



DATA PROTECTION POLICY

1.0 Introduction

- 1.1 The Trust Data Protection Policy has been produced to ensure compliance with the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPR) and associated legislation, and guidance from the Information Commissioner's Office (ICO).
- 1.2 The DPA gives individuals rights over their personal data and protects the use of personal data.
- 1.3 The Multi Academy Trust is registered with the ICO as a Data Controller for the processing personal information.

2.0 Purpose

- 2.1 The Trust Data Protection Policy has been produced to ensure its compliance with the DPA 2018.
- 2.2 The policy incorporates guidance from the ICO, and outlines the Trust's approach to its responsibilities and individuals' rights under the DPA 2018.

3.0 Scope

- 3.1 This policy applies to all employees (including temporary, casual or agency staff and contractors, consultants and suppliers working for, or on behalf of, the Trust), third parties and others who may process personal information on behalf of the Trust.
- 3.2 The policy also covers any staff and students who may be involved in research or other activity that requires them to process or have access to personal data, for instance as part of a research project or as part of professional practice activities. If this occurs, it is the responsibility of the relevant academy to ensure the data is processed in accordance with the DPA 1998 and that students and staff are advised about their responsibilities.

4.0 Data covered by the Policy

- 4.1 In summary, personal data is information relating to a living individual where the structure of the data allows the information to be accessed i.e. as part of a relevant filing system. This includes data which allows an individual to be identified when put together with other information held by the Trust. Data is covered where it is held manually or electronically and data compiled, stored or otherwise processed by the Trust, or by a third party on its behalf.

4.2 Special category personal data is personal data consisting of information relating to:

- Racial or ethnic origin
- Political opinions,
- Religious or philosophical beliefs
- Membership of a trade union
- Physical or mental health or condition
- Sexual life or sexual orientation
- Commission or alleged commission of any offence
- Any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

5.0 The Six Data Protection Principles

5.1 The DPA 2018 requires the Trust, its staff and other organisations who process personal information on behalf of the school, to comply with the six data protection principles.

5.2 The principles require that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
- Be adequate, relevant and not excessive for those purposes
- Be accurate and kept up to date
- Not be kept for longer than is necessary for those purpose
- Be kept safe from unauthorised or unlawful processing and against accidental loss, destruction or damage

6.0 Responsibilities

6.1 The Trust has a designated Data Protection Officer (DPO) to support and advise on day-to-day issues which arise, and to provide members of the Trust with guidance on Data Protection issues to ensure they are aware of their obligations.

6.2 Employees of the Trust are expected to:

- Familiarise themselves and comply with the six data protection principles
- Ensure any processing of personal data is accurate and up to date
- Ensure their own personal information is accurate and up to date
- Keep personal data for no longer than is necessary
- Ensure that any personal data they process is secure and in compliance with the Trust's information related policies and strategies
- Acknowledge data subjects' rights (e.g. right of access to all their personal data held by the Academy) under the DPA 2018, and comply with requests to exercise those rights

- Ensure personal data is only used for those specified purposes and is not unlawfully used for any other business that does not concern the Trust
- Obtain consent where necessary to collect, share or disclose personal data
- Contact the DPO for advice if they have concerns or are in doubt about data protection requirements to avoid any infringements of the DPA 2018.

6.3 Students of the Trust are expected to:

- Comply with the six data protection principles
- Comply with any security procedures implemented by the Trust

7.0 Obtaining, Disclosing and Sharing

7.1 Only personal data that is necessary for a **specific reason** related to the provision of education or employment by the Trust should be obtained. Under DPA, there are six lawful bases for processing personal information:

- The data needs to be processed so that the Trust can **fulfil a contract** with the individual, or the individual has asked the Trust to take specific steps before entering into a contract (e.g. employment)
- The data needs to be processed so that the Trust can **comply with a legal obligation** (e.g. Education Act 2006, Children's Act 2004)
- The data needs to be processed to ensure the **vital interests** of the individual (e.g. to protect someone's life)
- The data needs to be processed so that the Trust, as a public authority, can perform a task **in the public interest**, and carry out its official functions (e.g. deliver education)
- The data needs to be processed for the **legitimate interests** of the Trust or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent** (e.g. academy trips, photos)

For special categories of personal data, as identified at 4.2, the Trust will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018.

7.2 Students and staff are informed about how their data will be processed via the Trust's Privacy Notices.

7.3 Upon acceptance of employment at the Trust, members of staff also agree to the processing and storage of their data.

7.4 Data must be collected and stored in a secure manner.

7.5 Personal information will not be disclosed to a third party organisation without the prior consent of the individual concerned unless required by law (see 7.6 below). This also includes information that would confirm whether or not an individual is or has been an applicant, student or employee of the Trust.

7.6 The Trust may have a duty to disclose personal information in order to comply with a legal or statutory obligation. The DPA 2018 allows the disclosure of personal data to authorised bodies, such as the police and other organisations that have a crime prevention or law enforcement function. Any requests to disclose personal data for reasons relating to national security, crime and taxation should be directed to the DPO at dataprotection@aspirenortheast.co.uk

7.7 Personal information that is shared with third parties on a more regular basis shall be carried out under written agreement to stipulate the purview and boundaries of sharing. For circumstances where personal information would need to be shared in the case of ad hoc arrangements, sharing shall be undertaken in compliance with the DPA 2018.

