



ELTHAM
CHURCH OF ENGLAND
PRIMARY SCHOOL
SINCE 1814

MANAGEMENT AND RETENTION OF RECORDS POLICY

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INTRODUCTION

The General Data Protection Regulation (“GDPR”) advises that records should be kept for no longer than necessary for the purpose of which it was processed. The management of Eltham Church of England School (“School”) needs to be aware of how long each type of record should be retained in law, where it might be judicious to retain records for a longer period, and how to destroy records that are no longer needed. Pursuant to the GDPR, the School needs to demonstrate for each category of records why it is being kept and the reasons behind the length of retention. Moreover, the School needs to set out the envisaged time limits for erasure of different category of records Under the Freedom of Information Act 2000 (“FOIA”), schools are required to have a Records Management Policy and to maintain a Retention Schedule listing the record series which the School creates in the course of its business. The Retention Schedule lays down the length of time for which the record needs to be maintained and the action which is taken when the record is of no further administrative use (what is destroyed, when it was destroyed, and by whom). The Retention Schedule is enclosed in Appendix 1.

The School recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations pursuant to the GDPR and FOIA and to contribute to the effective overall management of the School. Records provide evidence for protecting the legal rights and interests of the School and provide evidence for demonstrating performance and accountability. This Policy provides the framework through which effective management of the records can be achieved and audited (from time to time); it covers the scope, responsibilities and relationships with other existing policies of the school, namely, the Data Protection Policy.

SCOPE

This Policy applies to all records (regardless of for or medium) created, received or maintained by the staff of the School in the course of carrying out their functions and in pursuant of their legal obligations . This policy also applies to all accounting records required for retention by the Charity Commission (“CC”)under the Charities Act 2011 and under the Companies Act 2006 (“CA”), as well as those records required to be retained by Her’ Majesty’s Revenue and Customs (“HMRC”) and other legislative requirements. 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.

RESPONSIBILITY

The School keeps records under a wide variety of headings, as follows:

- GOVERNANCE
- MANAGEMENT
- PUPILS
- CHILD PROTECTION
- FAMILY SUPPORT WORKER
- CURRICULUM AND EDUCATIONAL VISITS
- PERSONNEL RECORDS
- HEALTH AND SAFETY
- ADMINISTRATION
- ACCOUNTS AND STATEMENTS INCLUDING BUDGET MANAGEMENT
- CONTRACT MANAGEMENT
- PROPERTY MANGEMENT AND MAINTAINANCE

The School has a responsibility to maintain these records and record keeping systems in accordance with the regulatory requirements. The person with overall responsibility for this Policy is the Headteacher. The person responsible for records management is the Headteacher and 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 in a timely manner. They will also monitor compliance with this Policy by surveying at least annually to check if records are stored securely and can be accessed appropriately. Members of staff are expected to manage their current record keeping using the retention schedule and to take account of the different kinds of retention periods when they are creating new record keeping systems.

There are a number of benefits from the use of a retention schedule, as follows:

- Managing records against the retention schedule is deemed to be 'normal processing' under the GDPR and the FOIA. Provided members of staff are managing record series using the retention schedule, they cannot be found guilty of unauthorised tampering with files once a freedom of information request or data subject access request has been made.
- Members of staff can be confident about shredding information at the appropriate time.
- Information which is subject to freedom of information and data protection legislation will be available when required.
- The School is not maintaining and storing information unnecessarily.

RELATIONSHIP WITH EXISTING POLICIES

This policy has been drawn up within the context of the follow polices:

- DATA PROTECTION POLICY.
- CCTV POLICY.
- GENERAL DATA PROTECTION REGULATIONS (as from 25 May 2018).
- Any other legislation or regulations (including audit, equal opportunities and ethics) affecting the School.

INFORMATION SECURITY

The School acknowledges the importance of information security as part of ensuring good document and information management. Consequently, the School will:

Digital Information

- Undertake regular backup of information held electronically. In line with the GDPR, these backups will be stored offsite within the European Union ("EU") borders unless; 1. There is a legitimate reason to store information outside of the EU or 2. Consent of the subject of the information has been obtained to store the information outside of the EU.
- Ensure that information is not stored on the hard drive of any laptop, PC, mobile storage device, memory sticks, phones, tablet device or CDs.
- Ensure that the information is subject to robust password protection regime with PCs locked to prevent unauthorised use when the user is away from their desk.
- Ensure that the server environment is kept clean and managed to prevent access by unauthorised personnel.
- Ensure that there a business continuity plans in relation to electronically held information.

