

# Eastwood Park Academy Trust

EPAT

Believe Succeed Together

## Records Retention Policy

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## Introduction

The EPAT Retention Schedule attempts to identify processes which our records support, rather than identifying individual types of records. This is for two reasons:

- To make the retention period apply to all records independent of any format, i.e. the same rules apply to a paper file, an e-mail or another electronic document
- To allow flexibility in developing the schedule to cover new processes and amend existing ones over time.

The Schedule is intended to cover the lifecycle of records and information from creation through to destruction or permanent preservation.

Records intended for destruction under the Schedule may be destroyed in accordance with the provisions of the Schedule. Backup copies stored on alternative media (server/microfilm/paper) should also be destroyed. This is vital to ensure compliance with the requirements of Data Protection law and Freedom of Information legislation.

Records for permanent preservation should be passed to the County's Record Office or other approved place of deposit

## Limitation of Scope

Very few types of records have specified time periods for retention in law or in official government guidance. Where such advice exists, it is included in this Schedule. Where advice does not exist, it is up to us to decide how long we wish to retain records. This Schedule gathers retention criteria from a comprehensive best practice review of a wide range of organisations across the country.

## Objectives of the Retention Guidelines

The aims of the Guideline are to:

- Prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration
- Provide consistency for the destruction of those records not required permanently after specified periods in order to reduce the costs

- of unnecessary storage
- Promote improved Records Management practices within ECC which gives the public confidence that when information is destroyed it is done so according to well-considered rules.
- Assist in identifying records that may be worth preserving permanently as part of the authority's archives

## Transfer of Records to a Record Office

Records identified in this schedule as 'permanent' are marked 'Offer to Archivist'. The Archivist may choose to select a sample of the records for permanent preservation in the County Archives; the remainder should be destroyed as specified in the Schedule. The sample may be random, selective or purposeful.

'Offer to Archivist for review' is used to indicate record classes where the Archivist will not usually be interested in retaining the class of records but may wish to retain where there is a public interest in doing so.

Records no longer required for administrative use may still retain sensitive information. The Archivist should be informed of sensitivity at the time of transfer of the material to the archives, and an appropriate closure period agreed. The closure period should comply with Freedom of Information and Data Protection legislation and any internal policy.

Data Protection law provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely; provided specific requirements are met. It is the responsibility of the Archivist to ensure that further processing of personal data is lawful.

## Destruction of Records

Whenever there is the possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

Records that are currently (or known to be in the future) the subject of a Freedom of Information, Data Protection, Environmental Information Regulations etc. official request or appeal, must not be destroyed until that request or appeal has been completed. To knowingly destroy a record when it is subject to a request/ complaint is an offence.

Secure disposal should be taken to mean disposal using confidential waste bins disposed of by registered confidential waste operators or by other secure means; or shredded using a crosscut shredder.

## General and Miscellaneous records

There are some records that do not need to be kept at all that staff may routinely destroy in the normal course of business. However, the retention schedule must still contain reference and instructions referring to them.

This usually applies to information that is duplicated, unimportant or only of short-term value. Unimportant records or information include:

- 'With compliments' slips
- Catalogues and trade journals
- Telephone message slips
- Non-acceptance of invitations
- Trivial email messages or notes that are not related to our business
- Requests for stock information such as maps, plans or advertising material
- Out-of-date distribution lists
- Working papers which lead to a final report

Duplicated and superseded material such as manuals, drafts, forms, address books and reference copies of annual reports may be destroyed under this rule. Electronic copies of documents where a hard copy has been printed and filed, and paper faxes after making and filing a photocopy, are also covered.

## Reviewing the Schedule

The schedule will be regularly reviewed and updated to ensure that we are complying with the latest legal advice. These changes will be reflected as soon as possible. Changes will be highlighted so that employees can keep track and modify their practices accordingly. The Schedule will be subject to the timetable for general review of all Information Governance policies.

## Explanation of Retention Guideline Headings

### **REF (Reference Number)**

Each identified function or entry has a unique reference number. This number can be applied to records when archiving to ensure that the correct retention period is applied.

