



Deaf Hill and Kelloe Primary Federation

Record Keeping and Retention Policy

2019 – 2020

Headteacher: Mr Paul Newton

Chair of Governors: Mrs Angela Sanderson

**Approved by:
Governing Body**

**Date:
March 2020**

**Last reviewed on:
March 2020**

**Next review due by:
March 2021**

Purpose of this Policy

The school needs to create and maintain accurate records in order for it to function. The policy for managing records at Deaf Hill and Kelloe Federation has been drawn up in conformity with legislation, regulations affecting schools and best practice as publicised by the Records Management Society of Great Britain.

This policy sets out guidelines for recording, managing, storing and disposing of data, whether they are held on paper or electronically in order to assist staff, and the School, to comply with the Data Protection Act 1998 (DPA) and the Freedom of Information Act 2000 (FIA). It should be read and used in conjunction with the following School policies:

- Data Protection Policy
- Online Safety Policy

Members of staff are expected to manage their current record keeping systems using the Record Keeping and Retention Policy and to take account of the different kinds of retention periods when they are creating new record keeping systems.

Benefits of the Record Retention Policy

There are a number of benefits which arise from the use of a complete Retention Policy:

- Managing records against the Retention Policy is deemed to be “normal processing” under the Data Protection Act 1998, Freedom of Information Act 2000 and the General Data Protection Regulations 2018. Provided members of staff are managing record series using the Retention Policy they cannot be found guilty of unauthorised tampering with files once a freedom of information request or a data subject access request has been made.
- Members of staff can be confident about destroying information at the appropriate time
- Information which is subject to Freedom of Information and Data Protection legislation will be available when required.
- The school is not maintaining and storing information unnecessarily. It is important that all staff bear in

mind, when creating documents and records of any sort (and particularly email), that at some point in the future those documents and records could be disclosed - whether as a result of litigation or investigation, or because of a subject access request under the DPA. The watchwords of record-keeping are therefore accuracy, clarity, professionalism and objectivity.

Current Pupils

Pupil Records

A file is kept on each pupil which holds the registration and acceptance form, (the parent contract) and any other hard copies of information about that pupil. It will also include information from previous schools.

The information held on the school's information management system (SIMS) covers: the pupil's name, address, class, emergency contact details, academic performance, school reports and daily attendance. Confidentiality of personal information is protected in accordance with the schools Data Protection Policy .

Pupils with Special Educational, Welfare or Medical Needs

The names of pupils with special educational, welfare or medical needs are recorded and any special provision to be made for individual pupils are made available to those staff with a need to know that information.

Medical Records

A confidential medical record on each pupil is kept securely. The medical record contains: the medical questionnaire that the parents completed when their child joined the school, and records of all treatment and immunisations that a pupil receives during his or her time at the school, including records of all accidents and injuries to pupils. They include any significant known drug reactions, major allergies and notable medical conditions. This information is available to staff likely to administer medication or treatment. The Catering Manager (Taylor Shaw) holds details of pupils with food allergies.

All students who have a more serious level of medical need (e.g. diabetes, anaphylaxis) have an individual Health Care Plan (HCP) which is put together by the parents/guardian with the GP's/consultant's instructions for care within school should the event arise. Teachers who have contact with these students can view information on pupils with serious health issues.

The SENCO will disclose the names of current pupils with medical conditions, or social information of a sensitive nature that may be of relevance to staff in their dealings with pupils, for example, when arranging trips and visits.

Data Protection Policy

Data about pupils and their parents will be collected periodically and stored and processed in order to allow for the efficient operation of the school.

Parents are invited to agree to the school using photographs of their child and information relating to his or her achievements for promotional purposes, which may be published on Facebook, Twitter or on the school web site.

Access by Parents and Pupils

The schools Data Protection Policy describes its duties and obligations under the Data Protection Act, including parents' rights and the rights to have access to their personal data. It also covers the circumstances under which data would be disclosed to a third party.

Fair Processing Notice

Deaf Hill and Kelloe Federation will comply with a Fair Processing Notice legally issued by a public body or other authority that is a data controller and is subject to the same legal constraints regarding the manner in which it handles data.

Staff Induction

All new teaching and office staff will be given training on accessing and managing school records (including the database), as part of their induction into the school's local procedures for marking work, report-writing and written and electronic communications with pupils and parents.

Retention of Records Security

As a guiding principle, the DPA requires that personal data is only retained for as long as necessary - that is, necessary for the specific lawful purpose (or purposes) it was acquired. Any information which is held is to be kept in accordance with the schools Online Safety Policy.

