

Data Protection Policy (Academy Level)

Review frequency: At least every two years. (Registration is annual.)

Approval: Governing body free to determine how to implement.

Policy Statement

Introduction

This statement sets out the legal framework, the definitions and our policy expectations.

The L.E.A.D. Academy Trust is registered as a Data Controller with the Information Commissioner's Office which means that it determines for what purposes all personal information held will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for. The L.E.A.D. Academy Trust is fully compliant with the ICO's data management regulations and the relevant provisions of the Data Protection Act 1998.

The Data Protection policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to the guidance below.

The L.E.A.D. Academy Trust requires this policy to be implemented by all its member academies.

Each academy must have a policy which sets out clearly that the academy collects and uses personal information about staff, pupils, parents/carers and other individuals who come into contact with the academy, in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the academy complies with its statutory obligations.

The L.E.A.D. Academy Trust defines the policy expectation, but the responsibility for implementation of the policy rests with the Headteacher of each academy.

Disclosure

The L.E.A.D. Academy Trust may share data with other agencies such as the local authority, funding bodies and other voluntary agencies.

The individual/service user will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows The L.E.A.D. Academy Trust to disclose data (including sensitive data) without the data subject's consent.

These are:

- a) Carrying out a legal duty or as authorised by the Secretary of State

- b) Protecting vital interests of an individual/a service user or other person
- c) The individual/service user has already made the information public
- d) Conducting any legal proceedings, obtaining legal advice or defending any legal rights
- e) Monitoring for equal opportunities purposes – i.e. race, disability or religion
- f) Providing a confidential service where the individual/service user’s consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill individuals/service users to provide consent signatures.

The L.E.A.D. Academy Trust regards the lawful and correct treatment of personal information as very important to our successful working, and to maintaining the confidence of those with whom we deal.

The L.E.A.D. Academy Trust intends to ensure that personal information is treated lawfully and correctly.

To this end, The L.E.A.D. Academy Trust will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

Cross Reference: Freedom of Information Policy; Equality Policy; Child Protection and Safeguarding Policy.

Legal Framework

[The Data Protection Act 1998](#) establishes eight enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

What are ‘personal data’ and ‘sensitive personal data’?

Personal data

Section 1(1) of the Data Protection Act defines ‘personal data’ as data which relate to a living individual who can be identified from those data, or from those data and other information which

is in the possession of, or is likely to come into the possession of the data controller; and it includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Sensitive personal data

'Sensitive personal data' is defined in section 2 of the Data Protection Act as personal data consisting of information relating to the data subject with regard to racial or ethnic origin; political opinions; religious beliefs or other beliefs of a similar nature; trade union membership; physical or mental health or condition; sexual life; the commission or alleged commission by the data subject of any offence; or any proceedings for any offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.

Registration with the ICO

Academies have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the [Information Commissioner's Office website](#).

Model Data Protection Policy

It is L.E.A.D. Academy policy to:

- Inform individuals why information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure staff are aware of and understand the academy's policies and procedures.

Attachments

1. Fair Processing Notice

Academies also have a duty to issue a Fair Processing Notice to all pupils/parents/carers; this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

2. Information Security Statement

A more straightforward statement may also be used.

3. Information Commitment Statement

This statement may be displayed in the academy to ensure everyone is informed about the intentions and security policies in place.

4. Data (Records) Management Procedure

Each academy must adhere to a strict procedure as to when, how and if records may be retained or destroyed.

1. Example of Fair Processing Notice letter for parents/carers

Schools, local authorities (LAs), the Department for Education (DfE) and Ofsted all process information on pupils in order to run the education system, and in doing so have to comply with the Data Protection Act 1998. This means, among other things, that the data held about pupils must only be used for specific purposes allowed by law. We are therefore writing to tell you about the types of data held, why that data is held, and to whom it may be passed on.

