

### **Data Retention Policy/Schedule/GDPR Regulations**

This document has been written from the guidance provided by the DfE regarding GDPR 25<sup>th</sup> May 2018 and the IRMS - Information Management Toolkit for Schools.

This policy has been drawn up within the context of:

Freedom of Information policy

Data Protection policy

and with other legislation or regulations (including audit, equal opportunities and ethics) affecting the school.

## Contents

a) Governing Body.....	4
b) Head Teacher and Senior Management Team .....	7
c) Administration Processes, Admissions, Medical.....	9
d) Operational Administration, Prospectus, Newsletters, Visitor Books.....	11
e) Human Resources .....	12
f) Operational Staff Management. Personnel Files, Timesheets .....	14
g) Management of Disciplinary, Grievance Processes and Safeguarding Incidents .....	14
h) Health and Safety, Risk Assessments, COSHH.....	16
i) Payroll and Pensions .....	18
j) Financial Management of Schools, Budgets, Employers Liability, Grants, Accounts, Inventories .....	18
k) Contract Management.....	19
l) School Funds .....	20
m) School Meal Management.....	20
n) Property Management .....	20
o) Pupil Management .....	22
p) Child Protection .....	24
q) Attendance .....	25
r) Special Educational Needs.....	26
s) Curriculum Management, SAT's Records, Value Added, Self-Evaluation Forms .....	27
t) Implementation of Curriculum, Schemes, Mark Books, Class Records.....	29
u) Extra Curricular Activities, Visits, Walking Bus .....	29
v) Staff Involved with Family Liaison/Home School Liaison.....	31

w) Returns to DfE and the Local Authority and Ofsted.....	32
x) Policy Review.....	33

a) Governing Body					
	Basic File Description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
i	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
ii	Minutes of Governing Body meetings	There may be data protection issues if the meeting is dealing with confidential issues relating to staff			
iii	Principal Set (signed)			PERMANENT	If the school is unable to store these then they should be offered to the Local Authority Archives Service
iv	Inspection Copies			Date of meeting + 3 years	If these minutes contain any sensitive, personal information they

					must be confidentially shredded.
v	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
vi	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
vii	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 the Local Authority when the school closes.
viii	Trusts and Endowments managed by	No		PERMANENT	These should be retained in the

	the Governing Body				school whilst the school is open and then offered to the Local Authority when the school closes.
ix	Action plans created and administered by the Governing Body	No		Life of the action plan + 3 years	SECURE DISPOSAL
x	Policy documents created and administered by the Governing Body	No		Life of the policy + 3 years	SECURE DISPOSAL
xi	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
xii	Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England)	No	No Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002	Date of report + 10 years	SECURE DISPOSAL

	(Amendment) Regulations 2002		No 1171		
xiii	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) Head Teacher and Senior Management Team					
i	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 Local Authority Archives Service if appropriate
ii	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
iii	Reports created by the Head Teacher or the Management Team	There may be data protection issues if the report refers to individual		Date of the report + a minimum of 3 years then review	SECURE DISPOSAL

		pupils or members of staff			
iv	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
v	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 DISPOSALS
vi	Professional Development Plans	Yes		Life of the plan + 6 years	SECURE DISPOSAL
vii	School Development Plans	No		Life of the plan + 3 years	SECURE DISPOSAL



c) Administration Processes, Admissions, Medical					
i	All records relating to the creation and implementation of the School Admissions' Policy	No	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Life of the policy + 3 years then review	SECURE DISPOSAL
ii	Admissions - if the admission is successful	Yes	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Date of admission + 1 year	SECURE DISPOSAL
iii	Admissions - if the appeal is unsuccessful	Yes	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and	Resolution of case + 1 year	SECURE DISPOSAL

			admission appeals panels December 2014		
iv	Register of Admissions	Yes	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	Every entry in the admission register must be preserved for a period of three years after the date on which the entry was made.	REVIEW 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.
v	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Current year + 1 year	SECURE DISPOSAL
vi	Supplementary Information form including additional information such as religion,	Yes			

	medical conditions etc				
vii	For successful admissions			This information should be added to the pupil file	SECURE DISPOSAL
viii	For unsuccessful admissions			Until appeals process completed	SECURE DISPOSAL
d) Operational Administration, Prospectus, Newsletters, Visitor Books					
i	General file series	No		Current year + 5 years then REVIEW	SECURE DISPOSAL
ii	Records relating to the creation and publication of the school brochure or prospectus	No		Current year + 3 years	STANDARD DISPOSAL
iii	Records relating to the creation and distribution of circulars to staff, parents or pupils	No		Current year + 1 year	STANDARD DISPOSAL
iv	Newsletters and other items with a short operational use	No		Current year + 1 year	STANDARD DISPOSAL
v	Visitors' Books and Signing in Sheets	Yes		Current year + 6 years then REVIEW	SECURE DISPOSAL

vi	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
e) Human Resources					
i	All records leading up to the appointment of a new head teacher	Yes		Date of appointment + 6 years	SECURE DISPOSAL
ii	All records leading up to the appointment of a new member of staff - unsuccessful candidates	Yes		Date of appointment of successful candidate + 6 months	SECURE DISPOSAL
iii	All records leading up to the appointment of a new member of staff - successful candidate	Yes		All the relevant information should be added to the staff personal file (see below) and all other information retained for 6 months	SECURE DISPOSAL