Hard copy Information and Records

- All vital information should be stored in filing cabinets or similar in order to reduce damage in the event of a fire or flood.
- Records should be held in lockable cabinets to avoid unauthorised access, theft or loss. Staff should not remove personal data out of the School. A clear desk policy is advisable in relation to personal records to avoid unauthorised access, theft or loss.

Disclosure

- Ensure that staff are aware of the importance of keeping personal data confidential.
- Ensure that personal data is only disclosed to parties that are entitled to it.
- Ensure that any disclosure meets the requirements of the GDPR.

Information Loss or Breach

In the event of a major loss of data or a security breach the Information Commissioners Office will be advised and the appropriate business recovery plan will be implemented.

ARCHIVES

Old pupil, accounting and personnel records, and some other records will be archived until being disposed of. Archived records will:

- Be treated as being confidential as current records.
- Not necessarily be as accessible as current records, but will still be retrievable.
- Have adequate storage made available or may be kept electronically.

Before deciding on whether records will be stored electronically, the School will consider:

- Whether the records may need to be kept in the original format (for legal reasons).
- Whether the medium chosen to archive the records has an acceptable lifespan for records that will have to be retained for a very long time.
- Where records are archived electronically whether there will be an adequate means for accessing and printing the record.

A record of all documents that have been archived electronically will be kept.

Where certain categories of records have lengthy periods or require permanent retention, the School may convert paper records into digital records. Such conversion will be undertaken in accordance with the relevant British Standard.

DISPOSAL OF RECORDS

When the period of retention for the records has expired, and there is no other reason to keep the records, the records may be disposed of. The records will be completely and permanently be destroyed by shredding paper, cutting up CDs and similar items and dismantling and destroying hard drives or permanently deleted electronically (if stored in an electronic form). Non-sensitive papers will be bundled and disposed of to a waste paper recycling merchant. A list is kept of records which have been destroyed. This list includes the following information as required by the (FOIA):

- The file reference.
- The file title or a brief description.
- The number of files and date range.

- The name of the authorising officer.
- The date the file was destroyed.
- Reason for destruction.

Where an external provider is used for the destruction of documents a certificate of destruction should be obtained following destruction.

MONITORING AND EVALUATION

This Policy has been drawn up within the context of the Freedom of Information Policy, the Data Protection Policy and in accordance with other legislations or regulations (including audit, equal opportunities and ethics) affecting the School and will be monitored to ensure that the retention guidelines updated by the Records Management Society periodically are adhered to. In addition, the School recognises the specific requirements for retention of accounting records by the CC, HMRC and under the CA and will therefore monitor the guidelines as recommended by the CC in the document named 'Retention of Accounting Records'.

REVIEWING

The School is responsible for the maintenance of this policy and will review it annually in the light of recommendations and any changes made by the Information and Records Management Society and the CC.

Further guidance to those policies set out can be found in the Records Management Toolkit for Schools and can be found on the Information and Records Management Society's website (www.irms.org.uk/resources/information-guides/199-rm-toolkit-for-school).

MANAGEMENT AND RETENTION OF RECORDS POLICY

September 2019

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Mr Matthew Bulpitt
Headteacher

RETENTION SCHEDULE

Appendix 1

(This is not an exhaustive list. Further guidance can be found in the Records Management Toolkit for Schools:

www.irms.org.uk/resources/information-guides/199-rm-toolkit-for-school)

Explanation of terms used:

Secure disposal means to either shred physical paper and in the case of electronic data it would be to use a WEE registered electronic disposal company.

Standard disposal means to either use on-site school bins with no need to shred and in the case of electronic data to archive or delete the file.

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
GOVERNANCE			
Minutes: Principal set (signed)	No	Permanent	Retain in school for + 6 years from date of meeting.
Minutes : Inspection copies	No	Date of meeting + 3 years	Secure disposal
Agendas	No	Date of meeting, one copy held with master set of minutes, + 3 years	Secure disposal
Reports	No	Date of report + 6 years	Retain in school for + 6 years from date of meeting.
Annual parents' meeting papers	No	Date of report + 6 years	Retain in school for + 6 years from date of meeting.
Action Plans	No	Life of action plan + 3 years	Secure disposal
Policy documents	No	Expiry of policy + 3years	Retain in school whilst policy is operational (this includes if the expired policy is part of a past decision making process) and then secure disposal.
Complaints	Yes	Date of resolution of complaint + 6 years	Retain in school for the first 6 years. Review for further retention in the case of contentious disputes, then dispose of securely if no longer needed.