The academy holds information on pupils in order to support their teaching and learning, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the academy as a whole is doing. This information includes contact details, National Curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information. From time to time academies are required to pass on some of this data to the DfE and to other agencies, such as Ofsted and the Local Authority, that are prescribed by law.

The LA uses information about pupils to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the pupil may have, and to fulfil its responsibilities in the area of admissions.

The DfE uses information about pupils to administer the National Curriculum tests and assessments. The results of these are used to compile statistics on trends and patterns in levels of achievement.

Ofsted uses information about the progress and performance of pupils to help inspectors evaluate the work of schools and academies, to assist schools and academies in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Inspection reports do not identify individual pupils.

The Department for Education (DfE) uses information about pupils for research and statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole.

The DfE will also provide Ofsted with pupil-level data for use in school inspection. Where relevant, pupil information may also be shared with post-16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans.

Pupils themselves have certain rights under the Data Protection Act, including a general right of access to personal data held on them, with parents/carers exercising this right on their behalf if they are too young to do so themselves. If you wish to access the personal data held about your child, then please contact the relevant organisation in writing. The different organisations can be contacted as follows:

- The academy at using the address written on the letterhead
- The LA's Data Protection Office via
Derby City Council explain their request for proof of identity and fee
here: <http://www.derby.gov.uk/council-and-democracy/open-data-and-freedom-of-information/data-protection-act/>

- Ofsted's Data Protection Officer at Alexandra House, 33 Kingsway, London, WC2B 6SE
- The DfE's Data Protection Officer at DfE, Caxton House, Tothill Street, London, SW1H9NA

In order to fulfil their responsibilities under the Act the organisation may, before responding to this request, seek proof of the requestor's identity and any further information required to locate the information requested.

Separately from the Data Protection Act, regulations provide a pupil's parent/carer (regardless of the age of the pupil) with the right to view, or to have a copy of, their child's educational record at the academy. If you wish to exercise this right you should write to the academy.

2. Example of Information Security Statement

Introduction

The academy's investment in the acquisition, storage and use of electronic and paper-based information exists primarily to help provide the effective delivery of its services. This information is held about a variety of people and it is essential that the availability and confidentiality of accurate relevant information is maintained in a secure and legal environment.

The academy is committed to achieving policy requirements through an Information Security process. To actively demonstrate this, we aim to provide assurance to pupils, parents/carers, governors and staff that sound and secure measures are in place to protect the confidentiality, integrity and availability of their information. This assurance is recorded in the academy's Information Commitment Statement (See below).

Aim

The information security objective is to ensure that the academy's information base is protected against identified risks so that it may continue to deliver its services and obligations to the community. It also seeks to ensure that any security incidents have a minimal effect on its business and academic operations. As such, the purpose of this policy is to protect the academy's information assets from all threats, whether internal or external, deliberate or accidental.

The key aims of the policy are to ensure that:

- Information is protected from unauthorised access
- Confidentiality of personal or sensitive information is assured
- Integrity of information is maintained
- Information is disposed of in a timely, appropriate and secure manner
- Legislative requirements and school policy and practices are observed
- Business continuity plans are produced, maintained and tested
- Information security training is available to all school staff
- Appropriate monitoring and reporting processes are put in place to identify and act upon breaches of information security.

Supporting Framework

In order to achieve this, the academy will develop and maintain information security standards. Procedures, working practices and protocols will be developed to support this policy. Examples of measures to achieve the above are physical security, virus control and the use of passwords for access control. The development of any new system will include information security analysis and requirements as part of the initial specification.

3. Example of Information Commitment Statement

When we collect information:

- We will only collect information that is necessary for what we do
- We will be fair in the way we collect information about you
- We will tell you who we are and what we intend to do with the information about you
- Where practicable, we will collect information which relates to you directly from you
- If we collect information about you from someone else we will, wherever possible, make sure you know we have done this

Your information – Our commitment

The academy holds a great deal of information, much of which is confidential. This may be information about:

- our pupils
- our pupils' parents/carers
- our governors
- our teachers and other staff

If we hold information about you, we wish to assure you that we are processing the information fairly and lawfully and that we will inform you of the purposes for which we require the information when you supply it to us.

