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1. Policy aims and objectives

- 1.1 This policy applies to all records created, received or maintained by staff of the school in the course of carrying out its functions.
- 1.2 Records are defined as all those documents which facilitate the business carried out by the school and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or received, and then stored, in hard copy or electronically.

2. Responsibilities

The Trust recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution. Records provide evidence for protecting the legal rights and interests of the Trust, and provide evidence for demonstrating performance and accountability.

This document provides the policy framework through which this effective management can be achieved and audited. It covers:

- Scope
- Responsibilities
- Relationships with existing policies

3. Relationship with existing policies

This policy has been drawn up within the context of:

- Data Protection Policy

4. Managing Pupil Records

The pupil record should be seen as the core record charting an individual pupil's progress through the Education System. The pupil record should accompany the pupil to every school they attend and should contain information that is accurate, objective and easy to access.

1. Recording information

A pupil or their nominated representative have the legal right to see their file at any point during their education and even until the record is destroyed (when the pupil is 25 years of age or 35 years from date of closure for pupils with special educational needs). This is their right of subject access under current legislation. It is important to remember that all information should be accurately recorded, objective in nature and expressed in a professional manner.

The pupil record starts its life when a file is opened for each new pupil as they begin school. This is the file which will follow the pupil for the rest of his/her school career.

On the Data Collection form the following information is accessible:

- Ethnic origin
- Language of home
- Names of parents and/or guardians with home address and telephone number (and any additional relevant carers and their relationship to the child)
- Name of the school, and the date of admission and the date of leaving.
- Any other medical involvement e.g. speech and language therapist, paediatrician

2. Items which should be included in the pupil record

- Admission form (application form)
- Parental permission for photographs to be taken (or not). Paper record in pupil file.
- Years Record
- Any information relating to a major incident involving the child (either an accident or other incident)
- Any reports written about the child
- Any information about a statement and support offered in relation to the statement
- Any relevant medical information (should be stored in the file in an envelope)
- Child protection reports/disclosures are stored with the CP Team
- Any information relating to exclusions (fixed or permanent)
- Any correspondence with parents or outside agencies relating to major issues
- Details of any complaints made by the parents or the pupil

The following are subject to shorter retention periods and if they are placed on the file then it will involve reviewing once the pupil leaves the school.

- Absence notes
- Parental consent forms for trips/outings [in the event of a major incident all the parental consent forms should be retained with the incident report not in the pupil record]
- Correspondence with parents about minor issues
- Accident forms (these should be stored separately and retained on the school premises until their statutory retention period is reached. A copy could be placed on the pupil file in the event of a major incident)

3. Storage of pupil records

All pupil records should be kept securely at all times. Paper records, for example, should be kept in lockable storage areas with restricted access, and the contents should be secure within the file. Equally, electronic records should have appropriate user based security. Access arrangements for pupil records should ensure that confidentiality is maintained whilst equally enabling information to be shared lawfully and appropriately, and to be accessible for those authorised to see it.

4. Responsibility for the pupil record once the pupil leaves the school

The school which the pupil attended until statutory school leaving age (or the school where the pupil completed sixth form studies) is responsible for retaining the pupil record until the pupil reaches the age of 25 years. This retention is set in line with the Limitation Act 1980 which allows that a claim can be made against an organisation by a minor for up to 7 years from their 18th birthday.

5. Safe destruction of the pupil record

The pupil record should be disposed of in accordance with the safe disposal of records guidelines.

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6. Transfer of a pupil record outside the EU area

If you are requested to transfer a pupil file outside the EU area because a pupil has moved into that area, please contact the trust Data Protection Office for advice.

6. Retention of records

For the pupil data retention schedule, please see section 6 of this document.

5. Managing Staff Records

1. Recording of information

A member of staff or their nominated representative have the legal right to see their file at any point during their education and even until the record is destroyed. This is their right of subject access under current legislation. It is important to remember that all information should be accurately recorded, objective in nature and expressed in a professional manner.

