



SILVERWOOD SCHOOL

DATA RETENTION POLICY & RETENTION SCHEDULE



1. Introduction

- 1.1 Silverwood School (the School) issues this policy to meet the requirements incumbent upon them under the GDPR and the Data Protection Act 2018 for the handling of personal data in its role as a data controller.
- 1.2 The School 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 school, and provide evidence for demonstrating performance and accountability. This document provides the policy framework through which this effective management can be achieved and audited.

2. Scope of the Policy

- 2.1 This policy applies to all employees of the School including contract, agency and temporary staff, volunteers, governors, and employees of partner organisations working for the School.
- 2.2 This policy applies to all records, created, received or maintained by staff of the School in the course of carrying out its functions.
- 2.3 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, received or maintained in hard copy or electronically.

3. Responsibilities

- 3.1 The School 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 Executive Headteacher and this has been delegated to him by the School's Full Governing Body.
- 3.2 Compliance of this policy will be monitored by the DPO and during the Annual Information Review headed by Somerset & Bath Council.
- 3.3 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 Schools records management guidelines.

4. Retention

- 4.1 In line with the GDPR and the Data Protection Act 2018, the organisation will keep some forms of information for longer than others. Information will not be kept indefinitely, unless there are specific requirements.
- 4.2 **Appendix 2**, gives a detailed breakdown of timescales for the retention of various types of information. This schedule has been taken from the Information and Records Management Service in their 'Information Management Toolkit for Schools' [Version 5 February 2016, updated 2019]. This is also in line with Department for Education guidance in their 'Data protection: A toolkit for schools' [April 2018].

5. Disposal

- 5.1 When data is no longer required it should be appropriately destroyed.
- 5.2 The organisation will either use an accredited confidential waste disposal provider, or it will shred the information to using a cross-cut shredder. Information on what should be deemed as confidential waste is detailed in **Appendix 1**.



APPENDIX 1 - WHAT IS CONFIDENTIAL WASTE?

(1) Any record* which details personal information

What is personal information?

- Relates to and identifies a living person
- Could help someone identify a person when used with other information
- Is an expression of opinion about an individual
- Indicates our intentions towards an individual

Such as: Name, Address, Date of Birth, Email, Phone numbers, Location data, IP addresses

(2) Any record* which details special categories of personal data

What is special categories of personal data?

- Racial and/or Ethnic Origin
- Political Opinions
- Religious Beliefs (or other beliefs of a similar nature)
- Trade Union membership
- Biometric Information e.g. Photos
- Mental or Physical Health condition
- Sexual life and Orientation
- Criminal Records (actual or suspected)

Such as: Safeguarding, Accident/First Aid, Equalities information, Legal records

(3) Any record¹ which details business/commercially sensitive information

What is business/commercially sensitive information?

- Information which the School would be affected by any loss of, or unauthorised access to.

Such as: Contracts, opinions on service delivery, tender information.

If you have any doubt then please treat the information as Confidential

¹ A Record can be in many formats – e.g. Paper, Post-it notes, Disks, CDs, Tapes, Posters etc



APPENDIX 2: RECORD OF RETENTION SCHEDULE

Type of Record	Retention Period
Customer	
Financial transaction records	6 years after account is closed
Contracts	6 years after account is closed
Letters	6 years after account is closed
Complaints	6 years after account is closed
Enquiries	3 years after account is closed
Investigations	10 years after account is closed
Telephone calls	3 years from date of creation
Human Resources - Recruitment	
All records leading up to the appointment of a new Director of Learning/Executive Headteacher	Date of appointment +6 years
All records leading up to the appointment of a new member of staff – unsuccessful candidates	Date of appointment of successful candidate +6months
All records leading up to the appointment of a new member of staff – successful candidate	All the relevant information should be added to the staff personal file (see below and all other information retained for 6 months.
Pre-employment vetting information – DBS Check	The School does not have to keep copies of DBS certificates. If the school does so the copy must NOT be retained for more than 6 months
Proofs of identity collected as part of the process of checking “portable” enhanced DBS disclosure	The Disclosure & Barring Service Update Service should be used to check a DBS Certificate status online. Proof of check should be retained on file together with employees signature (proof of workers permission)
Pre-employment vetting information – evidence proving the right to work in the United Kingdom	Documents should be added to the Staff Personal File (see below)
Staff Personal File	Termination of Employment + 6 years unless the member of staff is part of any case which falls under the terms of the IILCA. If this is the case then the file will need to be retained until IICSA enquiries are complete
Operational Staff Management	
Staff training – where the training leads to continuing professional development	Length of time required by the professional body
Staff training – except where dealing with children e.g. first aid or health & safety	This should be retained on the personnel file
Staff training – where the training relates to children (e.g. safeguarding or other child related training)	Date of the training +40 years (This retention period reflects that the ILCSA may wish to