When we use and disclose information about you:

- We will only use or disclose your information for legitimate purposes about which you have been told unless we are required to do otherwise for legal reasons

Information quality

- We will ensure that information about you is accurate and up to date when we collect or use it. You can help us to achieve this by keeping us informed of any changes to the information we hold about you

Information security

- We will keep information about you secure
- We will protect your information against unauthorised use, damage, loss and theft

Retention

- We will hold information about you for as long as necessary but, subject to any statutory retention periods, we will ensure that the information is disposed of in a secure and proper manner when it is no longer needed

Openness

- We will be open with you about what kinds of information we hold and what we do with it

Access and correction

- Wherever possible, we will let you see the information we hold about you (should you wish) and correct it if it is wrong

In general

- We will comply with the provisions of the Data Protection Act 1998 and any subsequent legislation relating to information handling and privacy. We will achieve this through the academy's Information Security and Data Protection Policies supported by proper working practices and procedures.

Responsibilities

The Headteacher has direct responsibility for maintaining this policy and providing advice and guidance on its implementation. The Headteacher will also have responsibility for ensuring that the academy's Senior Leadership Team is aware of the policy and its associated standards.

All staff are responsible for policy implementation and for ensuring that as staff they also manage to adhere to the standards.

Implementation

This policy will be made available to all pupils, parents, guardians, staff (whether permanent or temporary) and governors.

Review

The academy's Senior Leadership Team will review this policy annually and any changes necessary as a result of this review will be implemented without delay.

4. Example Data (Records) Management Procedure

Introduction

The academy recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the academy. This document provides the framework through which this effective management can be achieved and audited.

Scope

- This procedure will be applied to all records created, received or maintained by staff of the academy in the course of carrying out its functions.
- Records are defined as all those documents which facilitate the business carried out by the academy and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.
- A small percentage of the academy's records will be selected for permanent preservation as part of the institution's archives and for historical research.

Responsibilities

- The academy has a corporate responsibility to maintain its records and record-keeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Headteacher.
- The person responsible for records management in the academy will give guidance for good records management practice and will promote compliance with this procedure so that information will be retrieved easily, appropriately and timely.
- Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the academy's records management guidelines.

Document Retention Guidance

1 Child Protection

These retention periods should be used in conjunction with the document “Safeguarding Children and Safer Recruitment in Education” which can be downloaded from www.everychildmatters.gov.uk.

	Basic file description	Data Protection 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	SHRED	Child Protection information must be copied and sent under separate cover to new school/college whilst the child is still under 18 (i.e. the information does not need to be sent to a university for example) Where a child is removed from roll to be educated at home, the file should be copied to the Local Education Authority.
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	SHRED	The following is an extract from “Safeguarding Children and Safer Recruitment in Education” p60 “Record Keeping 5.10 It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person’s confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate

1 Child Protection

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	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
					information to be given in response to any future request for a reference if the person has moved on. It will provide clarification in cases where a future DBS Disclosure reveals information from the police about an allegation that did not result in a criminal conviction. And it will help to prevent unnecessary reinvestigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.”

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	Transfer to Archives
	<ul style="list-style-type: none"> Inspection copies 	No		Date of meeting + 3 years	SHRED [If these minutes contain any sensitive personal information they should be shredded]	
2.2	Agendas	No		Date of meeting	SHRED	
2.3	Reports	No		Date of report + 6 years	Retain in school for 6 years from date of meeting	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
2.4	Annual Parents' meeting papers	No		Date of meeting + 6 years	Retain in school for 6 years from date of meeting	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
2.5	Instruments of Government	No		Permanent	Retain in school whilst school is open	Transfer to Archives when the school has closed
2.6	Trusts and Endowments	No		Permanent	Retain in school whilst operationally required	Transfer to Archives
2.7	Action Plans	No		Date of action plan + 3 years	SHRED	It may be appropriate to offer to the Archives for a sample to be taken if the school has been through a difficult period