7.8 Where a third party processes information on behalf of the Trust, the Trust will only use organisations that provide sufficient guarantees that they have technical and organisational measure in place to safeguard the information. All such processing will be governed by a contract.

8.0 Retention, Security and Disposal

8.1 Recipients responsible for the processing and management of personal data need to ensure that the data is accurate and up-to-date. If an employee, student or applicant is dissatisfied with the accuracy of their personal data, then they should inform the Trust's Data Protection Officer.

8.2 Personal information held in paper and electronic format shall not be retained for longer than is necessary. In accordance with principle 2 and principle 4 of the DPA 2018, personal information shall be collected and retained only for business, regulatory or legal purposes.

8.3 In accordance with the provisions of the DPA 2018, all staff whose work involves processing personal data, whether in electronic or paper format, must take responsibility for its secure storage and ensure appropriate measures are in place to prevent accidental loss or destruction of, or damage to, personal data.

8.4 In accordance with the Trust's Flexible Working Scheme, staff working from home will be responsible for ensuring that personal data is stored securely and is not accessible to others.

8.5 All departments should ensure that data is destroyed in accordance with the Retention Schedule when it is no longer required. Please refer to the separate document titled 'Retention Guidelines for Schools' by the Records Management Society of Great Britain.

8.6 Personal data in paper format must be shredded or placed in the confidential waste bins provided. Personal data in electronic format should be deleted, and CDs and pen drives that hold personal data passed to your I.T provider for safe disposal. Hardware should be appropriately rendered redundant and disposed of in compliance with your I.T service provider contract and to ensure it conforms with DPA and GDPR requirements.

9.0 Transferring Personal Data

9.1 Any transfer of personal data must be carried out securely in line with the framework provided by the following:

- Data Protection Act 2018 and GDPR
- Caldicott: To Share or not to Share – The Information Governance Review 2013
- The ICO Code of Practice on Data Sharing 2015
- Information Sharing Advice for Safeguarding Practitioners 2015

9.2 Email communications should be assessed for risks to individuals' privacy. Wherever possible, sending personal data via encrypted email should be the preferred transit medium, with a password provided to the recipient by a separate medium.

9.3 Care should be taken to ensure emails containing personal data are not sent to unintended recipients. It is important that emails are addressed correctly and care is taken when using reply all or forwarding or copying others into emails. Use of the blind copy facility should be considered when sending an email to multiple recipients to avoid disclosing personal information to others.

9.4 Personal email accounts should not be used to send or receive personal data for work purposes.

10.0 Data Subjects Right of Access (Subject Access Requests)

10.1 Under the DPA 2018, individuals (including staff and students) have the right to request access to their personal data held by the Trust. This applies to data held in both paper and electronic format, and within a relevant filing system.

10.2 The Trust may, with the advice of the DPO, use its discretion under the DPA 2018 to encourage informal access at a local level to a data subject's personal information, but it will also have a formal procedure for the processing of Subject Access Requests.

10.3 Any individual who wishes to exercise this right should make the request in writing or via the submission of a Subject Access Request Form.

10.4 The Trust may not charge a fee. It will only release any information upon receipt of a valid request, along with proof of identity, or proof of authorisation where requests are made on the behalf of a data subject by a third party. The requested information, or reason for refusing a request, will be provided within the statutory timescale of **1 calendar month** from receipt of a valid request.

11.0 Reporting a Data Security Breach

11.1 It is important the Trust responds to a data security breach quickly and effectively. A breach may arise from a theft, a deliberate attack on Trust systems, unauthorised use of personal data, accidental loss or equipment failure. Any data breach should be reported to the DPO at dataprotection@aspirenortheast.co.uk and if it relates to an IT incident (including information security), should also be reported to the Headteacher and in certain circumstances to your I.T provider. Please refer to the Data Breach Policy for more information.

11.2 Any breach will be investigated in line with the procedures within the Data Breach Policy. In accordance with that Policy, the Trust will treat any breach as a serious issue. Each incident will be investigated and judged on its individual circumstances and addressed accordingly.

12.0 Policy retention and review

12.1 This policy will be reviewed annually.

12.2 A copy of the policy in place from time to time will be retained until the end of the period of 6 months beginning on the day processing under that version of the policy ceases.

Last review date: 11.10.22

Person Responsible: Head of Trust Finance and Operations

Information and Records Management Society

Retention Guidelines for Schools

Version 4

This retention schedule contains recommended retention periods for the different record series created and maintained by schools in the course of their business. The schedule refers to all information regardless of the media in which it is stored.

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 1998 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.

This schedule should be reviewed on a regular basis.

This document is a guideline only and liability is the liability of the end user and not of the IRMS.



Records Management Toolkit for Schools

Version 4

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1. Child Protection					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
1.1	Child Protection files	Yes	Education Act 2002, s175, related guidance "Safeguarding Children in Education"; September 2004	DOB + 25 years ¹	SECURE DISPOSAL
1.2	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 guidance "Dealing with Allegations of Abuse against Teachers and Other Staff" November 2005	Until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer	SECURE DISPOSAL

¹ This amendment has been made in consultation with the Safeguarding Children Group.

² From January 1st 2005 subject access is permitted into unstructured filing systems and log books and other records created within the school containing details about the activities of individual pupils and members of staff will become subject to the Data Protection Act 1998.