The personnel file starts its life when a job offer is accepted. This file will remain open for the duration of employment and 6 years thereafter.

2. Items which should be included in the personnel record

- Job Vacancy form
- Application form – Job description/Spec
- Shortlisting forms - Interview Questions
- Right to Work approved documentation (See Appendix A)
- Snapshot of DBS – Status update check
- Barred check list – Prohibition check
- Overseas check – Certificate of Good Conduct-Police Check
- DBA form
- Statutory Qualifications
- References
- Medical Clearance Form – Medical Records – Occupational Health Forms/letters
- Contract – Code of Conduct – Data Sheet – Offer of Employment
- Job Description
- Training Certificates
- Disciplinary letters

3. Storage of Staff records

All staff records should be kept securely at all times. Paper records, for example, should be kept in lockable storage areas with restricted access, and the contents should be secure within the file. Equally, electronic records should have appropriate security.

Access arrangements for staff records should ensure that confidentiality is maintained whilst equally enabling information to be shared lawfully and appropriately, and to be accessible for those authorised to see it.

6. Trust Retention Schedule

1. Pupil's Educational Record

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin life of the record
1.1.1	Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437	Retain whilst the child remains at the primary school	The file should follow the pupil when he/she leaves the primary school. This will include: <ul style="list-style-type: none"> • to another primary school • to a secondary school • to a pupil referral unit • If the pupil dies whilst at primary school the file should be returned to the Local Authority to be retained for the statutory retention period. If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be returned to the Local Authority to be retained for the statutory retention period. Primary Schools do not ordinarily have sufficient storage space to store records for pupils who have not transferred in the normal way. It makes more sense to transfer the record to the Local Authority as it is more likely that the pupil will request the record from the Local Authority
1.1.2	Pupil's Educational Record – digital copy	Yes		Date of leaving +6 Years	SECURE DISPOSAL

Child Protection

1.2	Child Protection information held on pupil file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file.	SECURE DISPOSAL – these records MUST be shredded
1.3	Child protection information held in	Yes	Keeping children safe in education Statutory guidance	DOB of the child + 25 years then review	SECURE DISPOSAL – these records MUST be shredded

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	separate files		for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the Local Authority Social Services record	
Attendance					
1.4	Attendance Registers	Yes	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	Every entry in the attendance register must be preserved for a period of three years after the date on which the entry was made.	SECURE DISPOSAL
1.5	Correspondence relating to authorized absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL
Special Educational Needs					
1.6	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2)	Date of Birth of the pupil + 25 years	REVIEW NOTE: This retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a "failure to provide a sufficient education" case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period and this should be documented.
1.7	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold
1.9	Advice and information provided to parents regarding educational	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth of the pupil + 25 years [This would normally be retained on	SECURE DISPOSAL unless the document is subject to a legal hold

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	needs			the pupil file]	
1.9	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold

2. Staff Records

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin life of the record
Recruitment					
2.1	All records leading up to the appointment of a new academy leader	Yes		Date of appointment + 6 years	SECURE DISPOSAL
2.2	All records leading up to the appointment of a new member of staff – unsuccessful candidates	Yes		Date of appointment of successful candidate + 6 months	SECURE DISPOSAL
2.3	All records leading up to the appointment of a new member of staff – successful candidate	Yes		All the relevant information should be added to the staff personal file (see below) and all other information retained for 6 months	SECURE DISPOSAL
2.4	Pre-employment vetting information – DBS Checks	No	DBS Update Service Employer Guide June 2014: Keeping children safe in education. July 2015 (Statutory Guidance from Dept. of Education) Sections 73, 74	The school must not keep copies of DBS certificates.	
2.5	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	