Annual reports required by the DfE	No	Date of report + 10 years	Secure disposal
Proposals for schools to become or be established as Specialist Status	No	Date of proposal accepted or declined + 3years	Retain in school for the time period taken for the proposal to be accepted or declined.

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
MANAGEMENT			
Log books of activity in the school maintained by the Headteacher	Yes	Date of last entry in the book + 6 years	Retain in the school for + 6 years from the date of the last entry, if no longer needed dispose of securely.
Minutes of SLT and other internal administrative bodies	Yes	Date of meeting + 3 years, then review	Secure disposal
Reports created by the Headteacher or the management team	Yes	Date of report + 3 years, then review	Secure disposal
Records created by HTs, DHTs, HOYs, and other members of staff with admin responsibilities	Yes	Closure of file + 6 years, then review	Secure disposal
Correspondence created by HTs, DHTs, HOYs, and other members of staff with admin responsibilities	Yes	Date of correspondence + 3 years	Secure disposal
Professional development files	Yes	Life of the plan + 6 years	Secure disposal
School development plans	No	Life of the plan + 3 years	Secure disposal
All records relating to the creation and implementation of the School Admission Policy	No	Life of the policy + 3 years, then review	Secure disposal

Admissions - if the admission is successful	Yes	Admission + 1 year	Secure disposal
Admissions - if the appeal is unsuccessful	Yes	Resolution of case + 1 year	Secure disposal
Admissions - casual	Yes	Current + 1 year	Secure disposal
Proofs of address supplied by parents as part of the admissions process	Yes	Current + 1 year	Secure disposal
Supplementary Information Form – Successful application	Yes	Information should be added to pupil file	Retain in the school for + 6 years from the date of acceptance.
Supplementary Information Form – unsuccessful application	Yes	Until appeal process is completed	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
PUPILS			
Admissions registers	Yes	Date of last entry in the book + 3 years. Reconsider retention period.	Review and consider retaining permanently.
Attendance registers	Yes	Date of entry + 3 years	Secure disposal (If records are retained electronically any backup copies should be destroyed at the same time).
Secondary transfer sheets (primary)	Yes	Current year + 2 years	Secure disposal
Attendance returns	Yes	Current year + 1 year	Secure disposal
School Census Returns	No	Current year + 5 years	Secure disposal

Pupil educational record: Primary	Yes	Retain for the time which the pupil remains at the primary school	Retain in the school for + 6 years from the date of acceptance then securely dispose or pass on to new school.
Special Educational Needs files, reviews and individual education plans	Yes	DOB + 25 years. NB This is the minimum period that any pupil file should be kept.	Secure disposal
Correspondence relating to authorised absence	Yes	Date of absence + 2 years	Secure disposal
Examination results: Public	Yes	This information should be added to the pupil file	All uncollected certificates should be returned to the exam board.
Internal exam results	Yes	This information should be added to the pupil file	Retained for as long as pupil records are kept at the school, then dispose of securely.
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 further period or Secure disposal.
Statement maintained under the Education Act 1996 Section 324	Yes	DOB + 25 years	Secure disposal unless legal action is pending.
Advice and information provided to parents regarding educational needs	Yes	DOB + 25 years	Secure disposal unless subject to a legal hold.
Proposed statement or amended statement	Yes	DOB + 25 years	Secure disposal unless subject to a legal hold.
Accessibility Strategy	Yes	DOB + 25 years	Secure disposal unless subject to a legal hold.
Applications for free school meals, travel uniform etc	Yes	Whilst pupil is at school A copy will be on the school file	Secure disposal
Free School Meals Registers	Yes	Current year + 6 Years	Secure disposal
School Meals Registers	Yes	Current year + 3 Years	Secure disposal

