



THE MINSTER SCHOOL
DATA RETENTION and DATA DESTRUCTION POLICY

School Lead: Head Teacher

Governor Lead: Chair of the FGP&PC

Date of Review: Summer 2020

Date of next review: Summer 2023

Signed by Chair of Governors or Chair of Committee:

Date: 04/07/2020

Data Retention Policy

1. Purpose of the Policy

Data protection law applies when schools, as data controllers are processing personal data.

The ICO is the UK's independent body set up to uphold information rights, they enforce and regulate freedom of information and data protection laws and promote good practice.

As part of the ICO's data quality principles it is a requirement that data is kept no longer than is necessary and therefore that The Minster School have an appropriate retention policy in place, and adhere to it.

The retention policy lays down the length of time which records needs to be retained and the action which should be taken when records are of no further administrative use.

2. Responsibilities

The school has a responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The Head Teacher has overall responsibility for this policy.

Individual staff must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the school's records management guidelines.

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

3. Scope of the Policy

This policy applies to all records created, received or maintained by staff at the school in the course of carrying out its functions.

Records are defined as all documents which facilitate the business carried out by the school and which thereafter are retained (for a set period) to provide evidence of its transactions or activities.

The retention schedule refers to all information, regardless of the media in which they are stored.

This policy is to be read and considered in conjunction with The Minster School's Data Protection Policy and other policies, legislation or regulations affecting the school.

Where this policy says that the disposal method is to 'shred' this means using a cross shredder or using a company who guarantee secure shredding of documentation.

This policy is an abbreviated version of the 'Information and Records Management Society Retention Guidelines for School', if this policy does not fully cover your needs, please refer back to the full document.

http://ldbsact.org/download/policies/Document%20Retention%20Schedule_Nov15.pdf

4. Safe disposal of records

Where records have been identified for destruction they should be disposed of in an appropriate way.

All records containing personal information, or sensitive policy information should be shredded before disposal using a cross cut Shredder. The school may also use an external provider of confidential waste disposal services. Any records containing personal data cannot be put into the dustbin or a skip.

The Freedom of Information Act 2000 requires the school to maintain a list of records which have been destroyed and who authorised their destruction.

5. Transfer of records to Archives

Where records have been identified as being worthy of permanent preservation, arrangements should be made to transfer the records to Archives.

6. Transfer of information to other media

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as digital media. The lifespan of the media and the ability to migrate data where necessary should always be considered. Permission from the data protection officer must be obtained before converting records to digital media.

7. Academy conversion

Should The Minster School become an Academy, the records relating to the current pupil intake will be transferred to the Academy, but all other records become the responsibility of the Local Authority.

8. Retention guidelines

The following retention guidelines have been determined by The Minster School.

Some of the retention periods are governed by statute, others by following best practise recommendations.

Every effort has been made to ensure that these retention periods are compliant with the requirements of the Data protection Act 1998¹ and the Freedom of information Act 2000.

Managing records using these retention guidelines will be deemed to be 'normal processing' under the legislation mentioned above.

If record series are to be kept for longer or shorter periods than laid out in this document than the reasons for this need to be documented.

¹ The General Data Protection Regulation (GDPR) is due to be implemented on 25th May 2018 and retention periods have been reviewed to ensure compliance with the GDPR.

Child Protection				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Child Protection files	Yes	Education Act 2002, related guidance "Safeguarding Children in Education", September 2004	Date of birth + 25 years	Shred
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

Governors				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Principal set Minutes (signed)	No		Permanent	Retain in school for 6 years from date of meeting
Minutes - Inspection copies	No		Date of meeting + 3 years	Shred
Reports	No		Date of report + 6 years	Retain in school for 6 years from date of meeting
Annual Parents' meeting papers	No		Date of meeting + 6 years	Retain in school for 6 years from date of meeting
Instruments of Government	No		Permanent	Retain in school whilst school is open
Action Plans	No		Date of action plan + 3 years	SHRED
Policy documents	No		Expiry of policy	Retain in school whilst policy is operational
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
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	Retain in school for 10 years from date of report

