Southwark Park Primary School

Data retention Policy

Approved By:	Anjali Raval – signed copy available from the School Office.	**Date:**	11/12/2024
Last Reviewed:	Autumn 2024	**Next Review:**	Autumn 2026

DATA RETENTION POLICY

The School has a responsibility to maintain its records and record keeping systems. When doing this, the School will take account of the following factors:

- The most efficient and effective way of storing records and information;
- The confidential nature of the records and information stored;
- The security of the record systems used;
- Privacy and disclosure; and
- Accessibility of records and record keeping systems.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the School's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the School from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. The School may also vary any parts of this procedure, including any time limits, as appropriate in any case.

This policy is only valid from the date of adoption and the school cannot guarantee that historical data from before this date will have been retained.

DATA PROTECTION

This policy sets out how long employment-related and pupil data will normally be held by us and when that information will be confidentially destroyed in compliance with the terms of the UK General Data Protection Regulation (GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of the School. The School's Data Protection Policy outlines its duties and obligations under the UK GDPR.

RETENTION SCHEDULE

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule. When managing records, the School will adhere to the standard retention times listed within that schedule.

The retention schedule refers to all records regardless of the media (e.g. paper, electronic, microfilm, photographic etc) in/on which they are stored. All records will be regularly monitored by the school admin team.

DESTRUCTION OF RECORDS

The schedule is a relatively lengthy document listing the many types of records used by the School and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.
Where records have been identified for destruction they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted.

The School maintains a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list at least: -

- File reference (or other unique identifier);
- File title/description;
- Number of files; and
- Name of the authorising officer.
- Date destroyed or deleted from system; and
- Person(s) who undertook destruction.

RECORD KEEPING OF SAFEGUARDING

Any allegations made that are found to be malicious must not be part of the personnel records.

For any other allegations made, the School must keep a comprehensive summary of the allegation made, details of how the investigation was looked into and resolved and any decisions reached. This should be kept on the personnel files of the accused.

Any allegations made of sexual abuse should be preserved by the School for the term of an inquiry by the Independent Inquiry into Child Sexual Abuse. All other records (for example, the personnel file of the accused) should be retained until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. Guidance from the Independent Inquiry Child Sexual Abuse states that prolonged retention of personal data at the request of an Inquiry would not contravene data protection regulation provided the information is restricted to that necessary to fulfil potential legal duties that a School may have in relation to an Inquiry.

Whilst the Independent Inquiry into Child Sexual Abuse is ongoing, it is an offence to destroy any records relating to it. At the conclusion of the Inquiry, it is likely that an indication regarding the appropriate retention periods of the records will be made.

ARCHIVING

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. A database of the records sent to the archives is maintained. The appropriate staff member, when archiving documents should record in this list the following information:

- File reference (or other unique identifier);
- File title/description;
- Number of files; and
- Name of the authorising officer.

TRANSFERRING 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 or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

TRANSFERRING INFORMATION TO ANOTHER SCHOOL

We retain the Pupil's educational record whilst the child remains at the School. Once a pupil leaves the School, the file should be sent to their next school. The responsibility for retention then shifts onto the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

We may delay destruction for a further period where there are special factors such as potential litigation.

RESPONSIBILITY AND MONITORING

The SBM has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with the School is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The data protection officer will consider the suitability and adequacy of this policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it.

EMAILS

Emails accounts are not a case management tool in itself. Generally, emails may need to fall under different retention periods (for example, an email regarding a health and safety report will be subject to a different time frame to an email which forms part of a pupil record). It is important to note that the retention period will depend on the content of the email and it is important that staff file those emails in the relevant areas to avoid the data becoming lost.

PUPIL RECORDS

All schools with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. Early Years will have their own separate record keeping requirements. If a child changes schools, the responsibility for maintaining the pupil record moves to the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

RETENTION SCHEDULE

FILE DESCRIPTION	GDPR ISSUES	RETENTION PERIOD
Employment Records		
Job applications and interview records of unsuccessful candidates	Yes	Six months after notifying unsuccessful candidates, unless the school has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained
Job applications and interview records of successful candidates		Added to staff personnel file and retained in line with that record (6 years after employment ceases)
Written particulars of employment, contracts of employment and changes to terms and conditions	Yes	6 years after employment ceases
Right to work documentation including identification documents and immigration checks	Yes	Kept separately from personnel file and retained for 2 years after employment ceases. **Employer's guide to right to work checks: 21 June 2024**
DBS checks and disclosures of criminal records forms	Yes	As soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, for no longer than 6 months.
Change of personal details notifications	Yes	No longer than 6 months after receiving this notification
Emergency contact details	Yes	Destroyed on termination
Personnel records	Yes	While employment continues and up to six years after employment ceases (Limitation Act 1980)
Annual leave records	Yes	Six years after the end of tax year they relate to or possibly longer if leave can be carried over from year to year
Consents for the processing of personal and sensitive data	Yes	For as long as the data is being processed and up to 6 years afterwards
Working Time Regulations: • Opt out forms • Records of compliance with WTR	Yes	• Two years from the date on which they were entered into • Two years after the relevant period