	Pre-employment vetting information - DBS Checks	No	DBS Update Service Employer Guide June 2014: Keeping children safe in education. July 2015 (Statutory Guidance from Dept. of Education) Sections 73, 74	The school does not have to keep copies of DBS certificates. If the school does so the copy must NOT be retained for more than 6 months	
iv	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	
v	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 May 2015]	Where possible these documents should be added to the Staff Personal File [see below], but if they are kept separately	

				then the Home Office requires that the documents are kept for termination of Employment plus not less than two years	
f) Operational Staff Management. Personnel Files, Timesheets					
i	Staff Personal File	Yes	Limitation Act 1980 (Section 2)	Termination of Employment + 6 years	SECURE DISPOSAL
ii	Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL
iii	Annual appraisal/ assessment records	Yes		Current year + 5 years	SECURE DISPOSAL
g) Management of Disciplinary, Grievance Processes and Safeguarding Incidents					
i	Allegation of a child protection nature against a member of staff including where the allegation is unfounded	Yes	"Keeping children safe in education Statutory guidance for schools and colleges "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children"	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	SECURE DISPOSAL These records must be shredded

				the person concerned	
ii	Disciplinary Proceedings	Yes			
iii	oral warning			Date of warning + 6 months	SECURE DISPOSAL [If warnings are placed on personal files then they must be weeded from the file]
iv	written warning - level 1			Date of warning + 6 months	
v	written warning - level 2			Date of warning + 12 months	
vi	final warning			Date of warning + 18 months	
vii	case not found			If the incident is child protection related then see above otherwise dispose of at the conclusion of the case	SECURE DISPOSAL
<p>This review took place as the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention</p> <p>If the disciplinary proceedings relate to a child protection matter please contact your Safeguarding Children Officer/HR for further advice</p>					

h) Health and Safety, Risk Assessments, COSSH					
i	Health and Safety Policy Statements	No		Life of policy + 3 years	SECURE DISPOSAL
ii	Health and Safety Risk Assessments	No		Life of risk assessment + 3 years	SECURE DISPOSAL
iii	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
iv	Accident Reporting	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980		
v	Adults			Date of the incident + 6 years	SECURE DISPOSAL
vi	Children			DOB of the child + 25 years	SECURE DISPOSAL



vii	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	Current year + 40 years	SECURE DISPOSAL
viii	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
ix	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
x	Fire Precautions log books	No		Current year + 6 years	SECURE DISPOSAL

i) Payroll and Pensions					
i	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	SECURE DISPOSAL
ii	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SECURE DISPOSAL
j) Financial Management of Schools, Budgets, Employers Liability, Grants, Accounts, Inventories					
i	Employer's Liability Insurance Certificate	No		Closure of the school + 40 years	SECURE DISPOSAL
ii	Inventories of furniture and equipment	No		Current year + 6 years	SECURE DISPOSAL
iii	Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL
iv	Annual Accounts	No		Current year + 6 years	STANDARD DISPOSAL

v	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then REVIEW	SECURE DISPOSAL
vi	Student Grant applications	Yes		Current year + 3 years	SECURE DISPOSAL
vii	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
viii	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL
ix	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL
x	Records relating to the identification and collection of debt	No		Current financial year + 6 years	SECURE DISPOSAL
k) Contract Management					
i	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years	SECURE DISPOSAL

ii	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years	SECURE DISPOSAL
iii	Records relating to the monitoring of contracts	No		Current year + 2 years	SECURE DISPOSAL
l) School Funds					
i	Cheque books	No		Current year + 6 years	SECURE DISPOSAL
ii	Paying in Books	No		Current year + 6 years	SECURE DISPOSAL
iii	Ledgers	No		Current year + 6 years	SECURE DISPOSAL
iv	Invoices	No		Current year + 6 years	SECURE DISPOSAL
v	Receipts	No		Current year + 6 years	SECURE DISPOSAL
vi	Bank Statements	No		Current year + 6 years	SECURE DISPOSAL
vii	Journey books	No		Current year + 6 years	SECURE DISPOSAL
m) School Meal Management					
i	Free School Meals Registers	Yes		Current year + 6 years	SECURE DISPOSAL
ii	School Meals Registers	Yes		Current year + 3 years	SECURE DISPOSAL
iii	School Meals Summary Sheets	No		Current year + 3 years	SECURE DISPOSAL
n) Property Management					
i	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	
ii	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.	
iii	Leases of property leased by or to the school	No		Expiry of lease + 6 years	SECURE DISPOSAL
iv	Records relating to the letting of school premises	No		Current financial year + 6 years	SECURE DISPOSAL
v	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	SECURE DISPOSAL
vi	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

o) Pupil Management					
i	Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437		
ii	Primary			Retain whilst the child remains at the primary school	<p>The file should follow the pupil when he/she leaves the primary school. This will include:</p> <ul style="list-style-type: none"> <li>• to another primary school</li> <li>• to a secondary school</li> <li>• to a pupil referral unit</li> <li>• If the pupil dies whilst at primary school the file should be returned to the Local Authority to be retained for the statutory retention period. If the pupil transfers to an independent</li> </ul>

