	Date of Visit + 10 years	SECURE DISPOSAL

Parental consent forms for school strips where there has been no major incident	Yes		Conclusion of the trip	Although consent forms could be retained for DOB + 22 years the requirement for them being needed is low and most schools do not have the storage capacity to retain every single consent form issued by the school for this period
Parental consent forms for school strips where there has been no major incident	Yes	Limitation Act 1980 (Section 2)	DOB of the pupil + 25 years. The permission slips for all the pupils on the trip need to be retained to show that the rules had been followed for all pupils	

### Central government and Local Authority

Local Authority				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
Attendance Return	Yes		Current Year + 1	SECURE DISPOSAL
School Census Return	No		Current Year + 5	SECURE DISPOSAL
Circulars and other information sent from the Local Authority	No		Operational Use	SECURE DISPOSAL

Central Government				
Basic File Description	Data Protection Issue	Statutory Provision if applicable	Retention Period	Action at the end of the administrative life of the record
OFSTED Reports and papers	No		Life of the report the REVIEW	SECURE DISPOSAL

**Secure Disposal:** All records containing personal information, or sensitive policy information should be made either unreadable or unreconstructable.

- Paper records should be shredded using a cross-cutting shredder
- CDs / DVDs / Floppy Disks should be cut into pieces
- Audio / Video Tapes and Fax Rolls should be dismantled and shredded
- Hard Disks should be dismantled and sanded

**Standard Disposal:** Any other records should be bundled up and disposed of to a waste paper merchant or disposed of in other appropriate ways. Do not put records in with the regular waste or a skip unless there is no other alternative.

**Transfer of information to other media:** Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as microform or digital media. The lifespan of the media and the ability to migrate data where necessary should always be considered.

Consideration should also be given to the legal admissibility of records that have been converted from paper to electronic media. It is essential to have procedures in place so that conversion is done in a standard way. This means that organisations can prove that the electronic version is a genuine original and could not have been tampered with in any way. Reference should be made to 'British Standard 10008:2008 'Evidential weight and legal admissibility of electronic information' when preparing such procedures.