School meals summary sheets	No	Current year + 3 Years	Secure disposal
Parental permission slips for trips where there has been no major accident	Yes	Conclusion of trip	Secure disposal
Parental permission slips for trips where there has been a major accident	Yes	DOB + 25 years of pupil involved The permission slips for all pupils on the trip need to be retained to show that the rules had applied for all pupils	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
CHILD PROTECTION			
Child Protection Record: Primary	Yes	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. Where the pupil transfers to an independent school, is home schooled or leaves the country, the file should be returned to the LA. Copies should only be retained where there is ongoing legal action. Secure disposal if no longer needed.
Allegation of a child protection nature against a member of staff, a governor or other visitors to the School, including where the allegation is unfounded.	Yes	Until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer, applies to both Governors and visitors	It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy provided to the person concerned. The

			<p>purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification in cases where a future DBS Disclosure reveals information from the police about an allegation that did not result in a criminal conviction. And it will help to prevent unnecessary reinvestigation if, as sometimes happens, an allegation re-surfaces after a period of time.</p> <p>Secure disposal once the retention period has been reached– the records must be shredded.</p>
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FAMILY SUPPORT WORKER			
Day books	Yes	Current year + 2 years the review	Secure disposal
Reports of external agencies where the report has been included on the case file created by the external agency	Yes	Whilst pupil is attending the school and then destroy	Secure disposal
Referral forms	Yes	While the referral is current	Secure disposal
Contact data sheet and contact database entries	Yes	Current year. If the contact is no longer active, destroy	Secure disposal
Group registers	Yes	Current year + 2 years	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
CURRICULUM AND EDUCATIONAL VISITS			
School development plan	No	Current year + 6 years	Secure disposal

Curriculum returns	No	Current year + 3 years	Secure disposal
Schemes of work	No	Current year + 1 year	Secure disposal
Timetable	No	Current year + 1 year	Secure disposal
Mark books	No	Current year + 1 year	Secure disposal
Class record books	No	Current year + 1 year	Secure disposal
Record of homework set	No	Current year + 1 year	Secure disposal
Pupils work	No	Current year + 1 year Where possible work should be given to the pupil at the end of the academic year	Secure disposal
Examination Results	Yes	Current year + 6 years	Secure disposal
SATs records – results	Yes	Current year + 6 years The results should also be on the pupil's educational records	Secure disposal
Examination papers	Yes	The examination papers should be kept until any appeal/ validation process is complete	Secure disposal
PAN reports	Yes	Current year + 6 years	Secure disposal
Value added and contextual data	Yes	Current year + 6 years	Secure disposal
Self-evaluation forms	Yes	Current year + 6 years	Secure disposal
Records created to obtain approval to run an educational visit outside the classroom – Primary	No	Date of visit + 14 years	Secure disposal
Walking Bus register	Yes	Date of register + 3 years	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
PERSONNEL RECORDS			
Timesheets, sick pay	Yes	Current year + 6 years	Secure disposal

Staff and governor personal file (including without limitation contact details, declarations of business interest and DBS records)	Yes	Termination + 6 years	Secure disposal
All records relating to appointment of HT	Yes	Date of appointment + 6 years	Secure disposal
Interview notes and recruitment records – unsuccessful candidates	Yes	Date of appointment of unsuccessful candidate + 6 months	Secure disposal
Interview notes and recruitment records – successful candidates	Yes	Relevant information added to staff personnel file and other information retained for 6 months from the date of appointment, plus 6 years following the end of employment	Secure disposal
Pre-employment vetting information – DBS checks	Yes	Date of check + 6 months Do not keep copies of the DBS certificate	Secure disposal
Proof of Identity collected as part of the process for checking 'portable' enhanced DBS disclosure	Yes	This should be checked and a note kept of what has been seen and checked. If copy documents are kept then keep on the file.	Secure disposal
Pre-employment vetting information – Evidence proving the right to work in the UK	Yes	Documents should be on the personnel file. If held separately – date of termination + 2 years	Secure disposal
Disciplinary – Oral warning	Yes	Date of warning + 6 months	Secure disposal – if placed on personnel file it needs to be removed.
Disciplinary –Written warning	Yes	Date of warning + 6 months	Secure disposal– if placed on personnel file it needs to be removed.
Disciplinary – Final warning	Yes	Date of warning + 18 months	Secure disposal