2. Governors					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
2.1	Minutes				
	<ul style="list-style-type: none"> Principal set (signed) 	No		Permanent	Retain in school for 6 years from date of meeting
	<ul style="list-style-type: none"> Inspection copies 	No		Date of meeting + 3 years	SECURE DISPOSAL [If these minutes contain any sensitive personal information they should be shredded]
2.2	Agendas	No		Date of meeting	SECURE DISPOSAL
2.3	Reports	No		Date of report + 6 years	Retain in school for 6 years from date of meeting
2.4	Annual Parents' meeting papers	No		Date of report + 6 years	Retain in school for 6 years from date of meeting
2.5	Instruments of Government	No		Permanent	Retain in school whilst school is open
2.6	Trusts and Endowments	No		Permanent	Retain in school whilst operationally required
2.7	Action Plans	No		Date of action plan + 3 years	SECURE DISPOSAL
2.8	Policy documents	No		Expiry of policy	Retain in school whilst policy is operational (this includes if the expired policy is part of a past decision making process)

2. Governors					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
2.9	Complaints files	Yes		Date of resolution of complaint + 6 years	Retain in school for the first six years Review for further retention in the case of contentious disputes SECURE DISPOSAL routine complaints
2.10	Annual Reports required by the Department for Education	No	Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.SI 2002 No 1171	Date of report + 10 years	
2.11	Proposals for schools to become, or be established as Specialist Status schools	No			Current year + 3 years

3. Management					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
3.1	Log Books	Yes		Date of last entry in the book + 6 years	Retain in the school for 6 years from the date of the last entry
3.2	Minutes of the Senior Management Team and other internal administrative bodies	Yes		Date of meeting + 5 years	Retain in the school for 5 years from meeting
3.3	Reports made by the head teacher or the management team	Yes		Date of report + 3 years	Retain in the school for 3 years from meeting
3.4	Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	Yes		Closure of file + 6 years	SECURE DISPOSAL
3.5	Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	No		Date of correspondence + 3 years	SECURE DISPOSAL
3.6	Professional development plans	Yes		Closure + 6 years	SECURE DISPOSAL
3.7	School development plans	Yes		Closure + 6 years	Review
3.8	Admissions - if the admission is successful	Yes		Admission + 1 year	SECURE DISPOSAL
3.9	Admissions - if the appeal is unsuccessful	Yes		Resolution of case + 1 year	SECURE DISPOSAL

3. Management					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
3.10	Admissions - Secondary Schools - Casual	Yes		Current year + 1 year	SECURE DISPOSAL
3.11	Proofs of address supplied by parents as part of the admissions process	Yes		Current year + 1 year	SECURE DISPOSAL
3.12	Supplementary Information form including additional information such as religion, medical conditions etc.				

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.1	Admission Registers	Yes		Date of last entry in the book (or file) + 6 years Re consider Retention Period. Feedback from Teaching Relative was thought to be 7 Year Retention. These records are no longer generated in paper but electronically held using SIMS BROCON software.	Retain in the school for 6 years from the date of the last entry then consider transfer to the Archives
4.2	Attendance registers	Yes		Date of register + 3 years	SECURE DISPOSAL [If these records are retained electronically any back up copies should be destroyed at the same time]

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.3	Pupil Files Retained in Schools	Yes			
4.3a	<ul style="list-style-type: none"> Primary 			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school. In the case of exclusion it may be appropriate to transfer the record to the Pupil Referral Unit
4.3b	<ul style="list-style-type: none"> Secondary 		Limitation Act 1980	DOB of the pupil + 25 years ³	SECURE DISPOSAL
4.4	Pupil files	Yes			
4.4a	<ul style="list-style-type: none"> Primary 			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school. In the case of exclusion it may be appropriate to transfer the record to the Pupil Referral Unit
4.4b	<ul style="list-style-type: none"> Secondary 		Limitation Act 1980	DOB of the pupil + 25 years ⁴	SECURE DISPOSAL
4.5	Special Educational Needs files, reviews and Individual Education Plans	Yes		DOB of the pupil + 25 years the review NOTE: This retention period is the minimum 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.	SECURE DISPOSAL

³ If these records are retained on the pupil file or in their National Record of Achievement they need only be kept for as long as operationally necessary.

⁴ As above

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.6	Correspondence Relating to Authorised Absence and Issues	No		Date of absence + 2 years	SECURE DISPOSAL
4.7	Examination results	Yes			
4.7a	• Public	No		Year of examinations + 6 years	SECURE DISPOSAL
4.7b	• Internal examination results	Yes		Current year + 5 years ⁵	SECURE DISPOSAL
4.8	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 SECURE DISPOSAL
4.9	Statement maintained under The Education Act 1996 - Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SECURE DISPOSAL unless legal action is pending
4.10	Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SECURE DISPOSAL unless legal action is pending
4.11	Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	SECURE DISPOSAL unless legal action is pending
4.12	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	SECURE DISPOSAL unless legal action is pending
4.13	Parental permission slips for school trips - where there has been no major incident	Yes		Conclusion of the trip	SECURE DISPOSAL

⁵ If these records are retained on the pupil file or in their National Record of Achievement they need only be kept for as long as operationally necessary.

