



## 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 | No                    |                                   | Current year + 3 years | STANDARD DISPOSAL  |

|  |     |  |                                    |                   |
|--|-----|--|------------------------------------|-------------------|
| brochure or prospectus   |     |  |                                    |                   |
| 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 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  | Yes                   |  | Where possible these should be  |  |

|   |     |  |  |                 |
|---|-----|--|--|-----------------|
| the process of checking "portable" enhanced DBS disclosure                                    |     |  | 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 | Until the persons normal retirement age or 10 years from the date of the allegation whichever is the longer the REVIEW. Note allegations that | SECURE DISPOSAL these records must be shredded             |

|                           |     |   |   |   |
|---------------------------|-----|---|---|---|
|                           |     | children. A guide to inter-agency working to safeguarding and promote the welfare of children March 2015" | 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. |   |
| Disciplinary Proceedings  | Yes |   |   |   |
| Oral Warning              |     |   | Date of warning + 6 months  | SECURE DISPOSAL (if warnings are placed on personal files then they must be weeded from the file) |
| Written warning - Level 1 |     |   | Date of warning + 6 months  |   |
| 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<br>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 Regulations to be kept as if the 2002 Regulations had not been made. Regulation 18 (2) | Current Year + 40 years        | SECURE DISPOSAL |
| 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 and collection of debt  | No |  | Current year + 6 years                                 | SECURE DISPOSAL |

| <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<br>To another Primary School<br>To a secondary school<br>To a pupil referral unit |

|  |     |  |  |   |
|--|-----|--|--|---|
|  |     |  |  | <p>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.</p> <p>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</p> |
| 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   | DOB of the child + 25 years the review. This retention period was agreed in consultation   | SECURE DISPOSAL – these documents MUST be shredded  |

|   |     |   |   |                 |
|---|-----|---|---|-----------------|
|   |     | colleges March 2015" "Working together to safeguard children. A guide to inter-agency working to safeguarding and promote the welfare of children March 2015" | 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 |                 |
| Attendance Registers                          | Yes | School Attendance Departmental advice for maintained schools, academies, independent schools and local authorities. October 2014                              | Every entry in the attendance must be preserved for a period of three years after the date on which the entry was made  | SECURE DISPOSAL |
| 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                   | No                    | Outdoor Education Advisers' Panel | Date of Visit + 10 years | SECURE DISPOSAL  |

|   |     |   |  |   |
|---|-----|---|--|---|
| obtain approval to run an Educational Visit outside the Classroom – Primary Schools |     | 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” |  |   |
| 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.