Records relating to accident/injury at work	Yes	Date of incident + 12 years In the case of a serious incident a further retention period will be applied	Secure disposal
Annual appraisal	Yes	Current year + 5 years	Secure disposal
Maternity pay records	Yes	Current year + 3 years	Secure disposal
Parental leave	Yes	Until child is 18	Secure disposal
Money Purchase Details	Yes	6 years after transfer or value taken	Secure disposal
Payroll- Income tax, NI returns, HMRC correspondence	Yes	Current year + 6 years	Secure disposal
Inland Revenue/ HMRC approvals	Yes	Permanently	Secure disposal
Retirement Benefits Scheme	Yes	Current year + 6 years	Secure disposal
Pension scheme investment policies	Yes	12 years from the ending of any benefit payable under the policy	Secure disposal
Pensioners' records	Yes	12 years after the end of benefit	Secure disposal
Redundancy details, payments etc.	Yes	6 years after the date of redundancy	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
HEALTH AND SAFETY			
Policy statements	No	Life of policy + 3 years	Secure disposal
Risk assessments	No	Life of risk assessment + 3 years	Secure disposal
Control of substances hazardous to health	No	Current year + 40 years	Secure disposal
Monitoring areas where employees and persons are likely to have become in contact with asbestos	Yes	Last action + 40 years	Secure disposal

Monitoring areas where employees and persons are likely to have become in contact with radiation	Yes	Last action + 50 years	Secure disposal
Accident reporting – adults	Yes	Date of incident + 6 years	Secure disposal
Accident reporting – children	Yes	DOB of child + 25 years	Secure disposal
Fire precaution log books	No	Current year + 6 years	Standard disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
Ofsted Reports and papers	No	Life of the report and then review	Secure disposal
Returns made to central government	No	Current year + 6 years	Secure disposal
Employer's Liability Certificate	Yes	Closure of school + 40 years	Secure disposal
Inventories of equipment and furniture	No	Current year + 6 years	Standard disposal
Burglary, theft and vandalism report	No	Current year + 6 years	Secure disposal
Records in relation to the creation of circulars to staff, parents and students	No	Current year + 1 year	Standard disposal
Visitors books and signing in sheets	Yes	Current year + 6 years and review	Secure disposal
Records relating to PTAs	No	Current year + 6 years and review	Secure disposal
Photographs	Yes	The year the photograph is taken unless specific consent has been obtained for the photographs to be retained for longer for a specific purpose as they are needed	Secure disposal
CCTV – general footage	Yes	1 month from date of footage	Standard disposal

CCTV – footage used for particular uses	Yes	For the period necessary to deal with the legitimate purpose for which the footage is needed such as exclusion, police investigation	Secure disposal
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BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
ACCOUNTS AND STATEMENTS INCLUDING BUDGET MANAGEMENT			
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 then review	Secure disposal
All records relating to the creation management of budgets	No	Life of the budget + 3 years	Secure disposal
All records relating to the creation of management accounts	No	Life of the management accounts + 3 years	Secure disposal
Invoices, purchase orders, receipts, order books and requisitions, delivery notes	No	Current financial year + 6 years	Secure disposal
Records relating to the collection and banking of income and monies	No	Current financial year + 6 years	Secure disposal
Records relating to the identification and collection of debt	No	Current financial year + 6 years	Secure disposal
Petty cash books	No	Current year + 6 years	Secure disposal
Cheque Books	No	Current year + 6 years	Secure disposal
Paying in books	No	Current year + 6 years	Secure disposal
Accounting ledgers, Bank statements, bank	Yes	Current year + 6 years	Secure disposal

reconciliations, and cash flow statements			
VAT Reports	No	Current year + 6 years	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
CONTRACT MANAGEMENT			
All records relating to the management of contracts under seal	No	Last payment on the contract + 12 years	Secure disposal
All records relating to the management of contracts under signature	No	Last payment on the contract + 6 years	Secure disposal
Records relating to the monitoring of contracts	No	Current year + 2 years	Secure disposal

BASIC FILE DESCRIPTION	DATA PROTECTION ISSUE	RETENTION PERIOD (OPERATIONAL)	ACTION AT THE END OF THE ADMINISTRATIVE LIFE OF THE RECORD
PROPERTY MANAGEMENT AND MAINTENANCE			
Title deeds of school property	Yes	Permanent	Secure disposal
Plans of property belonging to the school	No	Retained whilst the site belongs to the school and then passed to the new occupier	Secure disposal
Leases	No	Expiry of lease + 6 years	Secure disposal
Records of lettings	No	Current financial year + 6 years	Secure disposal
All records of maintenance relating to the school undertaken by contractors	No	Current year + 6 years	Secure disposal
All records relating to the maintenance of the school undertaken by school employees including maintenance log books	No	Current year + 6 years	Secure disposal

MANAGING PUPIL RECORDS

The pupil record should be seen as the core record charting an individual pupil's progress through the Education System. The pupil record should accompany the pupil to every school they attend and should contain information that is accurate, objective and easy to access. These guidelines are based on the assumption that the pupil record is a principal record and that all information relating to the pupil will be found in the file (although it may spread across more than one file cover).