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.14	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	SECURE DISPOSAL
4.15	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Primary Schools	No	3 part supplement to the Health & Safety of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 14 years ⁶	N
4.16	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Secondary Schools	No	3 part supplement to the Health & Safety of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 10 years	N
4.17	Walking Bus registers	Yes		Date of register + 3 years This takes into account the fact that if there is an incident requiring an accident report the register will be submitted with the accident report and kept for the period of time required for accident reporting	SECURE DISPOSAL [If these records are retained electronically any back up copies should be destroyed at the same time]

⁶ This retention period has been set in agreement with the Safeguarding Children's Officer.

5. Curriculum					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
5.1	School Development Plan	No		Current year + 6 years	SECURE DISPOSAL
5.2	Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL
5.3	Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SECURE DISPOSAL
5.4	Timetable	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SECURE DISPOSAL
5.5	Class record books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SECURE DISPOSAL
5.6	Mark Books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SECURE DISPOSAL
5.7	Record of homework set	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SECURE DISPOSAL
5.8	Pupils' work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SECURE DISPOSAL

5. Curriculum					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
5.9	Examination results	Yes		Current year + 6 years	SECURE DISPOSAL
5.10	SATS records - Examination Papers and Results	Yes		Current year + 6 years	SECURE DISPOSAL
5.11	PAN reports	Yes		Current year + 6 years	SECURE DISPOSAL
5.12	Value Added & Contextual Data	Yes		Current year + 6 years	SECURE DISPOSAL
5.13	Self Evaluation forms	Yes		Current year + 6 years	SECURE DISPOSAL

6. Personnel Records held in Schools					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
6.1	Timesheets, sick pay	Yes	Financial Regulations	Current year + 6 years	SECURE DISPOSAL
6.2	Staff Personal files	Yes		Termination + 7 years	SECURE DISPOSAL
6.3	Interview notes and recruitment records	Yes		Date of interview + 6 months	SECURE DISPOSAL
6.4	Pre-employment vetting information (including CRB checks)	No	CRB guidelines	Date of check + 6 months	SECURE DISPOSAL [by the designated member of staff]
6.5	Disciplinary proceedings:	Yes	Where the warning relates to child protection issues see 1.2. If the disciplinary proceedings relate to a child protection matter please contact your safeguarding children officer for further advice.		

6. Personnel Records held in Schools					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
6.5a	• oral warning			Date of warning + 6 months	SECURE DISPOSAL ⁷
6.5b	• written warning - level one			Date of warning + 6 months	SECURE DISPOSAL
6.5c	• written warning - level two			Date of warning + 12 months	SECURE DISPOSAL
6.5d	• final warning			Date of warning + 18 months	SECURE DISPOSAL
6.5e	• case not found			If child protection related please see 1.2 otherwise SECURE DISPOSAL immediately at the conclusion of the case	SECURE DISPOSAL
6.6	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	SECURE DISPOSAL
6.7	Annual appraisal/assessment records	No		Current year + 5 years	SECURE DISPOSAL
6.8	Salary cards	Yes		Last date of employment + 85 years	SECURE DISPOSAL
6.9	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960), revised 1999 (SI 1999/567)	Current year + 3yrs	SECURE DISPOSAL
6.10	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SECURE DISPOSAL

⁷ If this is placed on a personal file it must be weeded from the file.

6. Personnel Records held in Schools					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
6.11	Proofs of identity collected as part of the process of checking “portable” enhanced CRB 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 staff’s personal file.	

Comment: CRB Guidelines all falls under the heading of Data Recruitment Polices. Consideration needs to be applied to adding a separate category maybe.

7. Health and Safety					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
7.1	Accessibility Plans		Disability Discrimination Act	Current year + 6 years	SECURE DISPOSAL
7.2	Accident Reporting		Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980		
7.2a	• Adults	Yes		Date of incident + 7 years	SECURE DISPOSAL
7.2b	• Children	Yes		DOB of child + 25 years ⁸	SECURE DISPOSAL
7.3	COSHH			Current year + 10 years [where appropriate an additional retention period may be allocated]	
7.4	Incident reports	Yes		Current year + 20 years	SECURE DISPOSAL

⁸ A child may make a claim for negligence for 7 years from their 18th birthday. To ensure that all records are kept until the pupil reaches the age of 25 this retention period has been applied.

7. Health and Safety					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
7.5	Policy Statements			Date of expiry + 1 year	SECURE DISPOSAL
7.6	Risk Assessments	Yes		Current year + 3 years	SECURE DISPOSAL
7.7	Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos			Last action + 40 years	SECURE DISPOSAL
7.8	Process of monitoring of areas where employees and persons are likely to have come in contact with radiation			Last action + 50 years	SECURE DISPOSAL
7.9	Fire Precautions log books			Current year + 6 years	SECURE DISPOSAL

8. Administrative					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
8.1	Employer's Liability certificate			Closure of the school + 40 years	SECURE DISPOSAL
8.2	Inventories of equipment & furniture			Current year + 6 years	SECURE DISPOSAL
8.3	General file series			Current year + 5 years	Review to see whether a further retention period is required
8.4	School brochure or prospectus			Current year + 3 years	
8.5	Circulars (staff/parents/pupils)			Current year + 1 year	SECURE DISPOSAL