Type of Record	Retention Period
	see training records as part of an investigation)
Annual appraisal/assessment records	Current year +6 years
Sickness absence monitoring	<p>Sickness records are categorised as sensitive data. There is a legal obligation under statutory sickness pay to keep records for sickness records should be kept separate from accident records.</p> <p>It could be argued that where sickness pay is not paid then current year +3 years is acceptable, whilst if sickness pay is made then current year +3 years is acceptable, whilst if sickness pay is made then it becomes a financial record and current year +6 years applies. The actual retention may depend on the internal auditors. Most seems to accept current year +3 years as being acceptable as this gives them, "benefits" and Inland Revenue have time to investigate if they need to</p>
Absence Record	Current year +3 years
Management of Disciplinary & Grievance Processes	
Allegation of a child protection nature against a member of staff including where the allegation is unfounded	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.
Disciplinary Proceedings	
<p>Disciplinary warnings should be removed from employee's personnel files once they have expired.</p> <p>Oral Warning Written Warning – Level 1 Level 2 Final Warning Case Not Found</p>	<p>Date of warning +6 months Date of warning +6 months Date of warning + 18 months Date of warning + 2 years</p> <p>If the incident is child protection related then see above otherwise dispose of at the conclusion of the case</p>
Termination: The process of termination of staff through voluntary redundancy, dismissal and retirement	7 years after termination of employment



Type of Record	Retention Period
Financial Management of the School	
Risk Management & Insurance	
Employer's Liability Insurance Certificate	Closure of the school +40 years
Asset Management	
Inventories of furniture & equipment	Current year +6 years
Burglary, theft & vandalism report forms	Current year +6 years
Accounts & Statements Including Budget Management	
Annual Accounts	Current year + 6 years
All records relating to the creation and management of budgets including the Annual Budget Statement and background papers	Life of budget +3 years
Invoices, receipts, order books and requisitions, delivery notices	Current financial year +6 years
Records relating to the collection and banking of monies	Current financial year +6 years
Records relating to the identification and collection of debt	Current financial year +6 years
Car Mileage Output	Current year +6 years
Payroll awards, payroll gross/net weekly or monthly, payroll reports, pension reports	Current year +6 years
Overtime/ Sickness Records	Current year +3 years
Pupil Finance	
Pupil Premium Records	Date the pupil leaves the provision +6 years
School Meals Management	
Free school meals registers (where the register is used as a basis for funding)	Current year +6 years
School meals registers	Current year +3 years
School meal summary sheets	Current year +3 years
Contract Management	
All records relating to the management of contracts under seal	Last payment on the contract +12 years
All records relating to the management of contracts under signature	Last payment on the contract +6 years
Records relating to the monitoring of contracts	Current year + 2 years
School Fund (SF)	
- Cheque Books	Current year + 6 years
- Paying in books	Current year + 6 years
- Ledger	Current year +6 years
- Invoices	Current year + 6 years
- Receipts	Current year + 6 years
- Bank Statements	Current year + 6 years