FILE COVERS FOR PUPIL RECORDS

It is strongly recommended that schools use a consistent file cover for the pupil record. This assists the secondary school to ensure consistency of practice when receiving records from a number of different primary schools. If, for example, primary schools have many different file covers for their files, the secondary school that the pupil files were transferred to would then be holding different levels of information for pupils which had come from different primary schools. By using pre-printed file covers all the necessary information is collated and the record looks tidy and reflects the fact that it is the principal record containing all the information about an individual pupil. The use of standard document wallets should be avoided as it is very difficult to ensure that all the information required by the school is recorded consistently.

RECORDING INFORMATION

A pupil or their nominated representative have the legal right to see their file at any point during their education and even until the record is destroyed (when the pupil is 25 years of age or 35 years from date of closure for pupils with special educational needs). This is their right of subject access under the GDPR. It is important to remember that all information should be accurately recorded, objective in nature and expressed in a professional manner.

PRIMARY SCHOOL RECORDS

Opening a file

The pupil record starts its life when a file is opened for each new pupil as they begin school. This is the file which will follow the pupil for the rest of his/her school career. If pre-printed file covers are not being used, then the following information should appear on the front of the paper file:

- Surname
- Forename
- DOB
- Special Educational Needs Yes/No (This is to enable the files of pupils with special educational needs to be easily identified for longer retention.)

The file cover should also contain a note of the date when the file was opened and the date when the file is closed (where appropriate). Inside the front cover the following information should be easily accessible:

- The name of the pupil's doctor.
- Emergency contact details.
- Gender.
- Preferred name.
- Position in family.

- Ethnic origin [although this is “one of the special categories of personal data” under the GDPR, the Department for Education requires statistics about ethnicity].
- Language of home (if other than English).
- Religion [although this is “one of the categories of personal data” under the GDPR, the school has good reasons for collecting the information].
- Any allergies or other medical conditions that it is important to be aware of [although this is one of the categories of personal data” under the GDPR, the school has good reasons for collecting the information].
- Names of parents and/or guardians with home address and telephone number (and any additional relevant carers and their relationship to the child).
- Name of the school, admission number and the date of admission and the date of leaving
- Any other agency involvement e.g. speech and language therapist, pediatrician.

It is essential that these files, which contain personal information, are managed against the information security guidelines. See Appendix 3.

Items which should be included on the pupil record

- If the pupil attended an early years setting, then the record of transfer should be included on the pupil file
- Admission form (application form).
- Fair processing notice [if these are issued annually only the most recent need be on the file]
- Parental permission for photographs to be taken (or not).
- Year’s record.
- Annual Written Report to parents.
- National Curriculum and R.E. Agreed Syllabus Record Sheets.
- Any information relating to a major incident involving the child (either an accident or other incident).
- Any reports written about the pupil.
- Any information about a statement and support offered in relation to the statement.
- Any relevant medical information (should be stored in the file in an envelope clearly marked as such).
- Child protection reports/disclosures (should be stored in the file in an envelope clearly marked as such).
- Any information relating to exclusions (fixed or permanent).
- Any correspondence with parents or outside agencies relating to major issues.
- Details of any complaints made by the parents or the pupil.

The following records should be stored separately to the pupil record as they are subject to shorter retention periods and if they are placed on the file then it will involve a lot of unnecessary weeding of the files before they are transferred on to another school.

- Absence notes.
- Parental consent forms for trips/outings [in the event of a major incident all the parental consent forms should be retained with the incident report not in the pupil record].
- Correspondence with parents about minor issues.
- Accident forms (these should be stored separately and retained on the school premises until their statutory retention period is reached. A copy could be placed on the pupil file in the event of a major incident).