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				documentation then this should be placed on the member of staff's personal file	
2.6	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom ⁴	Yes	An employer's guide to right to work checks [Home Office May 2015]		Where possible these documents should be added to the Staff Personal File [see below], but if they are kept separately then the Home Office requires that the documents are kept for termination of Employment plus not less than two years
Operational Staff Management					
2.7	Staff Personal File	Yes	Limitation Act 1980 (Section 2)	Termination of Employment + 6 years	SECURE DISPOSAL
2.8	Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL
2.9	Annual appraisal/assessment records	Yes		Current year + 5 years	SECURE DISPOSAL
Management of Disciplinary and Grievance Processes					
2.10	Allegation of a child protection nature against a member of staff including where the allegation is unfounded ⁵	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	Until the person's normal retirement age or 10 years from the date of the allegation whichever is the longer then REVIEW. Note allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned	SECURE DISPOSAL These records must be shredded
	Disciplinary Proceedings	Yes			
	oral warning			Date of warning + 6 months	SECURE DISPOSAL [If warnings are placed on personal files then they must be weeded from the file]
	written warning – level 1			Date of warning + 6 months	
	written warning – level 2			Date of warning + 12 months	
	final warning			Date of warning + 18 months	
	case not found			If the incident is child protection related then see above otherwise dispose of at the conclusion of the case	SECURE DISPOSAL

3. Board of Trustees, Hub Councils

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin life of the record
3.1	Agendas for Board/Hub Council meetings	There may be data protection issues if the meeting is dealing with confidential issues relating to staff		One copy should be retained with the master set of minutes. All other copies can be disposed of	SECURE DISPOSAL
3.2	Minutes of Governing Body meetings	There may be data protection issues if the meeting is dealing with confidential issues relating to staff		The principal set should be kept permanently. Inspection copies should be kept for 3 years after the meeting.	SECURE DISPOSAL
3.3	Reports presented to the Governing Body	There may be data protection issues if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports then the reports should be kept permanently	SECURE DISPOSAL
3.4	Instruments of Government including Articles of Association	No		PERMANENT	These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.
3.5	Policy documents created and administered by the Governing Body	No		Life of the policy + 3 years	SECURE DISPOSAL
3.6	Records relating to complaints dealt with by the Trust Board/Hub Councils	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes	SECURE DISPOSAL

4. Admissions

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin
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					life of the record
4.1	All records relating to the creation and implementation of the School Admissions' Policy	No	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Life of the policy + 3 years then review	SECURE DISPOSAL
4.2	Admissions – if the admission is successful	Yes	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Date of admission + 1 year	SECURE DISPOSAL
4.3	Admissions – if the appeal is unsuccessful	There may be data protection issues if the report deals with confidential issues ⁴ relating to staff	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Date of admission + 1 year	SECURE DISPOSAL
3.4	Register of Admissions	Yes	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	PERMANENT	These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.
3.5	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014	Current year + 1 year	SECURE DISPOSAL

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3.6	Supplementary Information form including additional information such as religion, medical conditions etc – For successful applicants	Yes		This information should be added to the pupil file disputes	SECURE DISPOSAL
	Supplementary Information form including additional information such as religion, medical conditions etc – For unsuccessful applicants			Until appeals process completed	SECURE DISPOSAL

5. Health and Safety

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin life of the record
5.1	Health and Safety Risk Assessments	No		Life of risk assessment + 3 years	SECURE DISPOSAL
5.2	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
5.3	Accident Reporting	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980		
	Adults			Date of the incident + 6 years	SECURE DISPOSAL
	Children			DOB of the child + 25 years	SECURE DISPOSAL
5.4	Control of Substances Hazardous to Health (COSHH)	No	Control of Substances Hazardous to Health Regulations 2002. SI 2002 No 2677 Regulation 11; Records kept under the 1994 and 1999 Regulations to be kept as if the 2002 Regulations had not been made. Regulation 18 (2)	Current year + 40 years	SECURE DISPOSAL
5.5	Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	No	Control of Asbestos at Work Regulations 2012 SI 1012 No 632 Regulation 19	Last action + 40 years	SECURE DISPOSAL
5.6	Process of monitoring of	No		Last action + 50	SECURE DISPOSAL

	areas where employees and persons are likely to have become in contact with radiation			years	
5.7	Fire Precautions logs	No		Current year + 6 years	SECURE DISPOSAL