2 Governors						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
2.8	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)	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
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 SHRED routine complaints	
2.10	Annual Reports required by the Department for Education and Skills	No		Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.SI 2002 No 1171	Date of report + 10 years	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
2.11	Proposals for schools to become, or be established as Specialist Status schools	No			Current year + 3 years	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]

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 ¹		Date of last entry in the book + 6 years	Retain in the school for 6 years from the date of the last entry.	Transfer to the Archives
3.2	Minutes of the Senior Management Team and other internal administrative bodies	Yes ¹		Date of meeting + 5 years	Retain in the school for 5 years from meeting	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
3.3	Reports made by the head teacher or the management team	Yes ¹		Date of report + 3 years	Retain in the school for 3 years from meeting	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
3.4	Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	Yes ¹		Closure of file + 6 years	SHRED	
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	SHRED	
3.6	Professional development plans	Yes		Closure + 6 years	SHRED	
3.7	School development plans	No		Closure + 6 years	Review	Offer to the Archives
3.8	Admissions – if the admission is successful	Yes		Admission + 1 year	SHRED	

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

3 Management						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
3.9	Admissions – if the appeal is unsuccessful	Yes		Resolution of case + 1 year	SHRED	
3.10	Admissions – Secondary Schools – Casual	Yes		Current year + 1 year	SHRED	
3.11	Proofs of address supplied by parents as part of the admissions process	Yes		Current year + 1 year	SHRED	

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	Retain in the school for 6 years from the date of the last entry.	Transfer to the Archives
4.2	Attendance registers	Yes		Date of register + 3 years	SHRED [If these records are retained electronically any back up copies should be destroyed at the same time]	
4.3	Pupil record cards	Yes				

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	<ul style="list-style-type: none"> Primary 			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school. In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service	
4.3b	<ul style="list-style-type: none"> Secondary 		Limitation Act 1980	DOB of the pupil + 25 years ²	SHRED	
4.4	Pupil files	Yes				
4.4a	<ul style="list-style-type: none"> Primary 			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school. In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service	
4.4b	<ul style="list-style-type: none"> Secondary 		Limitation Act 1980	DOB of the pupil + 25 years ³	SHRED	

² In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service

³ 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	
4.5	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.	SHRED	
4.6	Letters authorising absence	No		Date of absence + 2 years	SHRED	
4.7	Absence books			Current year + 6 years	SHRED	
4.8	Examination results	Yes				
4.8a	<ul style="list-style-type: none"> Public 	No		Year of examinations + 6 years	SHRED	Any certificates left unclaimed should be returned to the appropriate Examination Board

4 Pupils						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
4.8b	<ul style="list-style-type: none"> Internal examination results 	Yes		Current year + 5 years ⁴	SHRED	
4.9	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 SHRED	
4.10	Statement maintained under The Education Act 1996 - Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SHRED unless legal action is pending	
4.11	Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SHRED unless legal action is pending	
4.12	Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	SHRED unless legal action is pending	

⁴ 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	
4.13	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	SHRED unless legal action is pending	
4.14	Children's SEN Files	Yes		DOB of pupil + 25 years then review – it may be appropriate to add an additional retention period in certain cases	SHRED unless legal action is pending	
4.15	Parental permission slips for school trips – where there has been no major incident	Yes		Conclusion of the trip	SHRED	
4.16	Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980	DOB of the pupil involved in the incident + 25 years The permission slips for all pupils on the trip need to be retained to show that the rules had been	SHRED	

4 Pupils						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
				followed for all pupils		
4.17	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Primary Schools	N	3 part supplement to the Health & Safety of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 14 years ⁵	N	SHRED or delete securely
4.18	Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Secondary Schools	N	3 part supplement to the Health & Safety of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 10 years ⁷	N	SHRED or delete securely

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	Curriculum development	No		Current year + 6 years	SHRED