Retention Periods

One consideration in whether it is necessary or desirable to keep records is possible future litigation. Ideally, therefore, records would not be disposed of until the limitation period for bringing a claim has passed. For most contracts that will mean 6 years from any breach but the date to start counting from is the last day of the period under contract.

In some cases the prompt may be the end of a calendar year, so for the purpose of this policy a contingency has generally been built in (e.g. 7 years where the statutory limitation is 6 years). At that point, we securely destroy all disciplinary, medical and financial records.

Limitation periods may be dis-applied altogether by courts in the case of certain crimes or associated breaches of care (e.g. historic abuse), whether a charge is brought by the police or a school is sued under a private claim. It is not always possible to try a case where the evidence is inadequate, including due to a lack of corporate memory (e.g. records and witnesses): but generally the courts and police will expect to see a record, and inferences may be drawn otherwise.

In many cases these records will comprise personal or sensitive personal data (e.g. health or criminal allegations): in which case, even justifiable reasons to keep records for many years will need to be weighed against personal rights. Historical high-profile cases in the field of child protection probably make a cautious approach to record retention advisable and, from a DPA perspective, easier for the School to justify retention for long periods. But the longer data is retained, and the more sensitive material is kept on file, the greater – and potentially more serious – the risk of security breach.

The table at the end of this policy provides guidance on retention periods for different records held by school.

Unless there is a specific statutory obligation to hold or destroy records, the retention periods are not prescriptive limits. Retention periods may be shorter or longer than the suggested document retention

period, according to context. If in doubt, advice should be sought through the schools Data Protection Officer.

Disposal of Documents

When information is no longer required, it can be disposed of. For confidential, sensitive or personal information to be considered securely disposed of, it must be in a condition where it cannot either be read or reconstructed. Skips and 'regular' waste disposal are not considered to be secure.

Paper records should be shredded using a cross-cutting shredder; CDs / DVDs / diskettes should be cut into pieces. Hard-copy images, Audio Visual recordings and hard disks should be dismantled and destroyed. Where third party disposal experts are used they should ideally be supervised but, in any event, under adequate contractual obligations to the school to process and dispose of the information securely. Whenever records are destroyed, staff should record at least:

- File reference (or other unique identifier)
- File title (or brief description)
- No of files
- The name of the authorising officer
- Date of destruction

This can be kept in an Excel spreadsheet or other database format.

Deaf Hill and Kelloe Federation – Table of Data/Document Retention Periods

| 1. Child Protection | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The retention and use of records relating to child protection matters concerning pupils, and child protection allegations against staff requires specific guidance in this schedule. | | | | | |
| Basic file description | | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Safeguarding Policies and procedures | | No | Permanent | ARCHIVE | Transfer to archive for retention when new policy implemented. |
| Child Protection files | | Yes | DOB + 25 years but review sensitive case files every 5-6 years thereafter | SHRED | <p>Child Protection information must be copied and sent under separate cover to new school 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.</p> <p>Limitation periods can be dis-applied in criminal and civil abuse cases; to be weighed against rights under the DPA and our insurers' requirements.</p> |
| Allegation of a child protection nature against a member of staff, including where the allegation is unfounded | | Yes | Until the person's normal retirement age, or 10 years from the date of the allegation if that's longer | SHRED | <p>ICO Employment Practices Code: Supplementary Guidance 2.13.1 (Discipline, grievance and dismissal)</p> <p>"Records of allegations about workers who have been investigated and found to be without substance should not normally be retained once an investigation has been completed. There are some exceptions to this where for its own protection the employer has to keep a limited record that an allegation was received and investigated, for example, where the allegation relates to abuse and the worker is employed to work with children or other vulnerable individuals".</p> <p>Summary record to be retained on confidential personnel file, and a copy given to the person concerned.</p> |

1. Child Protection (continued)

The retention and use of records relating to child protection matters concerning pupils, and child protection allegations against staff requires specific guidance in this schedule.

| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
|-----------------------------|------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DBS Disclosure Certificates | Yes | No longer than 6 months from decision on recruitment unless DBS specifically consulted | SHRED | Keep a record in the Single Central Register of the fact that checks were undertaken, with relevant reference details (Disclosure number, date, who checked it). |