Management				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Minutes of the Senior Management Team and other internal administrative bodies	Yes		Date of meeting + 5 years	Retain in the school for 5 years from meeting
Reports made by the head teacher or the management team	Yes		Date of report + 3 years	Retain in the school for 3 years from meeting
Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	Yes		Closure of file + 6 years	SHRED
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
Professional development plans	Yes		Closure + 6 years	SHRED
School development plans	Yes		Closure + 6 years	Review
Admissions – if the admission is successful	Yes		Admission + 1 year	SHRED
Admissions – if the appeal is unsuccessful	Yes		Resolution of case + 1 year	SHRED
Admissions – Secondary Schools – Casual	Yes		Current year + 1 year	SHRED
Proof of address supplied by parents as part of the admissions process	Yes		Current year + 1 year	SHRED
Supplementary Information form including additional information such as religion, medical conditions etc.				

Pupils				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
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.
Attendance registers	Yes		Date of register + 3 years	SHRED
Pupil Files Secondary Schools		Limitation Act 1980	DOB of the pupil + 25 years	SHRED
Special Educational Needs files, reviews and Individual Education Plans	Yes		DOB of the pupil + 25 years	SHRED
Absence records	No		Date of absence + 2 years	SHRED
Examination Results for Public Examination	No		Year of examinations + 6 years	SHRED
Examination Results for Internal Examinations	Yes		Current year + 5 years	SHRED

Pupils				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
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
Statement maintained under The Education Act 1996 - Section 324	Yes	SEN and Disability Act 2001 Section 1	DOB + 30 years	SHRED unless legal action is pending
Proposed statement or amended statement	Yes	SEN and Disability Act 2001 Section 1	DOB + 30 years	SHRED unless legal action is pending
Advice and information to parents regarding educational needs	Yes	SEN and Disability Act 2001 Section 2	Closure + 12 years	SHRED unless legal action is pending
Accessibility Strategy	Yes	SEN and Disability Act 2001 Section 14	Closure + 12 years	SHRED unless legal action is pending
Parental permission slips for school trips – where there has been no major incident	Yes		Conclusion of the trip	SHRED
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 followed for all pupils	SHRED
Records created by schools to obtain approval to run an Educational Visit outside the Classroom - Secondary Schools	No	3 part supplement to the H&S of Pupils on Educational Visits (HASPEV) (1998).	Date of visit + 10 years	SHRED

Curriculum				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
School development plan	No		Current year + 6 years	SHRED
Curriculum returns	No		Current year + 3 years	SHRED
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
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
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
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
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
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
Examination results	Yes		Current year + 6 years	SHRED
SATS records	Yes		Current year + 6 years	SHRED
PAN reports	Yes		Current year + 6 years	SHRED
Value added records	Yes		Current year + 6 years	SHRED
Self evaluation forms	Yes		Current year + 6 years	SHRED

Staff records				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Timesheets, sick pay	Yes	Financial Regulations	Current year + 6 years	SHRED
Staff Personal files	Yes		Termination + 7 years	SHRED
Interview notes and recruitment records	Yes		Date of interview + 6 months	SHRED
Pre-employment vetting information (including DBS checks)	No	DBS guidelines	Date of check + 6 months	SHRED
Disciplinary proceedings:	Yes	Where the warning relates to child protection issues then retain until the person's normal retirement age, or 10 years from the date of the allegation, whichever is the longer. If the disciplinary proceedings relate to a child protection matter please contact your safeguarding children officer for further advice.		SHRED
• oral warning			Date of warning + 6 months	SHRED
• written warning – level one			Date of warning + 6 months	SHRED
• written warning – level two			Date of warning + 12 months	SHRED
• final warning			Date of warning + 18 months	SHRED
• case not found			If child protection related then retain until the person's normal retirement age, or 10 years from the date of the allegation whichever is the longer. Otherwise Shred immediately at the conclusion of the case	SHRED

Staff records				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
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
Annual appraisal/assessment records	No		Current year + 5 years	SHRED
Salary cards	Yes		Last date of employment + 85 years	SHRED
Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960), revised 1999 (SI 1999/567)	Current year, + 3yrs	SHRED
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SHRED
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.	