**Title**

The Schedule provides a description of a process or an activity that the records support.

**Data Protection Issues**

Explains whether the records are likely to contain personal data.

**Statutory Provisions**

Details of any legislation, statutory instrument (SI) or other regulatory guidance which provide direction in how long a record should be retained

**Retention Period**

This field shows the length of time for which a record should be kept. This period (usually in years) can be applied from the date a record is created, when a record is closed or tied into another specified activity such as a date of birth.

**Action to be taken**

This field details any action that should be taken once a retention period has expired, the level of secure destruction and will also specify whether a type of record should be transferred to the County Record Office for permanent preservation.

## The Schedule

### 1. Management of the School

#### 1.1 Governing Body

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
1.1.1	Agendas for Governing Body meetings	There may be data protection issues if the meeting is dealing with confidential issues relating to staff		One copy should be retained with the master set of minutes. All other copies can be disposed of	Secure disposal
1.1.2a	Minutes of Governing Body meetings: Principal Set (signed)	There may be data protection issues if the meeting is dealing with confidential issues relating to staff		Permanent	If the school is unable to store these then they should be offered to the County Archives Service
1.1.2b	Inspection Copies of Governing Body meetings: These are redacted versions retained specifically for any requests to access	No		Date of meeting + 3 years	If these minutes contain any sensitive, personal information they must be shredded
1.1.3	Reports presented to the Governing body	There may be data protection issues if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports then the reports should be kept permanently	SECURE DISPOSAL or retain with the signed set of the minutes



<b>1.1.4</b>	Meeting papers relating to the annual parents' meeting held under section 33 of the Education Act 2002	No	Education Act 2002, Section 33	Date of the meeting + a minimum of 6 years	Secure disposal
<b>1.1.5</b>	Instruments of Government including Articles of Association	No		Permanent	These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.
<b>1.1.6</b>	Trusts and Endowments managed by the Governing Body	No		Permanent	These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.
<b>1.1.7</b>	Action plans created and administered by the Governing Body	No		Life of the action plan + 3 years	Secure disposal
<b>1.1.8</b>	Policy documents created and administered by the Governing Body	No		Life of the policy + 3 years	Secure disposal
<b>1.1.9</b>	Records relating to complaints dealt with by the Governing Body	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes	Secure disposal

<b>1.1.10</b>	Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002	No	Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002 No 1171	Date of report + 10 years	Secure disposal
<b>1.1.11</b>	Proposals concerning the change of status of a maintained school including Specialist Status Schools and Academies	No		Date proposal accepted or declined + 3 years	Secure disposal
<b>1.1.12</b>	Governor File. Information which the school holds about a Governor including contact details, published details and consents for data use	Yes		Date of leaving the role + 1 year	Secure disposal
<b>1.1.13</b>	Governing body ballot papers	Yes		6 months (in case the election result is challenged)	Secure disposal

## 1.2 Management of the School

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
1.2.1	Log books of activity in the school maintained by the Head Teacher	There may be data protection issues if the log book refers to individual pupils or members of staff		Date of last entry in the book + a minimum of 6 years then review	These could be of permanent historical value and should be offered to the County Archives Service if appropriate
1.2.2	Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies	There may be data protection issues if the minutes refers to individual pupils or members of staff		Date of the meeting + 3 years then review	Secure disposal
1.2.3	Reports created by the Head Teacher or the Management Team	There may be data protection issues if the report refers to individual pupils or members of staff		Date of the report + a minimum of 3 years then review	Secure disposal
1.2.4	Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the records refer to individual pupils or members of staff		Current academic year + 6 years then review	Secure disposal

<b>1.2.5</b>	Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the correspondence refers to individual pupils or members of staff		Date of correspondence + 3 years then review	Secure disposal
<b>1.2.6</b>	Professional Development Plans	Yes		Life of the plan + 6 years	Secure disposal
<b>1.2.7</b>	School Development Plans	No		Life of the plan + 3 years	Secure disposal