8. Administrative					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
8.6	Newsletters, ephemera			Current year + 1 year	Review to see whether a further retention period is required
8.7	Visitors book			Current year + 2 years	Review to see whether a further retention period is required
8.8	PTA/Old Pupils Associations			Current year + 6 years	Review to see whether a further retention period is required

9. Finance					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
9.1	Annual Accounts		Financial Regulations	Current year + 6 years	
9.2	Loans and grants		Financial Regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required
9.3	Contracts				
9.3a	• under seal			Contract completion date + 12 years	SECURE DISPOSAL
9.3b	• under signature			Contract completion date + 6 years	SECURE DISPOSAL
9.3c	• monitoring records			Current year + 2 years	SECURE DISPOSAL
9.4	Copy orders			Current year + 2 years	SECURE DISPOSAL
9.5	Budget reports, budget monitoring etc.			Current year + 3 years	SECURE DISPOSAL

9. Finance					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
9.6	Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	Current year + 6 years	SECURE DISPOSAL
9.7	Annual Budget and background papers			Current year + 6 years	SECURE DISPOSAL
9.8	Order books and requisitions			Current year + 6 years	SECURE DISPOSAL
9.9	Delivery Documentation			Current year + 6 years	SECURE DISPOSAL
9.10	Debtors' Records		Limitation Act 1980	Current year + 6 years	SECURE DISPOSAL
9.11	School Fund - Cheque books			Current year + 3 years	SECURE DISPOSAL
9.12	School Fund - Paying in books			Current year + 6 years then review	SECURE DISPOSAL
9.13	School Fund - Ledger			Current year + 6 years then review	SECURE DISPOSAL
9.14	School Fund - Invoices			Current year + 6 years then review	SECURE DISPOSAL
9.15	School Fund - Receipts			Current year + 6 years	SECURE DISPOSAL
9.16	School Fund - Bank statements			Current year + 6 years then review	SECURE DISPOSAL
9.17	School Fund - School Journey books			Current year + 6 years then review	SECURE DISPOSAL
9.18	Student grant applications			Current year + 3 years	SECURE DISPOSAL
9.19	Free school meals registers	Yes		Current year + 6 years	SECURE DISPOSAL
9.20	Petty cash books			Current year + 6 years	SECURE DISPOSAL

10. Property					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
10.1	Title Deeds			Permanent	Permanent, these should follow the property unless the property has been registered at the Land Registry
10.2	Plans			Permanent	Retain in school whilst operational
10.3	Maintenance and contractors		Financial Regulations	Current year + 6 years	SECURE DISPOSAL
10.4	Leases			Expiry of lease + 6 years	SECURE DISPOSAL
10.5	Lettings			Current year + 3 years	SECURE DISPOSAL
10.6	Burglary, theft and vandalism report forms			Current year + 6 years	SECURE DISPOSAL
10.7	Maintenance log books			Current year + 6 years	SECURE DISPOSAL
10.8	Contractors' Reports			Current year + 6 years	SECURE DISPOSAL

11. Local Authority					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
11.1	Secondary transfer sheets (Primary)	Yes		Current year + 2 years	SECURE DISPOSAL
11.2	Attendance returns	Yes		Current year + 1 year	SECURE DISPOSAL
11.3	Circulars from LEA			Whilst required operationally	Review to see whether a further retention period is required

12. Department for Children, Schools and Families					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
12.1	HMI reports			These do not need to be kept any longer	
12.2	OFSTED reports and papers			Replace former report with any new inspection report	Review to see whether a further retention period is required
12.3	Returns			Current year + 6 years	SECURE DISPOSAL
12.4	Circulars from Department for Children, Schools and Families			Whilst operationally required	Review to see whether a further retention period is required

13. Connexions					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
13.1	Service level agreements			Until superseded	SECURE DISPOSAL
13.2	Work Experience agreement			DOB of child + 18 years	SECURE DISPOSAL

Are KPI's required? Consideration required as to whether this new item should be included.

14. Schools Meals					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
14.1	Dinner Register			Current year + 3 years	SECURE DISPOSAL
14.2	School Meals Summary Sheets			Current year + 3 years	SECURE DISPOSAL

15. Family Liaison Officers and Home School Liaison Assistants

	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
15.1	Day Books	Yes		Current year + 2 years then review	SECURE DISPOSAL
15.2	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 the school then destroy	SECURE DISPOSAL
15.3	Referral forms	Yes		While the referral is current	SECURE DISPOSAL
15.4	Contact data sheets	Yes		Current year then review, if contact is no longer active then destroy	SECURE DISPOSAL
15.5	Contact database entries	Yes		Current year then review, if contact is no longer active then destroy	DELETE
15.6	Group Registers	Yes		Current year + 2 years	SECURE DISPOSAL

