

Policy based on information from the
Information and Records Management
Society.

Data Retention Policy

May 2018

Data Retention Policy

1. Purpose, Scope, and Users

This policy sets the required retention periods for specified categories of personal data. This Policy applies to all school staff members and governors who may collect, process, or have access to data (including personal data and/or sensitive personal data). It is the responsibility of all of the above to familiarise themselves with this Policy and ensure adequate compliance with it.

This policy applies to all information used at the School. Examples of documents include:

- Pupil assessment data
- Pupil personal information
- Parent/ Carer personal information
- Staff personal information
- Governor personal information
- Child Protection information
- Video and photographs
- Emails

2. REFERENCE TO THE LAW

EU GDPR 2016/679 (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC)

3. RETENTION RULES

The retention schedule below summarises the more detailed schedule held electronically by the DPO.

The Data Protection Officer defines the time period for which the documents and electronic records should to be retained through the Data Retention Schedule.

As an exemption, retention periods within Data Retention Schedule can be prolonged in cases such as:

- Ongoing investigations from Member States authorities, if there is a chance records of personal data are needed by the School to prove compliance with any legal requirements; or
- When exercising legal rights in cases of lawsuits, tribunals or similar court proceeding

The owner of this document is the Data Protection Officer who must check and, if necessary, update the document at least once a year.

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1. Child Protection					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
1.1	Child Protection files	Yes	Education Act 2002, s175, related guidance "Safeguarding Children in Education" ,September 2004	DOB + 25 years ¹	SECURE DISPOSAL
1.2	Allegation of a child protection nature against a member of staff, including where the allegation is unfounded	Yes	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance) Education Act 2002 guidance "Dealing with Allegations of Abuse against Teachers and Other Staff" November 2005	Until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer	SECURE DISPOSAL

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

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

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

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

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

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.3a	• Primary			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school. In the case of exclusion it may be appropriate to transfer the record to the Pupil Referral Unit
4.3b	• Secondary		Limitation Act 1980	DOB of the pupil + 25 years ³	SECURE DISPOSAL
4.4	Pupil files	Yes			
4.4a	• Primary			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school. In the case of exclusion it may be appropriate to transfer the record to the Pupil Referral Unit
4.4b	• Secondary		Limitation Act 1980	DOB of the pupil + 25 years ⁴	SECURE DISPOSAL
4.5	Special Educational Needs files, reviews and Individual Education Plans	Yes		DOB of the pupil + 25 years the review NOTE: This retention period is the minimum period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a "failure to provide a sufficient education" case. There is an element of business risk analysis involved in any decision to keep the Records longer than the minimum retention period.	SECURE DISPOSAL

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

⁴ As above

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.6	Correspondence Relating to Authorised Absence and Issues	No		Date of absence + 2 years	SECURE DISPOSAL
4.7	Examination results	Yes			
4.7a	• Public	No		Year of examinations + 6 years	SECURE DISPOSAL
4.7b	• Internal examination results	Yes		Current year + 5 years ⁵	SECURE DISPOSAL
4.8	Any other records created in the course of contact with pupils	Yes/No		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or SECURE DISPOSAL
4.9	Statement maintained under The Education Act 1996- Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SECURE DISPOSAL unless legal action is pending
4.10	Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SECURE DISPOSAL unless legal action is pending
4.11	Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	SECURE DISPOSAL unless legal action is pending
4.12	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	SECURE DISPOSAL unless legal action is pending
4.13	Parental permission slips for school trips - where there has been no major incident	Yes		Conclusion of the trip	SECURE DISPOSAL

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

4. Pupils					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
4.14	Parental permissions slips for school trips - where there has been a major incident	Yes	Limitation Act 1980	DOB of the pupil involved in the incident + 25 years The permission slips for all pupils on the trip need to be retained to show that the rules had been followed for all pupils	SECURE DISPOSAL
4.15	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Primary Schools	No	3 part supplement to the Health & Safety of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 14 years ⁶	N
4.16	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Secondary Schools	No	3 part supplement to the Health & Safety of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 10 years	N
4.17	Walking Bus registers	Yes		Date of register + 3 years This takes into account the fact that if there is an incident requiring an accident report the register will be submitted with the accident report and kept for the period of time required for accident reporting	SECURE DISPOSAL [If these records are retained electronically any back up copies should be destroyed at the same time]

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

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

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

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

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

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

6. Personnel Records held in Schools					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
6.11	Proofs of identity collected as part of the process of checking “portable” enhanced CRB disclosure	Yes		Where possible these should be checked and a note kept of what was seen and what has been checked. If it is felt necessary to keep copy documentation then this should be placed on the member of staff's personal file.	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15. Family Liaison Officers and Home School Liaison Assistants					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
15.1	Day Books	Yes		Current year + 2 years then review	SECURE DISPOSAL
15.2	Reports for outside agencies - where the report has been included on the case file created by the outside agency	Yes		Whilst the child is attending the school then destroy	SECURE DISPOSAL
15.3	Referral forms	Yes		While the referral is current	SECURE DISPOSAL
15.4	Contact data sheets	Yes		Current year then review, if contact is no longer active then destroy	SECURE DISPOSAL
15.5	Contact database entries	Yes		Current year then review, if contact is no longer active then destroy	DELETE
15.6	Group Registers	Yes		Current year + 2 years	SECURE DISPOSAL

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

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

- all documentation on the personal file
- pre-employment and vetting information

Duration of employment
Start date + 6 months

- records relating to accident or injury at work
- annual appraisal/assessment records

Minimum of 12 years
Minimum of 5 years

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