### 1.3 Admissions

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
1.3.1	All records relating to the creation and implementation of the School Admissions' Policy	No	School Admissions Code (December 2014)	Life of the policy + 3 years then review	Secure disposal
1.3.2	Admissions – if the admission is successful	Yes	School Admissions Code (December 2014)	Date of admission + 1 year	Secure disposal
1.3.3	Admissions – if the appeal is unsuccessful	Yes	School Admissions Code (December 2014)	Resolution of case + 1 year	Secure disposal
1.3.4	Register of Admissions	Yes	School Attendance (August 2020)	Every entry in the admission register must be preserved for a period of three years after the date on which the entry was made. <sup>3</sup>	<b>Review.</b> Schools may wish to consider keeping the admission register permanently as often schools receive enquiries from past pupils to confirm the dates they attended the school.
1.3.5	Admissions – Secondary Schools – Casual	Yes		Current year + 1 year	Secure disposal
1.3.6	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code (December 2014)	Current year + 1 year	Secure disposal

<b>1.3.7a</b>	Supplementary Information form including additional information such as religion, medical conditions etc: For successful admissions	Yes		This information should be added to the pupil file	Secure disposal
<b>1.3.7b</b>	Supplementary Information form including additional information such as religion, medical conditions etc: For unsuccessful admissions	Yes		Until appeals process completed	Secure disposal
<b>1.3.8</b>	Photographs of parents/ guardians in order to verify identify for collecting children from school	Yes		Associated with a Pupil Record	Secure disposal

## 1.4 Operational Administration

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
1.4.1	General file series	No		Current year + 5 years then REVIEW	Secure disposal
1.4.2	Records relating to the creation and publication of the school brochure or prospectus	No		Current year + 3 years	Standard disposal
1.4.3	Records relating to the creation and distribution of circulars to staff, parents or pupils	No		Current year + 1 year	Standard disposal
1.4.4	Newsletters and other items with a short operational use	No		Current year + 1 year	Standard disposal
1.4.5	Visitors' Books and Signing in Sheets	Yes		Current year + 6 years then REVIEW	Secure disposal
1.4.6	Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	No		Current year + 6 years then REVIEW	Secure disposal

## 2. Human Resources

### 2.1 Recruitment

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
2.1.1	All records leading up to the appointment of a new headteacher	Yes		Date of appointment + 6 years	Secure disposal
2.1.2	Unsuccessful candidates - all records leading up to the appointment of a new member of staff	Yes		Six months from interview	Secure disposal
2.1.3	Successful candidates - all records leading up to the appointment of a new member of staff	Yes		All the relevant information should be added to the staff personal file (see below) and all other information retained for 1 year	Secure disposal
2.1.4	Pre-employment vetting information – DBS Checks	No	DBS Update Service Employer Guide (September 2018): Keeping children safe in education (2020)	The school does not have to keep copies of DBS certificates. If the school does so the copy must NOT be retained for more than 6 months	Secure disposal



<b>2.1.5</b>	Proofs of identity collected as part of the process of checking “portable” enhanced DBS disclosure	Yes		Where possible these should be checked, and a note kept of what was seen and what has been checked. If it is felt necessary to keep copy documentation then this should be placed on the member of staff’s personal file	Secure disposal
<b>2.1.6</b>	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom	Yes	An employer’s guide to right to work checks (Home Office March 2021)	Where possible these documents should be added to the Staff Personal File [see below], but if they are kept separately then the Home Office requires that the documents are kept for termination of Employment plus not less than two years	Secure disposal
<b>2.1.7</b>	Non-Disclosure Agreements (NDA) for non-contracted workers and volunteers	Yes	No	Review for destruction one year after the last date the individual worked on behalf of the school	

## 2.2 Staff Management

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
2.2.1	Staff Personal File	Yes	Limitation Act 1980 (Section 2)	Termination of Employment + 6 years	Secure disposal
2.2.2	Timesheets	Yes		Current year + 6 years	Secure disposal
2.2.3	Annual appraisal/ assessment records	Yes		Current year + 5 years	Secure disposal