Health and Safety				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Accessibility Plans		Disability Discrimination Act	Current year + 6 years	SHRED
Accident Reporting for Adults	Yes		Date of incident + 7 years	SHRED
Accident Reporting for Children	Yes		DOB of child + 25 years	SHRED
COSHH			Current year + 10 years [where appropriate an additional retention period may be allocated]	
Incident reports	Yes		Current year + 20 years	SHRED
Policy Statements			Date of expiry + 1 year	SHRED
Risk Assessments	Yes		Current year + 3 years	SHRED
Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos			Last action + 40 years	SHRED
Process of monitoring of areas where employees and persons are likely to have come in contact with radiation			Last action + 50 years	SHRED
Fire Precautions log books			Current year + 6 years	SHRED

Administrative				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Employer's Liability certificate			Closure of the school + 40 years	SHRED
Inventories of equipment and furniture			Current year + 6 years	SHRED
General file series			Current year + 5 years	Review to see whether a further retention period is required
School brochure or prospectus			Current year + 3 years	
Circulars (staff/parents/pupils)			Current year + 1 year	SHRED
Newsletters, ephemera			Current year + 1 year	Review to see whether a further retention period is required
Visitors' book			Current year + 2 years	Review to see whether a further retention period is required
PTA/Old Pupils Associations			Current year + 6 years	Review to see whether a further retention period is required

Finance				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Annual Accounts		Financial Regulations	Current year + 6 years	Offer to the Archives
Loans and grants		Financial Regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required
Contracts under seal			Contract completion date + 12 years	SHRED
Contracts under signature			Contract completion date + 6 years	SHRED
Contracts monitoring records			Current year + 2 years	SHRED
Copy orders			Current year + 2 years	SHRED
Budget reports, budget monitoring etc.			Current year + 3 years	SHRED
Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	Current year + 6 years	SHRED
Annual Budget and background papers			Current year + 6 years	SHRED
Order books and requisitions			Current year + 6 years	SHRED
Delivery Documentation			Current year + 6 years	SHRED
Debtors' Records		Limitation Act 1980	Current year + 6 years	SHRED
School Fund – Cheque books			Current year + 3 years	SHRED
School Fund – Paying in books			Current year + 6 years then review	SHRED
School Fund – Ledger			Current year + 6 years then review	SHRED
School Fund – Invoices			Current year + 6 years then review	SHRED
School Fund – Receipts			Current year + 6 years	SHRED
School Fund – Bank statements			Current year + 6 years then review	SHRED
School Fund – School Journey books			Current year + 6 years then review	SHRED
Student grant applications			Current year + 3 years	SHRED
Free school meals registers	Yes		Current year + 6 years	SHRED
Petty cash books			Current year + 6 years	SHRED

Property				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Title Deeds			Permanent	Permanent these should follow the property unless the property has been registered at the Land Registry
Plans			Permanent	Retain in school whilst operational
Maintenance and contractors		Financial Regulations	Current year + 6 years	SHRED
Leases			Expiry of lease + 6 years	SHRED
Lettings			Current year + 3 years	SHRED
Burglary, theft and vandalism report forms			Current year + 6 years	SHRED
Maintenance log books			Current year + 6 years	SHRED
Contractors' Reports			Current year + 6 years	SHRED

Local Authority				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Secondary transfer sheets (Primary)	Yes		Current year + 2 years	SHRED
Attendance returns	Yes		Current year + 1 year	SHRED
Circulars from LA			Whilst required operationally	Review to see whether a further retention period is required

Department for Education				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
OFSTED reports and papers			Replace former report with any new inspection report	Review to see whether a further retention period is required
Returns			Current year + 6 years	SHRED
Circulars from Department for Education			Whilst operationally required	Review to see whether a further retention period is required

External Guidance Agencies				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Service level agreements			Until superseded	SHRED
Work Experience agreement			DOB of child + 18 years	SHRED

School Meals				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the administrative life of the record
Dinner Register			Current year + 3 years	SHRED
School Meals Summary Sheets			Current year + 3 years	SHRED