| 2. Governors & School Committee Meetings | | | | |
|---------------------------------------------------------------------|------------------------|-------------------------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| School Committee Minutes | | | | |
| <ul style="list-style-type: none"> Final Version | No | Permanent | ARCHIVE | Transfer to archive for permanent retention after 6 years |
| <ul style="list-style-type: none"> Inspection Copies | No | Date of Meeting + 3 years | SHRED | Minutes may contain personal information so default method of destruction is to shred. |
| Agendas | No | Permanent | ARCHIVE | Transfer to archive for permanent retention after 6 years |
| Reports (including annual report) | No | Permanent | ARCHIVE | Transfer to archive for permanent retention after 6 years |
| AGM Parents' meeting papers | No | Date of meeting + 6 years | DESTROY | Destroy after retention period |
| Articles of Government | No | Permanent – Maintained by HTO | Retain in school whilst school is open | Transfer to Archives when the school has closed |
| Trusts and Endowments | No | Permanent – Maintained by HTO | Retain in school whilst operationally required | Transfer to Archives |
| Action Plans | No | Date of action plan + 6 years | DESTROY | Although these could be destroyed after 3 years, linked to school finances (especially if the school has been through a difficult period) which have to be retained for a minimum of 6 years after the end of the financial year. |
| Policy documents | No | Expiry of policy + 6 years | DESTROY | Retained for inspection purposes and if policy is linked to past decision-making process. Version control important. |

| | | | | |
|------------------|-----|-------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Complaints files | Yes | Date of resolution of complaint + 6 years | DESTROY | Review for further retention before destruction in the case of contentious disputes. Destroy routine complaints. Complaints alleging possible harm to a pupil by a member of staff are covered in 1 above. |
|------------------|-----|-------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| 3. SLT / Management | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Minutes of the Senior Leadership Team and other internal administrative bodies | Yes | Date of meeting +5 years | SHRED | May contain personal information. |
| Records created by Head, Deputy Head and other members of staff with administrative responsibilities (except child protection records which are dealt with in section 1 above). | Yes | Closure of file +6 years | SHRED | May contain personal information. |
| Correspondence created by Head, Deputy Head and other members of staff with administrative responsibilities | No | Date of correspondence +3 years | SHRED | May contain personal information. |
| Staff Professional Development Plans | Yes | Closure + 6 years | SHRED | May contain personal information. |
| School Strategic Development Plans | No | Closure + 6 years | DESTROY | Review before destruction for relevance to any current actions/decisions. |

| 4. Pupils | | | | |
|-----------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Admission Registers (including application forms, assessments and records of decisions) | Yes | Date of pupil leaving school + 7 years | SHRED | |
| Attendance registers | Yes | Date of register + 7 years | SHRED | If these records are retained electronically any back up copies should be destroyed at the same time |
| Pupil files | Yes | | | |
| <ul style="list-style-type: none"> Primary | | Retain for the time which the pupil remains at the Primary school | Transfer to the senior school (or other primary/transferring school) when the child leaves the school. | |
| Special Educational Needs files, reviews and Individual Education Plans | Yes | DOB of the pupil + 25 years | SHRED | In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service |
| Letters authorising absence | No | Date of absence + 2 years | DESTROY | |

| 4. Pupils (continued) | | | | |
|----------------------------------------------------------------|-------------------------------|-----------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Pupil Medical Records | Yes | DOB of the pupil + 25 years | SHRED | |
| Any other records created in the course of contact with pupils | Yes/No | Current year + 3 years | REVIEW/ SHED | Review at the end of 3 years and either allocate a further retention period or destroy. |
| Statement maintained under The Education Act 1996 Section 324 | Yes | DOB + 30 years | SHRED | Unless legal action is pending, in which case retain. |
| Proposed statement or amended statement | Yes | DOB + 30 years | SHRED | Unless legal action is pending, in which case retain. |
| Advice and information to parents regarding educational needs | Yes | Closure + 12 years | SHRED | Unless legal action is pending, in which case retain. |
| Accessibility Strategy | Yes | Closure + 12 years | SHRED | Unless legal action is pending, in which case retain. |
| Children SEN Files | Yes | DOB + 35 years | SHRED | Unless legal action is pending, in which case retain. |

| 5. Curriculum | | | | |
|-------------------------------|-------------------------------|-------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Curriculum development | No | Current year + 7 years | DESTROY | |
| Curriculum returns | No | Current year + 3 years | DESTROY | |
| School syllabus | No | Current year + 1 year | DESTROY | Review these records at the end of each year and allocate a new retention period or destroy. |
| Schemes of work | No | Current year + 1 year | DESTROY | Review these records at the end of each year and allocate a new retention period or destroy. |
| Class record books | No | Current year + 1 year | DESTROY | Review these records at the end of each year and allocate a new retention period or destroy. |
| Mark Books | No | Current year + 1 year | DESTROY | Review these records at the end of each year and allocate a new retention period or destroy. |
| Pupils' work | No | Current year + 1 year | DESTROY | Review these records at the end of each year and allocate a new retention period or destroy. |
| SATS records | Yes | Current year + 7 years | SHRED | |
| Trip Records | Yes | Date of Trip + 2 years | SHRED | Also, see Health and safety with regard to risk assessments. Records should be retained for longer if an incident occurs. |