## 2.3 Disciplinary & Grievance Process

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
2.3.1	Allegation of a child protection nature against a member of staff including where the allegation is unfounded	Yes	Keeping children safe in education (2020); Working together to safeguard children (2018).	Until the person's normal retirement age or 10 years from the date of the allegation whichever is the longer then REVIEW. Note allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned	Secure disposal. These records must be shredded
2.3.2a	Disciplinary Proceedings oral warning	Yes		Date of warning + 6 months	Secure disposal. [If warnings are placed on personal files then they must be weeded from the file]

<b>2.3.2b</b>	Disciplinary Proceedings written warning – level 1	Yes		Date of warning + 6 months	Secure disposal. [If warnings are placed on personal files then they must be weeded from the file]
<b>2.3.2c</b>	Disciplinary Proceedings written warning – level 2	Yes		Date of warning + 12 months	Secure disposal. [If warnings are placed on personal files then they must be weeded from the file]
<b>2.3.2d</b>	Disciplinary Proceedings final warning	Yes		Date of warning + 18 months	Secure disposal. [If warnings are placed on personal files then they must be weeded from the file]
<b>2.3.2e</b>	Disciplinary Proceedings case not found	Yes		If the incident is child protection related then see above otherwise dispose of at the conclusion of the case	Secure disposal. [If warnings are placed on personal files then they must be weeded from the file]

## 2.4 Health & Safety

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
2.4.1	Health and Safety Policy Statements	No		Life of policy + 3 years	Secure disposal
2.4.2	Health and Safety Risk Assessments	No		Life of risk assessment + 3 years	Secure disposal
2.4.3	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
2.4.4a	Accident Reporting Adults	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	Date of the incident + 6 years	Secure disposal
2.4.4b	Accident Reporting Children	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	DOB of the child + 25 years	Secure disposal

<b>2.4.5</b>	Control of Substances Hazardous to Health (COSHH)	No	Control of Substances Hazardous to Health Regulations 2002. SI 2002 No 2677 Regulation 11; Records kept under the 1994 and 1999 Regulations to be kept as if the 2002 Regulations had not been made. Regulation 18 (2)	Current year + 40 years	Secure disposal
<b>2.4.6</b>	Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	No	Control of Asbestos at Work Regulations 2012 SI 1012 No 632 Regulation 19	Last action + 40 years	Secure disposal
<b>2.4.7</b>	Process of monitoring of areas where employees and persons are likely to have become in contact with radiation	No		Last action + 50 years	Secure disposal
<b>2.4.8</b>	Fire Precautions log books	No		Current year + 6 years	Secure disposal

## 2.5 Payroll & Pensions

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
2.5.1	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	Secure disposal
<b>2.5.2</b>	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes	Retirement Benefits Schemes (Information Powers) Regulations 1995	Current year + 6 years	Secure disposal

### 3. Financial management of the School

#### 3.1 Risk Management & Insurance

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
3.1.1	Employer's Liability Insurance Certificate	No		Closure of the school + 40 years	Secure disposal

#### 3.2 Asset Management

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
3.2.1	Inventories of furniture and equipment	No		Current year + 6 years	Secure disposal
3.2.2	Burglary, theft and vandalism report forms	No		Current year + 6 years	Secure disposal

#### 3.3 Accounts & Statements

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
3.3.1	Annual Accounts	No		Current year + 6 years	Standard disposal
3.3.2	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then REVIEW	Secure disposal
3.3.3	Student Grant applications	Yes		Current year + 3 years	Secure disposal

<b>3.3.4</b>	All records relating to the creation and management of budgets including the Annual Budget statement and background papers	No		Life of the budget + 3 years	Secure disposal
<b>3.3.5</b>	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	Secure disposal
<b>3.3.6</b>	Records relating to the collection and banking of monies	No		Current financial year + 6 years	Secure disposal
<b>3.3.7</b>	Records relating to the identification and collection of debt	No		Current financial year + 6 years	Secure disposal