⁵ This retention period has been set in agreement with the Safeguarding Children's Officer

5 Curriculum					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
5.2	School syllabus	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 SHRED
5.3	Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or SHRED
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 SHRED
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 SHRED
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 SHRED
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 SHRED
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 SHRED
5.9	Examination results	Yes		Current year + 6 years	SHRED
5.10	SATS records	Yes		Current year + 6 years	SHRED
5.11	PAN reports	Yes		Current year + 6 years	SHRED
5.12	Value added records	Yes		Current year + 6 years	SHRED

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	SHRED
6.2	Staff Personal files	Yes		Termination + 7 years	SHRED
6.3	Interview notes and recruitment records	Yes		Date of interview + 6 months	SHRED
6.4	Pre-employment vetting information (including DBS checks)	No	DBS guidelines	Date of check + 6 months	SHRED [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.		
6.5a	<ul style="list-style-type: none"> <i>oral warning</i> 			Date of warning + 6 months	SHRED ⁶
6.5b	<ul style="list-style-type: none"> <i>written warning – level one</i> 			Date of warning + 6 months	SHRED
6.5c	<ul style="list-style-type: none"> <i>written warning – level two</i> 			Date of warning + 12 months	SHRED
6.5d	<ul style="list-style-type: none"> <i>final warning</i> 			Date of warning + 18 months	SHRED
6.5e	<ul style="list-style-type: none"> <i>case not found</i> 			If child protection related please see 1.2 otherwise shred immediately at the conclusion of the case	SHRED
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	SHRED

⁶ 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
6.7	Annual appraisal/assessment records	No		Current year + 5 years	SHRED
6.8	Salary cards	Yes		Last date of employment + 85 years	SHRED
6.9	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960), revised 1999 (SI 1999/567)	Current year, +3yrs	SHRED
6.10	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SHRED
6.11	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.	

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	SHRED

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
7.2	Accident Reporting		Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980		
7.2a	<ul style="list-style-type: none"> Adults 	Yes		Date of incident + 7 years	SHRED
7.2b	<ul style="list-style-type: none"> Children 	Yes		DOB of child + 25 years ⁷	SHRED
7.3	COSHH			Current year + 10 years [where appropriate an additional retention period may be allocated]	SHRED
7.4	Incident reports	Yes		Current year + 20 years	SHRED
7.5	Policy Statements			Date of expiry + 1 year	SHRED
7.6	Risk Assessments			Current year + 3 years	SHRED
7.7	Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos			Last action + 40 years	SHRED
7.8	Process of monitoring of areas where employees and persons are likely to have come in contact with radiation			Last action + 50 years	SHRED
7.9	Fire Precautions log books			Current year + 6 years	SHRED

⁷ 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.

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	SHRED	
8.2	Inventories of equipment and furniture			Current year + 6 years	SHRED	
8.3	General file series			Current year + 5 years	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
8.4	School brochure or prospectus			Current year + 3 years		Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
8.5	Circulars (staff/parents/pupils)			Current year + 1 year	SHRED	
8.6	Newsletters, ephemera			Current year + 1 year	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
8.7	Visitors book			Current year + 2 years	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
8.8	PTA/Old Pupils Associations			Current year + 6 years	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]

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		Offer to the Archives
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	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
9.3	Contracts					
9.3a	<ul style="list-style-type: none"> under seal 			Contract completion date + 12 years	SHRED	
9.3b	<ul style="list-style-type: none"> under signature 			Contract completion date + 6 years	SHRED	
9.3c	<ul style="list-style-type: none"> monitoring records 			Current year + 2 years	SHRED	
9.4	Copy orders			Current year + 2 years	SHRED	
9.5	Budget reports, budget monitoring etc			Current year + 3 years	SHRED	
9.6	Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	Current year + 6 years	SHRED	
9.7	Annual Budget and background papers			Current year + 6 years	SHRED	
9.8	Order books and requisitions			Current year + 6 years	SHRED	

