



Data Retention Policy

Warboys Community Primary School

Approved by: Governing Main Body

Last reviewed on: May 2018

Next review due by: May 2019

Introduction

Warboys Primary School recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the school. This document provides the policy framework through which this effective management can be achieved and audited.

Scope of the Policy

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

- 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.
- 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.

Responsibilities

- The School has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The Headteacher / Chair of Governors has overall responsibility for this policy.
- 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 timely.
- 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.

Relationship with Existing Policies

This policy has been drawn up within the context of:

- the Freedom of Information Policy
- the Data Protection Policy
- and with other legislation or regulations (including audit, equal opportunities and ethics) affecting the school.

Safe Disposal of Records

Where records have been identified for destruction, they should be disposed of in an appropriate way. All records containing personal information, or sensitive policy information, should be shredded before disposal using a cross cut shredder. Any other records should be bundled up and disposed of to a waste paper merchant or disposed of in other appropriate ways. There are companies who can provide confidential waste bins and other services which can be purchased to ensure that records are disposed of in an appropriate way.

The Freedom of Information Act 2000 requires the school to maintain a list of records which have been destroyed and who authorised their destruction.

Members of staff should record at least:

- File reference (or other unique identifier).
- File title (or brief description) and number of files.
- The name of the authorising officer and the date action taken.

This should be kept in an Excel spreadsheet or similar suitable format.

Transfer of Information

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media. The lifespan of the media and the ability to migrate data where necessary should always be considered.

School Closures

Should a School close (cease to exist) there will be records which will need to be stored until they work out their statutory retention periods.

It is the responsibility of the Local Authority, to manage these records until they have reached the end of their administrative life and to arrange for their disposal when appropriate. There may be a number of different reasons why a School has closed and this may affect where the records need to be stored.

- If a school has been closed and the site is being sold or reallocated to other use then the School should take responsibility for the records from the date the school closes.

Retention Guidelines

The following retention guidelines have been issued by the Management Society of Great Britain 'Retention Guidelines for Schools'. Some of the retention periods are governed by statute. Others are guidelines following best practice. Every effort has been made to ensure that these retention periods are compliant with the requirements of the Data Protection Act 1998¹ and the Freedom of Information Act 2000. Managing record series using these retention guidelines will be deemed to be 'normal processing' under the legislation mentioned above. If record series are to be kept for longer or shorter periods than laid out in this document the reasons for this need to be documented.

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The General Data Protection Regulation (GDPR) is due to be implemented on 25 May 2018 and retention periods have been reviewed to ensure compliance with the GDPR.

Child Protection					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record	
Child Protection files	Yes	Education Act 2002, related guidance "Keeping Children Safe in Education 2016"	Date of leaving + 25 years	Shred	Child Protection information must be copied and sent under separate cover to new school/college whilst the child is still under 18 (the information does not need to be sent to a university) Where a child is removed from roll to be educated at home, the file should be copied to the Local Authority.
Allegation of a child protection nature against a member of staff, including where the allegation is unfounded	Yes	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance) Education Act 2002, related guidance "Keeping Children Safe in Education 2016" Part four: Allegations of abuse made against teachers and other staff.	Until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer	Shred	The following is an extract from "Keeping Children Safe in Education 2016" p45: Record Keeping: "171. The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer."

Members/ Directors/ Trustees/ Governors					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record	
Minutes & Supporting Documents	No		Permanent	Retain in school for 6 years from date of meeting	Transfer to Archives
Instruments of Government	No		Permanent	Retain in school	Transfer to Archives when superseded/ if the school or Trust closed
Policy documents	No		Expiry of policy	Retain in school whilst policy is operational	Transfer to Archives
Complaints files	Yes		Date of resolution of complaint + 6 years	Retain for the first six years Review for further retention in the case of contentious disputes SHRED routine complaints	
Annual Reports required by the Dept for Education and Companies House.	No		Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.SI 2002 No 1171	Date of report + 10 years	Transfer to Archives
Declarations of Interest & Eligibility	Yes		Term of office + 3 years	Shred	
DBS information	Yes	Education act 2000 KCSIE			
Proposals for schools to become, or be established as Specialist Status schools	No			Current year + 3 years	Transfer to Archives

Management					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record	
School development plans	No		Closure + 6 years	Review	Offer to the Archives
School Evaluation Frameworks	No		Date of plan + 3 years	SHRED	