### 3.4 Contracts

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
<b>3.4.1</b>	All records relating to the management of contracts under seal	No	Limitation Act 1980 (Section 2)	Last payment on the contract + 12 years	Secure disposal
<b>3.4.2</b>	All records relating to the management of contracts under signature	No	Limitation Act 1980 (Section 2)	Last payment on the contract + 6 years	Secure disposal



<b>3.4.3</b>	Records relating to the monitoring of contracts	No		Current year + 2 years	Secure disposal
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### 3.5 School Funds

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
3.5.1	School Fund - Cheque books	No		Current year + 6 years	Secure disposal
3.5.2	School Fund - Paying in books	No		Current year + 6 years	Secure disposal
3.5.3	School Fund – Ledger	No		Current year + 6 years	Secure disposal
3.5.4	School Fund – Invoices	No		Current year + 6 years	Secure disposal
3.5.5	School Fund – Receipts	No		Current year + 6 years	Secure disposal
3.5.6	School Fund - Bank statements	No		Current year + 6 years	Secure disposal
3.5.7	School Fund – Journey Books	No		Current year + 6 years	Secure disposal

### 3.6 School Meals

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
3.6.1	Free School Meals Registers	Yes		Current year + 6 years	Secure disposal
3.6.2	School Meals Registers	Yes		Current year + 3 years	Secure disposal
3.6.3	School Meals Summary Sheets	No		Current year + 3 years	Secure disposal

## 4. Property Management

### 4.1 Property Management

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
4.1.1	Title deeds of properties belonging to the school	No		PERMANENT	These should follow the property unless the property has been registered with the Land Registry
4.1.2	Plans of property belong to the school	No		These should be retained whilst the building belongs to the school and should be passed onto any new owners if the building is leased or sold.	
4.1.3	Leases of property leased by or to the school	No		Expiry of lease + 6 years	Secure disposal
4.1.4	Records relating to the letting of school premises	No		Current financial year + 6 years	Secure disposal
4.1.5	CCTV Register. List of CCTV cameras, locations and review outcomes.	No		The year which for which the register is current + 1 year	
4.1.6	CCTV Recordings: Routine automatic recording	Yes		Recordings are overwritten after 30 days	

<b>4.1.7</b>	CCTV Recordings for Investigations. Extracts from recordings to support investigations	Yes		Retention depends on the type of investigation and who is the investigating body. If it for an external body, the recording can be deleted once a copy is transferred. If it is the organisation's investigation, then it should be retained for the same retention period as the investigation records	Secure disposal
<b>4.1.8</b>	CCTV access requests. Records of requests received for copies of CCTV recordings	Yes		Retain for the year to which they relate + 1 year	Secure disposal

## 4.2 Maintenance

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
4.2.1	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	Secure disposal
4.2.2	All records relating to the maintenance of the school carried out by school employees including maintenance log books	No		Current year + 6 years	Secure disposal

## 5. Pupil Management

### 5.1 Educational Record

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
5.1.1a	Pupil's Educational Record: Primary	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437	Retain whilst the child remains at the primary school	The file should follow the pupil when he/she leaves the primary school. This will include: <ul style="list-style-type: none"> <li>• to another primary school</li> <li>• to a secondary school</li> <li>• If the pupil dies whilst at primary school the file should be retained for the statutory retention period.</li> <li>• to a pupil referral unit</li> </ul> If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be retained for the statutory retention period.
5.1.1b	Pupil's Educational Record: Secondary		Limitation Act 1980 (Section 2)	Date of Birth of the pupil + 25 years	Secure disposal
5.1.2a	Examination Results – Pupil Copies: Public	Yes		This information should be added to the pupil file	All uncollected certificates should be returned to the examination board.

5.1.2b	Examination Results – Pupil Copies: Internal			This information should be added to the pupil file	
5.1.3	Child Protection information held on pupil file	Yes	Keeping children safe in education (2020); Working together to safeguard children (2018).	If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file.	Secure disposal – these records <b>must</b> be shredded
5.1.4a	Child protection information held in separate files – <b>Primary School</b>	Yes	Keeping children safe in education (2020); Working together to safeguard children (2018).	Retain whilst the child remains at the primary school	The file should follow the pupil when he/she leaves the primary school. This will include: <ul style="list-style-type: none"> <li>• to another primary school</li> <li>• to a secondary school</li> <li>• If the pupil dies whilst at primary school the file should be retained for the statutory retention period.</li> <li>• to a pupil referral unit</li> </ul> If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be retained for the statutory retention period.