6. Financial Management

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin life of the record
6.1 Risk Management					
6.1.1	Employer's Liability Insurance	No		Closure of the school + 40 years	SECURE DISPOSAL
6.2 Asset Management					
6.2.1	Inventories of furniture and equipment	No		Current year + 6 years	SECURE DISPOSAL
6.2.2	Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL
6.3 Accounts and Statements including Budget Management					
6.3.1	Annual Accounts	No		Current year + 6 years	SECURE DISPOSAL
6.3.2	All records relating to the creation and management of budgets including the Annual Budget statement and background papers			Life of the budget + 3 years	SECURE DISPOSAL
6.3.3	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL
6.3.4	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL
6.3.5	Records relating to the identification and collection of debt	No		Current financial year + 6 years	SECURE DISPOSAL
6.4 Contract Management					
6.4.1	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years	SECURE DISPOSAL
6.4.2	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years	SECURE DISPOSAL
6.5 School Fund					
6.5.1	School Fund - Cheque books	No		Current year + 6 years	SECURE DISPOSAL
6.5.2	School Fund - Paying in books	No		Current year + 6 years	SECURE DISPOSAL
6.5.3	School Fund - Ledger	No		Current year + 6 years	SECURE DISPOSAL
6.5.4	School Fund - Invoices	No		Current year + 6 years	SECURE DISPOSAL
6.5.5	School Fund - Receipts	No		Current year + 6 years	SECURE DISPOSAL
6.5.6	School Fund - Bank statements	No		Current year + 6 years	SECURE DISPOSAL
6.5.7	School Fund - Journey Books	No		Current year + 6 years	SECURE DISPOSAL

7. Property Management

Ref	Basic File Description	Data Prot Issues	Statutory Provision	Retention Period	Action at the end of the admin life of the record
7.1	Title deeds of properties belonging to the school	No		PERMANENT These should follow the property unless the property has been registered with the Land Registry	
7.2	Plans of property belong to the school	No		These should be retained whilst the building belongs to the school and should be passed onto any new owners if the building is leased or sold.	
7.3	Leases of property leased by or to the school	No		Expiry of lease + 6 years	SECURE DISPOSAL
7.4	Records relating to the letting of school premises	No		Current financial year + 6 years	SECURE DISPOSAL
7.5	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	SECURE DISPOSAL
7.6	All records relating to the maintenance of the school carried out by school employees including maintenance log books	No		Current year + 6 years	SECURE DISPOSAL

7. APPENDIX A

RIGHT TO WORK IN THE UK

Under the Immigration, Asylum and Nationality Act it is an employer's responsibility to check its employee's right to work in the UK.

Please provide **one** of the following:

- UK passport (valid or expired accepted)
- Valid UK/Colonies passport (confirming that the holder has the right of abode in the UK)
- Passport or national identity card showing that the holder is a national of a European Economic Area country or Switzerland
- A residence permit, registration certificate or document carrying or indicating permanent residence issued by the Home Office, Border and Immigration Agency or the UK Border Agency to a national of a European Economic Area country or Switzerland
- Permanent residence card or document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the family member of a national of a European Economic Area country or Switzerland
- Biometric Residence Permit issued by the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK

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- Passport or travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK

If you are unable to provide any of the above documents, please provide **two** documents consisting of:

- Proof of NI number (NI card, P60/P45 or document from a Government Agency such as HMRC, Jobcentre Plus, Dept Work Pensions which shows your NI Number)

AND

- Full birth certificate issued in the UK which includes the name(s) of at least one of the holders parents
- Full adoption certificate issued in the UK which includes the name(s) of at least one of the holder's adoptive parents
- Birth certificate issued in the Channel Islands, Isle of Man or Ireland
- Adoption certificate issued in the Channel Islands, Isle of Man or Ireland
- Immigration Status document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK
- Certificate of registration or naturalisation as a British Citizen
- Letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder which indicates that the person named is allowed to stay indefinitely in the UK