Information and Records Management Society

Retention Guidelines for Early Years Provision

Version 4

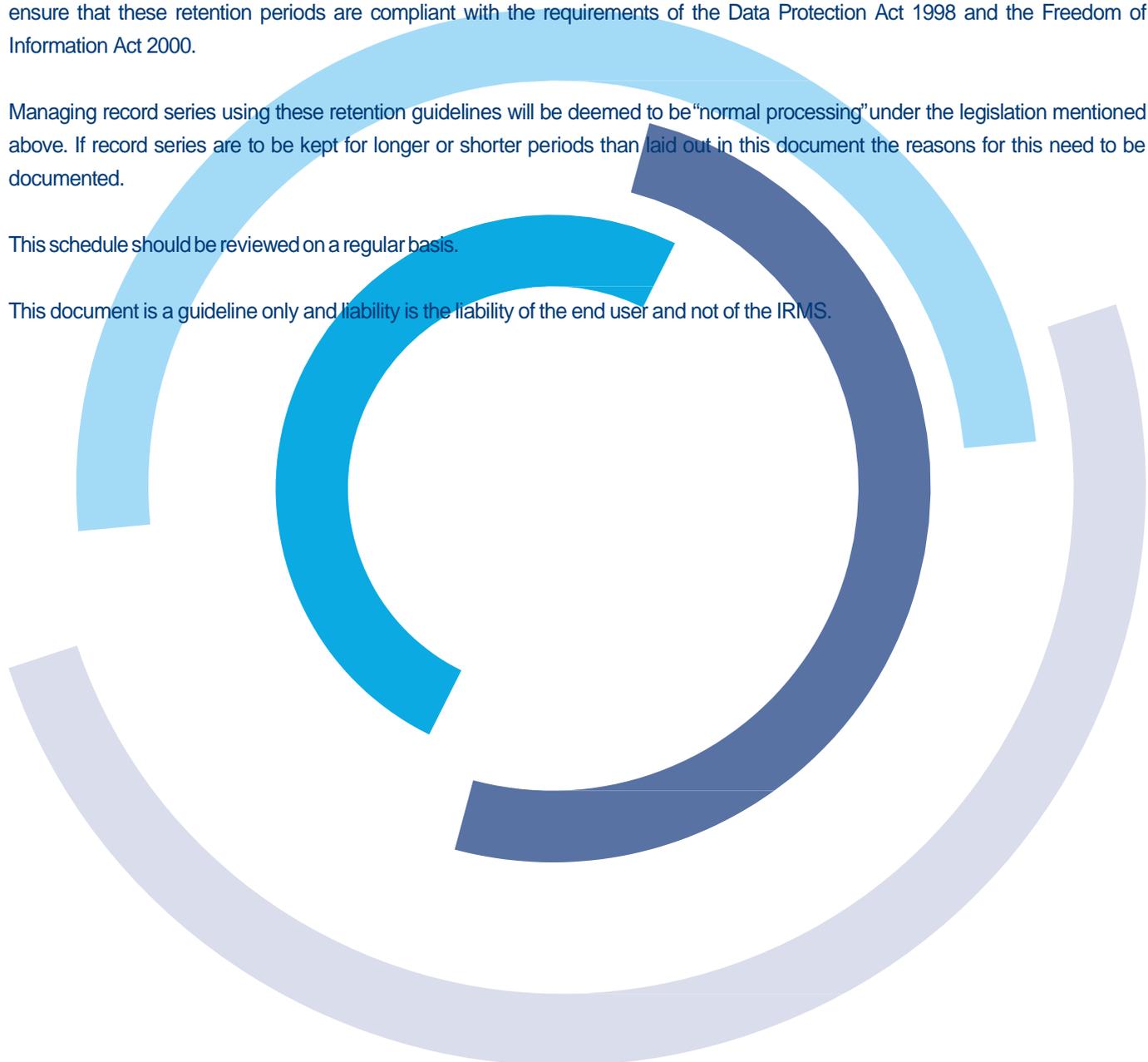
This retention schedule contains recommended retention periods for the different record series created and maintained by schools in the course of their business. The schedule refers to all information regardless of the media in which it is stored.

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 1998 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.

This schedule should be reviewed on a regular basis.

This document is a guideline only and liability is the liability of the end user and not of the IRMS.



Records Management Toolkit for Schools

Version 4

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16. Early Years Provision		16.1 Records to be kept by Registered Persons - All Cases		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
16.1.1	The name, home address and date of birth of each child who is looked after on the premises	Yes		Closure of setting + 50 years [These could be required to show whether or not an individual child attended the setting in a child protection investigation]
16.1.2	The name, home address and telephone number of a parent of each child who is looked after on the premises	Yes		If this information is kept in the same book or on the same form as in 16.1.1 then the same retention period should be used as in 16.1.1. If the information is stored separately, then destroy once the child has left the setting (unless the information is collected for anything other than emergency contact)
16.1.3	The name, address and telephone number of any person who will be looking after children on the premises	Yes		See 16.4.5 below
16.1.4	A daily record of the names of children looked after on the premises, their hours of attendance and the names of the persons who looked after them	Yes	The Day Care and Child Minding (National Standards) (England) Regulations 2003	The regulations say that these records should be kept for 2 years (SI20031996 7(1b)). If these records are likely to be needed in a child protection setting (see 16.1.1 above) then the records should be retained for closure of setting + 50 years
16.1.5	A record of accidents occurring on the premises and incident books relating to other incidents	Yes	The Day Care and Child Minding (National Standards) (England) Regulations 2003 ¹	DOB of the child involved in the accident or the incident + 25 years. If an adult is injured then the accident book must be kept for 7 years from the date of the incident
16.1.6	A record of any medicinal product administered to any child on the premises, including the date and circumstances of its administration, by whom it was administered, including medicinal products which the child is permitted to administer to himself, together with a record of parent's consent	Yes	The Day Care and Child Minding (National Standards) (England) Regulations 2003 ²	DOB of the child being given/taking the medicine + 25 years

¹ The regulations say that these records should be kept for 2 years (SI20031996 7(1b)). The Statute of Limitations states that a minor may make a claim for 7 years from their eighteenth birthday; therefore the retention should be for the longer period.