Type of Record	Retention Period
Health & Safety	
Health & Safety Policy Statements	Life of policy + 3 years
Health & Safety Risk Assessments	Life of risk assessment + 3 years
Accident/Incident Book – Records relating to accident/injury at work	Date of incident +12 years. In the case of serious accidents a further retention period will need to be applied
Accident Reporting Adults Children	Date of incident +6 years DOB of the child +25 years
Control of substances Hazardous to Health (COSHH)	Current year +40 years
Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	Last action +40 years
Process of monitoring of areas where employees and persons are likely to have become in contact with radiation	Last action +50 years
Fire Precautions Log Books	Current year + 6 years
Fire Procedure	Until superseded but retain copies of earlier versions
Health & Safety Policy	Until superseded but retain earlier versions up to 15 years and review as necessary
Fire log books	Retain for 7 years
Legal	
Third party contracts	6 years after date of termination (unless signed as a deed, in which case 12 years after date of termination)
Other	
Policies	6 years from the date they cease to be relevant
Procedures	6 years from the date they cease to be relevant
Company Secretarial Records (e.g. board meeting minutes)	Permanently
4 Property Management	
Basic file description	
Plans of property belong to the School	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
Leases of property leased by or to the School	Expiry of lease +6 years
Records relating to the letting of school premises	Current year + 6 years



Type of Record	Retention Period
Maintenance	
All records relating to the maintenance of the school carried out by contractors	Current + 6 years
All records relating to the maintenance of the school carried out by school employees including maintenance log books (Site Managers odd job book)	Current + 6 years
5 Pupil Management Basic file description	
Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	
Infant/Primary	The file should follow the pupil when he/she leaves the school. This will include: <ul style="list-style-type: none"> - To a junior school - To a primary school - To a secondary school - To a pupil referral unit - To a special school - 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. <p>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.</p>
Secondary	Date of birth of the pupil +25 years
Examination Results – Pupil Copies	
Public	This information should be added to the pupil file
Internal	This information should be added to the pupil file
Child protection information held in separate files NO CHILD PROTECTION INFORMATION IS HELD ON PUPIL FILE	DOB of the child +25 years then review. 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	
Attendance Registers	Every entry in the attendance register must be preserved for a period of 3 years after the date on which the entry was made



Type of Record	Retention Period
Correspondence relating to authorised absence	Current academic year +2 years
Special Education Needs	
Special Education Needs files, reviews and Individual Education Plans	DOB +31 years EHCP is valid until the individual reaches the age of 25 years – the retention period adds an additional 6 years from the end of the plan in line with the Limitation Act
Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement*	DOB of the pupil +25 years (This would normally be retained on the pupil file)
Advice & information provided to parents regarding educational needs*	DOB of the pupil +25 years (This would normally be retained on the pupil file)
Accessibility Strategy*	DOB 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	
Curriculum Management	
Curriculum returns	
Examination Results (Schools Copy)	Current year + 6 years
SATS Records Results	The SATS results should be recorded on the pupil's educational file and will therefore be retained until the pupil reaches the age of 25 years. The School may wish to keep a composite record of all the whole year SATS results These could be kept for the current year +6 years to allow suitable comparison.
Examination Papers	The examination papers should be kept until any appeals/validation process is complete
Published Admission Number (PAN) Reports	Current year +6 years
Value Added and Contextual Data	Current year +6 years
Self- Evaluation Forms	Current year +6 years
Implementation of Curriculum	
Schemes of work	Current year +1 year
Timetable	Current year +1 year
Class Record Books	Current year +1 year
Mark Books	Current year +1 year
Record of Homework Set	Current year +1 year
Pupil's Work	Where possible pupils' work should be returned to the pupil at the end of the academic year
Admission Process	



Type of Record	Retention Period
All records relating to the creation and implementation of the Schools Admission Policy	Life of the policy +3 years then review
Admissions – if the admission is successful	Date of Admission +1 years
Admissions – if the appeal is unsuccessful	Resolution of the case +1 year
Register of Admissions	Every entry in the admission register must be preserved for a period of 3 years after the date on which the entry was made
Proof of address supplied by the parents as part of the admissions process	Current year +1 year
Supplementary information form including additional information such as religion, medical conditions etc.	This information should be added to the pupil file
For successful admissions	This information should be added to the pupil file
For unsuccessful admissions	Until appeals process completed (GDPR)
Statistics and Management Information	
Value added and contextual data	Current year +6 years
Self- evaluation forms	
Internal moderation	Academic year plus 1 academic year
External Moderation	Until superseded
Central Government	
Ofsted Reports and papers where a physical copy is held	Life of the report then review
Returns made to central government	Current year +6 years
Circulars and other information sent from central government	Operational use
Family Support Workers	
Day books	Current year +2 years then review
Reports for outside agencies – where the report has been included on the case file created by the outside agency	Whilst child is attending school then destroy
Referral forms	Whilst the referral is current
Contact Data Sheets	Current year then review, if contact is no longer active then destroy
Contact Database entries	Current year then review, if contact is no longer active then destroy
Group Registers	Current year +2 years
Extra- Curricular Activities	
Records created by school to obtain approval to run an Educational Visit outside the Classroom – Primary Schools*	Date of visit +14 years
Records created by schools to obtain approval to run an Education Visit outside the Classroom – Secondary*	Date of visit +10 years