9 Finance						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
9.9	Delivery Documentation			Current year + 6 years	SHRED	
9.10	Debtors' Records		Limitation Act 1980	Current year + 6 years	SHRED	
9.11	School Fund – Cheque books			Current year + 3 years	SHRED	
9.12	School Fund – Paying in books			Current year + 6 years then review	SHRED	
9.13	School Fund – Ledger			Current year + 6 years then review	SHRED	
9.14	School Fund – Invoices			Current year + 6 years then review	SHRED	
9.15	School Fund – Receipts			Current year + 6 years	SHRED	
9.16	School Fund – Bank statements			Current year + 6 years then review	SHRED	
9.17	School Fund – School Journey books			Current year + 6 years then review	SHRED	
9.18	Applications for free school meals, travel, uniforms etc			Whilst child at school	SHRED	
9.19	Student grant applications			Current year + 3 years	SHRED	
9.20	Free school meals registers	Yes	Financial Regulations	Current year + 6 years	SHRED	
9.21	Petty cash books		Financial Regulations	Current year + 6 years	SHRED	

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	Offer to Archives if the deeds are no longer needed
10.2	Plans			Permanent	Retain in school whilst operational	Offer to Archives ⁸
10.3	Maintenance and contractors		Financial Regulations	Current year + 6 years	SHRED	
10.4	Leases			Expiry of lease + 6 years	SHRED	
10.5	Lettings			Current year + 3 years	SHRED	
10.6	Burglary, theft and vandalism report forms			Current year + 6 years	SHRED	
10.7	Maintenance log books			Last entry + 10 years	SHRED	
10.8	Contractors' Reports			Current year + 6 years	SHRED	

⁸ If the property has been sold for private housing then the archives service will embargo these records for an appropriate period of time to prevent them being used to plan or carry out a crime.

11 Department for Education						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
11.1	HMI reports			These do not need to be kept any longer		Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
11.2	Ofsted reports and papers			Replace former report with any new inspection report	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
11.3	Returns			Current year + 6 years	SHRED	
11.4	Circulars from Department for Education			Whilst operationally required	Review to see whether a further retention period is required	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]

12 Schools Meals						
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
12.1	Dinner Register			C + 3 years	SHRED	
12.2	School Meals Summary Sheets			C + 3 years	SHRED	

13 Family Liaison Officers and Parent Support Assistants					
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Method of Disposal
13.1	Day Books	Y		Current year + 2 years then review	SHRED
13.2	Reports for outside agencies – where the report has been included on the case file created by the outside agency	Y		Whilst the child is attending the school then destroy	SHRED
13.3	Referral forms	Y		While the referral is current then	SHRED
13.4	Contact data sheets	Y		Current year then review, if contact is no longer active then destroy	SHRED
13.5	Contact database entries	Y		Current year then review, if contact is no longer active then destroy	DELETE
13.6	Group Registers	Y		Current year + 2 years	SHRED

14 Early Years Provision				
14.1 Records to be kept by Registered Persons - All Cases				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
14.1.1	The name, home address and date of birth of each child who is looked after on the premises	Y		Closure of setting + 50 years [These could be required to show whether or not an individual child attended the setting in a child protection investigation]
14.1.2	The name, home address and telephone number of a parent of each child who is looked after on the premises	Y		If this information is kept in the same book or on the same form as in 16.1.1 then the same retention period should be used as in 16.1.1 If the information is stored separately, then destroy once the child has left the setting (unless the information is collected for anything other than emergency contact)
14.1.3	The name, address and telephone number of any person who will be looking after children on the premises	Y		See 16.4.5 below
14.1.4	A daily record of the names of children looked after on the premises, their hours of attendance and the names of the persons who looked after them	Y	The Day Care and Child Minding (National Standards) (England) Regulations 2003	The regulations say that these records should be kept for 2 years (SI20031996 7(1b)). If these records are likely to be needed in a child protection setting (see 16.1.1 above) then the records should be retained for closure of setting + 50 years