² The regulations say that these records should be kept for 2 years (SI20031996 7(1b)). The NHS records retention schedule states that any records relating to a child under the age of 18 should be retained until that child reaches the age of 25 years. Therefore, the retention should be DOB of the child being given/taking the medicine + 25 years

16. Early Years Provision		16.1 Records to be kept by Registered Persons - All Cases		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
16.1.7	Records of transfer	Yes		One copy is to be given to the parents, one copy transferred to the Primary School where the child is going
16.1.8	Portfolio of work, observations and so on	Yes		To be sent home with the child
16.1.9	Birth certificates	Yes		Once the setting has had sight of the birth certificate and recorded the necessary information the original can be returned to the parents. There is no requirement to keep a copy of the birth certificate.

16. Early Years Provision		16.2 Records to be kept by Registered Persons - Day Care		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
16.2.1	The name and address and telephone number of the registered person and every other person living or employed on the premises	Yes		See 16.4 below
16.2.2	A statement of the procedure to be followed in the event of a fire or accident	No		Procedure superseded + 7 years
16.2.3	A statement of the procedure to be followed in the event of a child being lost or not collected	No		Procedure superseded + 7 years
16.2.4	A statement of the procedure to be followed where a parent has a complaint about the service being provided by the registered person	No		Until superseded

16. Early Years Provision		16.2 Records to be kept by Registered Persons - Day Care		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
16.2.5	A statement of the arrangements in place for the protection of children, including arrangements to safeguard the children from abuse or neglect and procedures to be followed in the event of allegations of abuse or neglect	No		Closure of setting + 50 years [These could be required to show whether or not an individual child attended the setting in a child protection investigation]

16. Early Years Provision		16.3 Records to be kept by Registered Persons - Overnight provision - under 2's		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
16.3.1	Emergency contact details for appropriate adult to collect the child if necessary	Yes		Destroy once the child has left the setting (unless the information is collected for anything other than emergency contact)
16.3.2	Contract, signed by the parent, stating all the relevant details regarding the child and their care, including the name of the emergency contact and confirmation of their agreement to collect the child during the night	Yes		Date of birth of the child who is the subject of the contract + 25 years

16. Early Years Provision		16.4 Other Records - Administration		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
	Financial Records			
16.4.1	Financial records - accounts, statements, invoices, petty cash etc	No		Current year + 6 years

16. Early Years Provision		16.4 Other Records - Administration		
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
	Insurance			
16.4.2	Insurance policies - Employers Liability	No	Employers Liability Financial Regulations	The policies are kept for a minimum of 6 years and a maximum of 40 years depending on the type of policy
16.4.3	Claims made against insurance policies - damage to property	Yes		Case concluded + 3 years
16.4.4	Claims made against insurance policies - personal injury	Yes		Case concluded + 6 years
	Human Resources			
16.4.5	Personal Files - records relating to an individual's employment history	Yes ³		Termination + 6 years then review
16.4.6	Pre-employment vetting information (including CRB checks)	No	CRB guidelines	Date of check + 6 months
16.4.7	Staff training records - general	Yes		Current year + 2 years
16.4.8	Training (proof of completion such as certificates, awards, exam results)	Yes		Last action + 7 years
	Premises and Health and Safety			
16.4.9	Premises files (relating to maintenance)	No		Cessation of use of building + 7 years then review
16.4.10	Risk Assessments	No		Current year + 3 years

³For Data Protection purposes the following information should be kept on the file for the following periods :

- all documentation on the personal file
- pre-employment and vetting information
- records relating to accident or injury at work
- annual appraisal/assessment records

Duration of employment
Start date + 6 months
Minimum of 12 years
Minimum of 5 years

- records relating to disciplinary matters (kept on personal files)
 - oral warning 6 months
 - first level warning 6 months
 - second level warning 12 months
 - final warning 18 months



Version Control

The following changes were made to the Records Management Toolkit - 10th February 2006 in preparation for the consultation document which will become Version 3 of the Records Management Toolkit for Schools.