| 6. Staff Records | | | | |
|-----------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Contracts of employment | Yes | End of contract + 7 years | SHRED | |
| Timesheets, sick pay | Yes | Current year + 6 years | SHRED | |
| Staff Personal files | Yes | Termination + 7 years | SHRED | Including leave and training records. |
| Interview notes and recruitment records | Yes | Date of interview + 3 years | SHRED | But see separate note on retention of DBS certificates. Notes on unsuccessful candidates can be destroyed after 6 months. |
| Pre-employment vetting information (including unsuccessful DBS checks) | Yes | Date of check + 6 months | SHRED | To be done by the designated member of staff. This information should be placed on the personnel file if the applicant is successful and managed according to this policy. |
| Pension or other benefit schedule | Yes | Permanent maintained by HTO | -ARCHIVE | At HTO. |
| Disciplinary proceedings for all matters except those relating to child protection issues (see 1 above): | Yes | | | |
| • Informal warning | | Date of warning + 6 months | SHRED | If this is placed on a personal file, it must be weeded from the file. |
| • written warning – level one or two | | Date of warning + 12 months | SHRED | If this is placed on a personal file, it must be weeded from the file. |
| • final warning | | Date of warning + 18 months | SHRED | If this is placed on a personal file, it must be weeded from the file. |
| • case not found (except child protection allegations – see section 1) | | Immediately at the conclusion of the case | SHRED | |
| Records relating to accident/injury at work | Yes | Date of incident + 5 years | SHRED | Review at the end of this period. In the case of serious accidents a further retention period will need to be applied. |

6. Staff Records (continued)

| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
|--------------------------------------------------------------------------------------|------------------------|-----------------------------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Annual appraisal/ assessment records | No | Duration of employment + 7 Years | SHRED | |
| Salary cards / overtime records etc | Yes | Last date of employment + 6 Years | SHRED | The information should be transferred to the Harpur Trust payroll dept at the appropriate time who will maintain the master record |
| Maternity pay records | Yes | Current year +7 years | SHRED | |
| Employees' health records | Yes | End of employment + 7 years | SHRED | |
| Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995 | Yes | Last payment + 6 years | SHRED | |

| 7. Health and Safety | | | | |
|---------------------------------------------------------------------------------------------------------------------|------------------------|-----------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Accessibility Plans | No | Current year + 6 years | DESTROY | |
| Accident Reporting | Yes | | | |
| <ul style="list-style-type: none"> Adults – Accident Book | Yes | Last entry in the accident book + 4 years | SHRED | Latent injuries can take years to manifest and the limitation period for claims reflects this: so keep a note of all procedures as they were, and keep a record that they were followed. Review each case before destruction, especially if a claim is live. |
| <ul style="list-style-type: none"> Children | Yes | DOB + 25 years | SHRED | 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. |
| COSHH | No | Current year + 10 years | DESTROY | Review and where appropriate an additional retention period may be allocated. |
| Policy Statements | No | Date of expiry + 3 years | DESTROY | Version control is important. |
| Risk Assessments | No | 7 years from Completion of project, incident, event or activity | DESTROY | Retain if risk assessment relates to a visit during which an incident occurred and a claim is ongoing. Review if an incident occurred but there was no claim. Risk assessments for trips can be destroyed 3 years after the trip if no incidents occurred. |
| Process of monitoring of areas where employees and persons are likely to have come in contact with asbestos | | Last action + 40 years | DESTROY | Records maintained by Estates and Facilities Manager |
| Process of monitoring of areas where employees and persons are likely to have come in contact with radiation | | Last action + 50 years | DESTROY | Records maintained by Estates and Facilities Manager / Deputy Bursar |
| Fire Precautions log books | | Current year + 6 years | DESTROY | |

| 8. Administrative | | | | |
|----------------------------------------|-------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------|
| Basic file description | Data Protection Issues | Retention Period | Action at the end of the administrative life of the record | |
| Employer's Liability certificate | No | Permanent | ARCHIVE | Retain for 40 years after school has closed. |
| Inventories of equipment and furniture | No | Disposal of last item +6 years or date superseded + 6 years | DESTROY | |
| School brochure/prospectus | No | Current year + 3 years | ARCHIVE | Transfer to Archives |
| Circulars (staff/parents/pupils) | No | Current year + 1 year | DESTROY/ ARCHIVE | Review for any items which may be usefully archived. |
| Newsletters etc | No | Current year + 1 year | DESTROY/ ARCHIVE | Review for any items which may be usefully archived. |
| Visitors' book | | Current year + 2 years | DESTROY/ ARCHIVE | Review for any items which may be usefully archived. |