Pupils					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record	
Admissions – if the admission is successful	Yes		DOB of the pupil + 25 years	SHRED	
Admissions – if the appeal is unsuccessful	Yes		Resolution of case + 1 year	SHRED	
Attendance registers	Yes		Date of register + 3 years	SHRED	
Pupil files	Yes		Until the pupil leaves the school	Forward to the next phase of schooling or, if home schooled, to the local authority	
Special Educational Needs files, statements, reviews and Individual Education Plans	Yes		DOB of the pupil + 25 years	SHRED	
End of Key Stage assessment results	Yes		Date of leaving the school + 7 years	SHRED	

Data Retention Policy

Internal Assessment Results	No		Until the pupil leaves the school	SHRED
Any other records created in the course of contact with pupils	Yes/No		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or SHRED
Advice and information to parents regarding educational needs	Yes	SEN and Disability Act 2001 Section 1	Closure + 12 years	SHRED unless legal action is pending
Accessibility Strategy	Yes	SEN and Disability Act 2001 Section 1	Closure + 12 years	SHRED unless legal action is pending
Parental permission slips for school trips – where there has been no major incident	Yes		Conclusion of the trip	SHRED
Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980	DOB of the pupil involved in the incident + 25 years The permission slips for all pupils on the trip need to be retained to show that the rules had been followed for all pupils	SHRED

Curriculum				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Curriculum development, plans, lesson plans, timetables, marking books, pupils work.	No		Current year + 1 years	SHRED
PAN reports	Yes		Current year + 6 years	SHRED

Staff records				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Timesheets, sick pay	Yes	Financial Regulations	Current year + 6 years	SHRED
Staff Personal files, Including: application form; ID check; references; training certificates; DBS confirmation; employment contract history.	Yes		Termination + 7 years	SHRED
Interview notes and recruitment records	Yes		Date of interview + 6 months	SHRED
Pre-employment vetting information (including information required to obtain DBS checks)	No	DBS guidelines	Date of check + 6 months	SHRED
Disciplinary proceedings:	Yes	Where the warning relates to child protection issues then retain until the person's normal retirement age, or 10 years from the date of the allegation, whichever is the longer If the disciplinary proceedings relate to a child protection matter please contact your safeguarding children officer for further advice.		
<input type="checkbox"/> oral warning			Date of warning + 6 months	SHRED
<input type="checkbox"/> written warning – level one			Date of warning + 6 months	SHRED
<input type="checkbox"/> written warning – level two			Date of warning + 12 months	SHRED
<input type="checkbox"/> final warning			Date of warning + 18 months	SHRED
<input type="checkbox"/> case not found			If child protection related then retain until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer. Otherwise shred immediately at the conclusion of the case	SHRED
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	SHRED
Annual appraisal/assessment records	No		Current year + 5 years	SHRED
Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986	Current year, + 3yrs	SHRED

Data Retention Policy

		(SI 1986/1960), revised 1999 (SI 1999/567)		
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SHRED
Proofs of identity	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 staff's personal file.	

Health and Safety				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Accessibility Plans	No	Disability Discrimination Act	Current year + 6 years	SHRED
Accident Reporting: Adults: Children:	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	Adults: Date of incident + 7 years Children: DOB of child + 25 years	
COSHH	No		Current year + 10 years [where appropriate an additional retention period may be allocated]	SHRED
Incident reports	Yes		Current year + 20 years	SHRED
Policy Statements	No		Date of expiry + 1 year	SHRED

Data Retention Policy

Risk Assessments	No		Current year + 3 years	SHRED
Asbestos Monitoring Records	No		Last action + 40 years	SHRED
Fire Precautions log books			Current year + 6 years	SHRED

Administrative					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record	
Employer's Liability certificate	No		Closure of the school + 40 years	SHRED	
School brochure or prospectus	No		Current year + 3 years		Transfer to Archives

Finance					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record	
Annual Accounts	No	Financial Regulations	Current year + 6 years	Offer to the Archives	Annual Accounts
Loans and grants	No	Financial Regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
Contracts and tenders	No		Contract completion date + 6 years	SHRED	
Payroll reports; overtime and expenses claims.	Yes		Current year + 7 years	SHRED	

Data Retention Policy

Budget reports, budget monitoring etc.			Current year + 3 years	SHRED	
Statutory accounts; management accounts; audit report; invoices; receipts; bank statements; cheque and paying in books; purchase orders; delivery documentation; direct debits.	No	Financial Regulations	Current year + 6 years	SHRED	
Free school meals registers	Yes	Financial Regulations	Current year + 6 years	SHRED	