- 1 Toolkit for schools Feb 06[1] withdrawn and issued as a number of individual documents (see below)
- 2 Part 1 of Toolkit for schools Feb 06[1] reissued as "Records Management Policy" [RecordsManagementToolkitRMS03.doc]
- 3 Part 2 of Toolkit for schools Feb 06[1] and Appendix B reissued as "Creating Information Management Systems" [RecordsManagementToolkitRMS04.doc]
- 4 Appendix C of Toolkit for schools Feb 06[1] reissued as "Managing E-mail" [RecordsManagementToolkitRMS05.doc]
- 5 Section 2.3.4 Toolkit for schools Feb 06[1] reissued as "Information Security" [RecordsManagementToolkitRMS06.doc] and "Business Continuity" [RecordsManagementToolkitRMS07]
- 6 Appendix A of Toolkit for schools Feb 06[1] reissued as "Managing E-mail" [RecordsManagementToolkitRMS08.doc]
- 7 New section "Managing Pupil Records" added [RecordsManagementToolkitRMS09.doc]
- 8 Sections 1-6 of Toolkit for schools retention schedule Feb 06 withdrawn and reissued as a number of individual documents (see below)
- 9 Sections 1-3, 5 of Toolkit for schools retention schedule Feb 06 withdrawn and reissued as "Introduction to the Retention Schedule" [RecordsManagementToolkitRMS11]
- 10 Section 4 of Toolkit for schools retention schedule Feb 06 withdrawn and reissued as "Safe disposal of records which have reached the end of their administrative life" [RecordsManagementToolkitRMS12]
- 11 New section "School Closures and Record Keeping" added [RecordsManagementToolkitRMS12]
- 12 Section 6 of Toolkit for schools retention schedule Feb 06 reissued as "Retention Guidelines for Schools" [RecordsManagementToolkitRMS10]. The following amendments have been made:
 - 12.1 Table of contents added using MSWord Heading function
 - 12.2 All entries given individual numbers
 - 12.3 Section 6.1 renumbered as section 1 and notes added to 1.2 relating to the provisions of the "Safeguarding Children and Safer Recruitment in Education" p60
 - 12.4 Section 6.2 renumbered as section 2
 - 12.5 Section 6.3 renumbered as section 3 and new items 3.8-3.11 added

- 12.6 Section 6.4 renumbered as section 4 and new items 4.15-16 added
- 12.7 Section 6.5 renumbered as section 5 and new item 6.11 added
- 12.8 Section 6.6 renumbered as section 6
- 12.9 Section 6.7 renumbered as section 7 and the retention periods in items 7.2a and 7.2b amended
- 12.10 Section 6.8 renumbered as section 8
- 12.11 Section 6.9 renumbered as section 9
- 12.12 Section 6.10 renumbered as section 10
- 12.13 Section 6.11 renumbered as section 11
- 12.14 Section 6.12 renumbered as section 12. All references to DfES replaced with Department for Children, Schools & Families
- 12.15 Section 6.13 renumbered as section 13
- 12.16 Section 6.14 renumbered as section 14
- 12.17 New section 15 for Family Liaison Officers/Parent Support Assistants added
- 12.18 New section 16 for Early Years Provision added

The following additional alterations were made as a result of the consultation process on 13th December 2007.

- 1 "Managing E-mail" [RecordsManagementToolkitRMS05.doc]: contents of document replaced with more up to date content.
- 2 "Managing Pupil Records" added [RecordsManagementToolkitRMS09.doc]. The following text was added "The file cover should also contain a note of the date when the file was opened and the date when the file is closed if it is felt to be appropriate."
- 3 "Retention Guidelines for Schools" [RecordsManagementToolkitRMS10]. The following amendments have been made:
 - 3.1 Sections 4.17 and 4.18 added with retention periods for "Records created by schools to obtain approval to run an Educational Visit outside the Classroom"
 - 3.2 Clarification note added to section 4.5
- 4 "Safe disposal of records which have reached the end of their administrative life" [RecordsManagementToolkitRMS12]: "Date action taken" added to section 1

The following alterations were made to the toolkit to form Version 3.1

- 1 Item 4.19 added to the Retention Schedule (Walking Bus)

The following changes were made to the Records Management Toolkit Version 3.1 in preparation for the consultation document which will become Version 4 of the Records Management Toolkit for Schools.

- 1 Logo on all documents changed from the RMS logo to the IRMS logo.
- 2 All instances of Records Management Society and RMS changed to Information and Records Management Society (IRMS).
- 3 Fact sheet relating to the creation of Information Management Systems has been removed.
- 4 Fact sheet relating to information audits revised.
- 5 Fact sheet on email management revised.
- 6 Retention Guidelines: Text "SHRED" replaced with "SECURE DISPOSAL"

- 7 Retention Guidelines: Column relating to whether documents should be offered to Archives at the end of their administrative life removed.
- 8 Retention Guidelines: 3.12 added as a new item
- 9 Retention Guidelines: 4.7 removed from the retention schedule
- 10 Retention Guidelines: 4.8-4.13 renumbered to 4.7-4.12
- 11 Retention Guidelines: Early Years Retention Schedule separated from Schools' Retention Schedule
- 12 Retention Guidelines: 4.14 removed from retention schedule
- 13 Retention Guidelines: 4.15-4.19 renumbered to 4.13-4.17
- 14 Retention Guidelines: 5.1 - Curriculum Development replaced with School Development Plan
Retention Guidelines: 5.3 removed
- 15 Retention Guidelines: 5.4-13 renumbered to 5:3-12
Retention Guidelines: 5.11 [renumbered to 5.10] text added to read "examination papers and results"
- 16 Retention Guidelines: 5.12 [renumbered to 5.11] text amended to read "Value Added & Contextual Data."
- 17 Retention Guidelines: 5.13 added to retention schedule
- 18 Retention Guidelines: 9.18 removed from the retention schedule
- 19 Retention Guidelines: Text "Financial Regulations" removed from 9.20-9.21
- 20 Retention Guidelines: 9.19-9.21 renumbered to 9.18-9.20
- 21 Retention Guidelines: 11, Text "Local Education Authority" amended to read "Local Authority"
- 22 Retention Guidelines: 15, Text "Parent Support Assistants" amended to read "Home School Liaison Assistants"
- 23 Information Security fact sheet and business continuity fact sheet combined to create Information & Records Security and Continuity fact sheet



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