<b>5.1.4b</b>	Child protection information held in separate files – <b>Secondary School</b>	Yes	Keeping children safe in education (2020); Working together to safeguard children (2018).	DOB of the child + 25 years then review. This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the Local Authority Social Services record	SECURE DISPOSAL – these records MUST be shredded
<b>5.1.5</b>	Attainment Assessments & Predictions	Yes		E.g. 'Target Tracker' data. Retain in line with the retention period for Child's Pupil Record	Secure disposal
<b>5.1.6</b>	Set/Stream/Ability Grouping Records	Yes		Retain in line with the retention period for Child's Pupil Record	Secure disposal
<b>5.1.7</b>	Photographs of pupils for Pupil Record	Yes		Retain in line with the retention period for Child's Pupil Record	Secure disposal

## 5.2 Attendance

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
5.2.1	Attendance Registers	Yes	School attendance: Guidance for maintained schools, academies, independent schools and local authorities (August 2020)	Every entry in the attendance register must be preserved for a period of three years after the date on which the entry was made.	Secure disposal
5.2.2	Correspondence relating to authorized absence		Education Act 1996 Section 7	Current academic year + 2 years	Secure disposal

## 5.3 Special Educational Needs

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
5.3.1a	Special Educational Needs files, reviews and Individual Education Plans: <b>Primary school</b>	Yes	Limitation Act 1980 (Section 2)	Retain whilst the child remains at the primary school	The file should follow the pupil when he/she leaves the primary school

5.3.1b	Special Educational Needs files, reviews and Individual Education Plans: <b>Secondary School</b>	Yes	Limitation Act 1980 (Section 2)	Date of Birth of the pupil + 25 years	Review note: This retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a “failure to provide a sufficient education” case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period and this should be documented.
5.3.2	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file] (If a primary school, the file should not be retained, but will follow the child to the next school)	Secure disposal unless the document is subject to a legal hold
5.3.3	Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file] (If a primary school, the file should not be retained, but will follow the child to the next school)	Secure disposal unless the document is subject to a legal hold



<b>5.3.4</b>	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	It is a legal requirement to hold a current strategy. Strategies must be retained until superseded.	Secure disposal when superseded unless the document is subject to a legal hold
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#### 5.4 Other Pupil Records

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
5.4.1	School Library Record	Yes		Retain for one year after the child has left the school	Secure disposal
5.4.2	Photo Books/ Files	Yes		If held separately from the Pupil Record, retain in line with the Pupil Record's retention period	Secure disposal
5.4.3	Incident Logs (Records relating to instances of behaviour breaching school rules, e.g. bullying, racism etc, and records of exclusions if not held on Pupil Record)	Yes		Retain in line with the Pupil Record's retention period, i.e. retain for date of birth +25 years of the youngest individual involved in an incident	Secure disposal
5.4.4	Medical Logs (Records of administering first aid or agreed regular medication)	Yes		If not added to the Pupil Record, record in year groups to support retention in line with the Pupil Record	Secure disposal
5.4.5	Emergency Parent/ Guardian Contact Lists	Yes		Record in year groups to support retention in line with the Pupil Record.	Secure disposal

## 6. Curriculum Management

### 6.1 Statistics & Management Information

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
6.1.1	Curriculum returns	No		Current year + 3 years	Secure disposal
6.1.2a	Examination Results (Schools Copy)	Yes		Current year + 6 years	Secure disposal
6.1.2b	SATS records – Results	Yes		The SATS results should be recorded on the pupil's educational file and will therefore be retained until the pupil reaches the age of 25 years. The school may wish to keep a composite record of all the whole year SATs results. These could be kept for current year + 6 years to allow suitable comparison	Secure disposal
6.1.2c	SATS records – Examination Papers	Yes		The examination papers should be kept until any appeals/validation process is complete	Secure disposal
6.1.3	Published Admission Number (PAN) Reports	Yes		Current year + 6 years	Secure disposal
6.1.4	Value Added and Contextual Data	Yes		Current year + 6 years	Secure disposal
6.1.5	Self-Evaluation Forms	Yes		Current year + 6 years	Secure disposal