Type of Record	Retention Period
*Outdoor Education Advisers' Panel National Guidance website http://oeapng.info specifically Section 3 – Legal Framework and Employer Systems and Section 4 – Good Practise	
Parental consent forms for school trips where there has been NO major incident	Although the consent forms could be retained for Date of birth +22 years the school may wish to complete a risk assessment to assess whether the forms are likely to be required and could make the decision to dispose of the consent forms at the end of the trip (or academic year). If in doubt seek legal advice.
Parental permission slips for school trips – where there has been a major incident	Date of birth of the pupil involved in the incident +25 years. The permission slips for all the pupils on the trip need to be retained to show that the rules had been followed for all pupils.
*Management of Governing Body Governing Body is interchangeable with School Board for the purpose of this document	
Instruments of Governance	For the life of the School
Records relating to the election of parent and staff governors not appointed by the governors	Date of election +6 months
Records relating to the appointment of co-opted governors	Provided that the decision has been recorded in the minutes, the records relating to the appointment can be destroyed once the co-opted govern has finished their term of office (except where there have been allegations concerning children) in this case retain for 25 years.
Records relating to a Chair or Vice	Once decision has been recorded in the minutes, the records relating to the election can be destroyed
Meetings Schedule	Current Year
Scheme of Delegation	Until superseded or whilst relevant.
Agendas- Executive Headteacher copy	Where possible the agenda should be stored with the principal set of minutes
Minutes – Executive Headteacher set (signed)	Although generally kept for the life of the organisation, the LA is only required to make these available for 10 years from the date of the meeting



Type of Record	Retention Period
Reports made to the governors meeting which are referred to in the meeting	As above
Register of attendance at Full Governing Body meetings	Date of last meeting in the book +6 years
Papers relating to the management of the annual parents meeting	Date of meeting +6 years
Agendas – additional copies	Date of meeting
Records relating to Governors monitoring visits	Date of visit +3 years
Annual reports required by the DfE	Date of report +10 years
All records relating to the conversion of schools to Academy status	For the life of the organisation
Records relating to complaints made to and investigated by the governing body or head teacher	Major complaints: current year +6 years If negligence involved then: current year +15 years If child protection or safeguarding issues are involved then current year +40 years
Correspondence sent and received by the governing body or Executive Headteacher	General correspondence should be retained for current year + 3 years
Action plans created and administered by the governing body	Until superseded or whilst relevant
Policy documents created and administered by the governing body	Until superseded (The school should consider keeping all policies relating to safeguarding, child protection or other pupil related issues such as exclusion until the IILCSA has issued its recommendations)
Records relating to the appointment of a clerk to the governing body	Date on which clerk appointment ceases +6 years
Records relating to the terms of office of serving governors, including evidence of appointment	Date appointment ceases +6 years
Records relating to governor declaration against disqualification criteria	As above
Register of business interests	Date appointment ceases +6 years
Governors Code of Conduct	This is expected to be a dynamic document, one copy of each version should be kept for the life of the organisation
Records relating to the training required and received by Governors	Date Governor steps down +6years
Records relating to the induction programme for new governors	Date appointment ceases +6 years
Records relating to DBS checks carried out on Clerk and members of the governing body	Date of DBS check +6 years
Governor personnel files	Date of appointment ceases +6 years
Governor/Member/Trustee - interchangeable	



Policy Review	October 2022
Next Review Due	October 2024
Signature of Chair of Governors	Signature of Executive Principal

Version and Date		Action/Notes
1.0	August 2022	Approved by