14 Early Years Provision				
14.1 Records to be kept by Registered Persons - All Cases				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
14.1.5	A record of accidents occurring on the premises and incident books relating to other incidents	Y	The Day Care and Child Minding (National Standards) (England) Regulations 2003 ⁹	DOB of the child involved in the accident or the incident + 25 years If an adult is injured then the accident book must be kept for 7 years from the date of the incident
14.1.6	A record of any medicinal product administered to any child on the premises, including the date and circumstances of its administration, by whom it was administered, including medicinal products which the child is permitted to administer to himself, together with a record of parent's consent	Y	The Day Care and Child Minding (National Standards) (England) Regulations 2003 ¹⁰	DOB of the child being given/taking the medicine + 25 years
14.1.7	Records of transfer	Y		One copy is to be given to the parents, one copy transferred to the Primary School where the child is going
14.1.8	Portfolio of work, observations and so on	Y		To be sent home with the child
14.1.9	Birth certificates	Y		Once the setting has had sight of the birth certificate and recorded the necessary information the original can be returned to the parents. There is no requirement to keep a copy of the birth certificate.

⁹ The regulations say that these records should be kept for 2 years (SI20031996 7(1b)). The Statute of Limitations states that a minor may make a claim for 7 years from their eighteenth birthday, therefore the retention should be for the longer period.

¹⁰ The regulations say that these records should be kept for 2 years (SI20031996 7(1b)). The NHS records retention schedule states that any records relating to a child under the age of 18 should be retained until that child reaches the age of 25 years. Therefore, the retention should be DOB of the child being given/taking the medicine + 25 years

14.2 Records to be kept by Registered Persons - Day Care				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
14.2.1	The name and address and telephone number of the registered person and every other person living or employed on the premises	Y		See 16.4 below
14.2.2	A statement of the procedure to be followed in the event of a fire or accident	N		Procedure superseded + 7 years
14.2.3	A statement of the procedure to be followed in the event of a child being lost or not collected	N		Procedure superseded + 7 years
14.2.4	A statement of the procedure to be followed where a parent has a complaint about the service being provided by the registered person	N		Until superseded
14.2.4	A statement of the arrangements in place for the protection of children, including arrangements to safeguard the children from abuse or neglect and procedures to be followed in the event of allegations of abuse or neglect	N		Closure of setting + 50 years [These could be required to show whether or not an individual child attended the setting in a child protection investigation]

14.3 Records to be kept by Registered Persons - Overnight provision – under 2's				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
14.3.1	Emergency contact details for appropriate adult to collect the child if necessary	Y		Destroy once the child has left the setting (unless the information is collected for anything other than emergency contact)
14.3.2	Contract, signed by the parent, stating all the relevant details	Y		Date of birth of the child who is the

14.3 Records to be kept by Registered Persons - Overnight provision – under 2's				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
	regarding the child and their care, including the name of the emergency contact and confirmation of their agreement to collect the child during the night			subject of the contract + 25 years

14.4 Other Records - Administration				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
	Financial Records			
14.4.1	Financial records – accounts, statements, invoices, petty cash etc	N		Current year + 6 years
	Insurance			
14.4.2	Insurance policies – Employers Liability	N	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
14.4.3	Claims made against insurance policies – damage to property	Y		Case concluded + 3 years
14.4.4	Claims made against insurance policies – personal injury	Y		Case concluded + 6 years
	Human Resources			

14.4 Other Records - Administration				
	Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]
14.4.5	Personal Files - records relating to an individual's employment history	Y		Termination + 6 years then review
14.4.6	Pre-employment vetting information (including CRB checks)	N	CRB guidelines	Date of check + 6 months
14.4.7	Staff training records – general	Y		Current year + 2 years
14.4.8	Training (proof of completion such as certificates, awards, exam results)	Y		Last action + 7 years
	Premises and Health and Safety			
14.4.9	Premises files (relating to maintenance)	N		Cessation of use of building + 7 years then review
14.4.10	Risk Assessments	N		Current year + 3 years