## 6.2 Implementation of Curriculum

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
6.2.1	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 further retention period or secure disposal
6.2.2	Timetable	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period or secure disposal
6.2.3	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 further retention period or secure disposal
6.2.4	Mark Books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period or secure disposal
6.2.5	Record of homework set	No		Current year + 1 year	
6.2.6	Pupils' Work	No		Where possible pupils' work should be returned to the pupil at the end of the academic year if this is not the school's policy then current year + 1 year	Secure disposal

## 7. Extra-Curricular Activities

### 7.1 Educational Visits outside the Classroom

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
7.1.1	Records created by schools to obtain approval to run an Educational Visit outside the Classroom – Primary Schools	No	<a href="http://oeapng.info">Outdoor Education Advisers' Panel National Guidance website</a> <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 - "Legal Framework and Employer Systems" and Section 4 - "Good Practice".	Date of visit + 14 years	Secure disposal
7.1.2	Records created by schools to obtain approval to run an Educational Visit outside the Classroom – Secondary Schools	No	<a href="http://oeapng.info">Outdoor Education Advisers' Panel National Guidance website</a> <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 - "Legal Framework and Employer Systems" and Section 4 - "Good Practice".	Date of visit + 10 years	Secure disposal

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

## 7.2 Walking Bus

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
7.2.1	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]

### 7.3 Family Liaison

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
7.3.1	Day Books	Yes		Current year + 2 years then review	
7.3.2	Reports for outside agencies - where the report has been included on the case file created by the outside agency	Yes		Whilst child is attending school and then destroy	
7.3.3	Referral forms	Yes		While the referral is current	
7.3.4	Contact data sheets	Yes		Current year then review. If contact is no longer active, then destroy	
7.3.5	Contact database entries	Yes		Current year then review. If contact is no longer active, then destroy	
7.3.6	Group Registers	Yes		Current year + 2 years	

## 8. Central Government & Local Authority

### 8.1 LEA

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
8.1.1	Secondary Transfer Sheets (Primary)	Yes		Current year + 2 years	Secure disposal
8.1.2	Attendance Returns	Yes		Current year + 1 year	Secure disposal
8.1.3	School Census Returns	No		Current year + 5 years	Secure disposal
8.1.4	Circulars and other information sent from the Local Authority	No		Operational use	Secure disposal

### 8.2 Central Government

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
8.2.1	OFSTED reports and papers	No		Life of the report then REVIEW	Secure disposal
8.2.2	Returns made to central government	No		Current year + 6 years	Secure disposal
8.2.3	Circulars and other information sent from central government	No		Operational use	Secure disposal

## 9. Information Governance

### 9.1 Information Governance

Ref.	Title	Data Protection Issues	Statutory Provisions	Retention Period	Action
9.1.1	Records of Processing Activity	No	General Data Protection Regulation 2016	Ongoing record	
9.1.2	Information Governance Report. Annual statement to Governing Body on compliance with Information law, including DPO statement, performance data and audit outcomes	No	General Data Protection Regulation 2016	Current year + 5 years	
9.1.3	Freedom of Information Requests	Yes	Freedom of Information Act 2000	Closure + 1 year	Secure disposal
9.1.4	Environmental Information Requests	Yes	The Environmental Information Regulations 2004	Closure + 1 year	Secure disposal
9.1.5	Subject Access Requests	Yes	Data Protection Act 2018	Closure + 4 years	Secure disposal
9.1.6	ICO Complaints: No further action	Yes		Closure + 1 year	Secure disposal
9.1.7	ICO Complaints: Action required	Yes		Closure + 2 years	Secure disposal