					<p>school, transfers to home schooling or leaves the country the file should be returned to the Local Authority to be retained for the statutory retention period.</p> <p>Primary Schools do not ordinarily have sufficient storage space to store records for pupils who have not transferred in the normal way. It makes more sense to transfer the record to the Local Authority as it is more likely that the pupil will request the record from the Local Authority</p>
iii	Examination Results - Pupil Copies	Yes			

iv	Public			This information should be added to the pupil file	All uncollected certificates should be returned to the examination board.
v	Internal			This information should be added to the pupil file	
p) Child Protection					
i	Child Protection information held on pupil file	Yes	Keeping Children Safe in Education. This review took place as the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might	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 MUST be shredded



			make concerning record retention		
ii	Child protection information held in separate files	Yes	Keeping children safe in education Statutory guidance for schools and colleges	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
q) Attendance					
i	Attendance Registers	Yes	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	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

ii	Correspondence relating to authorized absence	Education Act 1996 Section 7		Current academic year + 2 years	SECURE DISPOSAL
r) Special Educational Needs					
i	Special Educational Needs files, reviews and Individual Education Plans	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.

ii	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]	SECURE DISPOSAL unless the document is subject to a legal hold
iii	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]	SECURE DISPOSAL unless the document is subject to a legal hold w
iv	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold
s) Curriculum Management, SAT's Records, Value Added, Self-Evaluation Forms					
i	Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL
ii	Examination Results (Schools Copy)	Yes		Current year + 6 years	SECURE DISPOSAL
iii	SATS records	Yes			
iv	Results			The SATS results should be recorded on	SECURE DISPOSAL

				<p>the pupil's educational file and will therefore, be retained until the pupil reaches the age of 25 years.</p> <p>The school may wish to keep a composite record of all the whole year SATs results.</p> <p>These could be kept for current year + 6 years to allow suitable comparison</p>	
v	Examination Papers			The examination papers should be kept until any appeals/validation process is complete	SECURE DISPOSAL
vi	Published Admission Number (PAN) Reports	Yes		Current year + 6 years	SECURE DISPOSAL
vii	Value Added and Contextual Data	Yes		Current year + 6 years	SECURE DISPOSAL
viii	Self-Evaluation Forms	Yes		Current year + 6 years	SECURE DISPOSAL

t) Implementation of Curriculum, Schemes, Mark Books, Class Records					
i	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
ii	Timetable	No		Current year + 1 year	
iii	Class Record Books	No		Current year + 1 year	
iv	Mark Books	No		Current year + 1 year	
v	Record of Homework Set	No		Current year + 1 year	
vi	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
u) Extra Curricular Activities, Visits, Walking Bus					
i	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Primary Schools	No	Outdoor Education Advisers' Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 - "Legal Framework and Employer	Date of visit + 14 years	SECURE DISPOSAL

			Systems" and Section 4 - "Good Practice".		
ii	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 single consent form issued by the school for this period of time.
iii	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	

iv	Walking Bus	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]
v) Staff Involved with Family Liaison/Home School Liaison					
i	Day Books	Yes		Current year + 2 years then review	
ii	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	
iii	Referral forms	Yes		While the referral is current	

iv	Contact data sheets	Yes		Current year then review, if contact is no longer active then destroy	
v	Contact database entries	Yes		Current year then review, if contact is no longer active then destroy	
vi	Group Registers	Yes		Current year + 2 years	
w) Returns to DfE and the Local Authority and Ofsted					
i	Secondary Transfer Sheets (Primary)	Yes		Current year + 2 years	SECURE DISPOSAL
ii	Attendance Returns	Yes		Current year + 1 year	SECURE DISPOSAL
iii	School Census Returns	No		Current year + 5 years	SECURE DISPOSAL
iv	Circulars and other information sent from the Local Authority	No		Operational Use	SECURE DISPOSAL
v	OFSTED reports and papers	No		No Life of the report then REVIEW	SECURE DISPOSAL
vi	Returns made to central government	No		Current year + 6 years	SECURE DISPOSAL
vii	Circulars and other information sent from central government	No		Operational Use	SECURE DISPOSAL



## x) Policy Review

Policy Devised by Lorraine Fay from DfE and IRMS Toolkit

Witten                      *May 2018*

To be reviewed            *May 2019*

Committee                 *Cross committee (Personnel, Finance, Curriculum and Premises)*