Transferring the Pupil Record to the Secondary School

The pupil record should not be weeded before transfer to the secondary school, unless any records with a short retention period have been placed in the file. It is important to remember that the information which may seem unnecessary to the person weeding the file may be a vital piece of information required at a later stage. Primary schools do not need to keep copies of any records in the pupil record, except if there is an ongoing legal action when the pupil leaves the school. Custody of and responsibility for the records passes to the school the pupil transfers to. If files are sent by post, they should be sent by registered post with an accompanying list of the files. Where possible, the secondary school should sign a copy of the list to say that they have received the files and return that to the primary school. Where appropriate, records can be delivered by hand with signed confirmation for tracking and auditing purposes. Electronic documents that relate to the pupil file also need to be transferred, or, if duplicated in a master paper file, destroyed.

Responsibility for the Pupil Record once the Pupil leaves the School

The school which the pupil attended until statutory school leaving age (or the school where the pupil completed sixth form studies) is responsible for retaining the pupil record until the pupil reaches the age of 25 years. This retention is set in line with the Limitation Act 1980 which allows that a claim can be made against an organisation by a minor for up to 7 years from their 18th birthday.

SAFE DESTRUCTION OF THE PUPIL RECORDS

The pupil record should be disposed of in accordance with the safe disposal of records guidelines.

STORAGE OF PUPIL RECORDS

All pupil records should be kept securely at all times. Paper records, for example, should be kept in lockable storage areas with restricted access, and the contents should be secure within the file. Equally, electronic records should have appropriate security. Access arrangements for pupil records should ensure that confidentiality is maintained whilst equally enabling information to be shared lawfully and appropriately, and to be accessible for those authorised to see it.

The guidelines follow those set out in the Records Management Toolkit and can be found on the Information and Records Management Society's website:

www.irms.org.uk/resources/information-guides/199-rm-toolkit-for-school.

MANAGING PERSONNEL RECORDS

As a general rule, personnel records will be kept while employment continues and up to six years after employment ends, with any records relating to child protection issues being kept indefinitely. Payroll and PAYE records will be kept for a minimum of three years after the end of the tax year to which they relate. VAT records will be kept for six years. Records about working time will be kept for two years and national minimum wage records will be kept for three years. Immigration checks will be kept two years after the termination of employment.

However, the school may keep records for longer because:

- Claims for tax can go back six years – 20 years if fraud is alleged.
- Claims for personal liability may be made within 12 years.
- Criminal prosecutions may be brought without time limits.
- The limitation on many personnel matters is six years, although many negligence claims can be brought up to seven years from the alleged incident.
- Any records relating to child protection should be kept indefinitely.

ARCHIVES

Old accounting and personnel records will be archived:

- The record need not be as accessible as current records, but will still be retrievable.
- Adequate storage must be provided for existing records or arrangements will be made to keep them electronically.
- If records are archived electronically there will be adequate means for accessing and printing the record.
- Archives will be treated as being as confidential as current records.

PERSONNEL FILES

There will be a single central record relating to all data required by safeguarding legislation and guidance.

In addition, an individual personnel file will be held for each employee.

SAFE DISPOSAL OF RECORDS

Please note that this guidance applies to all types of record, whether they are in paper or electronic form.

DISPOSAL OF RECORDS THAT HAVE REACHED THEIR MINIMUM RETENTION SCHEDULE

The GDPR stipulates that records should be kept for no longer than necessary. The School Business Manager must ensure that records that are no longer required are reviewed as soon as practicable under the criteria set out so that ill-considered destruction is avoided. The local review will determine whether records are to be selected for permanent preservation, destroyed, digitised to an electronic format or retained by the organisation for research or litigation purposes. Refer to the Retention Guidelines in Appendix 1.

SAFE DESTRUCTION OF RECORDS

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.
- 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. Where appropriate, companies who provide confidential waste bins and other services can be purchased to ensure that records are disposed of in an appropriate way. The organisation must also be able to prove that the records have been destroyed by the company who should provide a Certificate of Destruction.

Where records are destroyed internally, this must be authorised by a Senior Manager and the destruction shall be recorded. Records should be shredded as soon as the record has been documented as being destroyed.

The FOIA requires each 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);
- Number of files and date range;
- The name of the authorising officer; and
- Date action taken.

Following this guidance will ensure that each school is compliant with the GDPR and the FOIA.

TRANSFER OF RECORDS TO THE ARCHIVES

Where records have been identified as being worthy of permanent preservation, arrangements should be made to transfer the records to the Archives.

TRANSFER OF INFORMATION TO OTHER MEDIA

Where lengthy retention periods have been allocated to records, the School may wish to consider converting paper records to other media such as digital media. The lifespan of the media and the ability to migrate data where necessary will always be considered.