Disciplinary records	Yes	6 years after employment ceases (Limitation Act 1980)
Grievance records	Yes	6 years after employment ceases (Limitation Act 1980)
Training records	Yes	6 years after employment ceases (Limitation Act 1980) or length of time required by the professional body
Staff training where it relates to safeguarding or other child related training	Yes	Date of the training plus 40 years (This retention period reflects that the IICSA may wish to see training records as part of an investigation)
Annual appraisal/assessment records	Yes	Current year plus 3 years
Professional Development Plans	Yes	Life of the plan or plan superseded + 6 years
Allegations of a child protection nature against a member of staff including where the allegation is founded	Yes	10 years from the date of the allegation or the person's normal retirement age (whichever is longer). This should be kept under review. Malicious allegations should be removed.
Financial and Payroll Records		
Pension records	Yes	12 years
Retirement benefits schemes – notifiable events (for example, relating to incapacity)	Yes	6 years from the end of the scheme year in which the event took place
Payroll and wage records	Yes	6 years after end of tax year they relate to (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Maternity/Adoption/Paternity Leave records	Yes	3 years after end of tax year they relate to (Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567))
Statutory Sick Pay	Yes	3 years after the end of the tax year they relate to (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Current bank details	Yes	Until updated plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Bonus Sheets	Yes	Current year plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Time sheets/clock cards/flexitime	Yes	Current year plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)

Pupil Premium Fund records	Yes	Date pupil leaves the provision plus 6 years
National Insurance (schedule of payments)	Yes	Current year plus 6 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Insurance	No	Current year plus 6 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Overtime	Yes	Current year plus 3 years (Taxes Management Act 1970; Income and Corporation Taxes 1988)
Annual accounts	No	Current year plus 6 years
Loans and grants managed by the School	No	Date of last payment on loan + 6 years if the loan is under 10,000 or date of last payment on loan + 12 years if the loan is over 10,000
All records relating to the creation and management of budgets	No	Life of the budget plus 3 years
Invoices, receipts, order books and requisitions, delivery notices	No	Current financial year plus 6 years
Student Grant applications	Yes	Current year plus 3 years
Pupil Premium Fund records	Yes	Date pupil leaves the school plus 6 years
School fund documentation (including but not limited to invoices, cheque books, receipts, bank statements etc).	No	Current year plus 6 years
Free school meals registers (where the register is used as a basis for funding)	Yes	Current year plus 6 years
School meal registers and summary sheets	Yes	Current year plus 3 years
Agreements and Administration Paperwork		
Collective workforce agreements and past agreements that could affect present employees	No	Permanently
Trade union agreements	No	10 years after ceasing to be effective
School Development Plans	No	Life of plan or until plan superseded + 3 years.If major changes are made to the plan then an archive copy of previous plans should be retained
Visitors Book and Signing In Sheets	Yes	6 years
Newsletters and circulars to staff, parents and pupils	No	1 year (and the School may decide to archive one copy)

Minutes of Senior Management Team meetings	No	Date of the meeting plus 3 years or as required
Reports created by the Head Teacher or the Senior Management Team.	No	Date of the report plus a minimum of 3 years or as required
Records relating to the creation and publication of the school prospectus	No	Current academic year plus 3 years
Health and Safety Records		
Health and Safety consultations	No	Permanently
Health and Safety Risk Assessments	No	3 years from the life of the risk assessment
Health and Safety Policy Statements	No	Life of policy plus 3 years
Any records relating to any reportable death, injury, disease or dangerous occurrence	Yes	Date of incident plus 3 years provided that all records relating to the incident are held on personnel file
Accident reporting records relating to individuals who are under 18 years of age at the time of the incident	Yes	Accident book should be retained 3 years after last entry in the book. (Social Security (Claims and Payments) Regulations 1979; Social Security Administration Act 1992; Limitation Act 1980) Reports relating to serious accidents that require reporting under RIDDOR should be kept until the child reaches the age of 21
Accident reporting records relating to individuals who are over 18 years of age at the time of the incident	Yes	Accident book should be retained 3 years after last entry in the book but if there is possibility of negligence allegation then date of incident + 15 years or date of settlement + 6 years. (Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980)
Fire precaution log books	No	Current year plus 6 years
Medical records and details of: - • control of lead at work • employees exposed to asbestos dust • records specified by the Control of Substances Hazardous to Health Regulations (COSHH)	Yes	40 years from the date of the last entry made in the record (Control of Substances Hazardous to Health Regulations (COSHH); Control of Asbestos at Work Regulations)
Records of tests and examinations of control systems and protection equipment under COSHH	No	5 years from the date on which the record was made

Temporary and Casual Workers		
Records relating to hours worked and payments made to workers	Yes	3 years
Pupil Records		
Admissions records successful or unsuccessful	Yes	1 year from the date of admission/non-admission (School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels)
Admissions register	Yes	Entries to be preserved for six years from date of entry (Working together to improve school attendance, Section, 36, 2024 Statutory guidance)
Proofs of address supplied by parents as part of the admissions process	Yes	Current year + 1 year (School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels)
Supplementary Information form including additional information such as religion, medical conditions etc.	Yes	Successful Admissions: This information should be added to the pupil file
		Unsuccessful Admissions: Until appeals process completed
School Meals Registers	Yes	3 years
Free School Meals Registers	Yes	6 years
Pupil Record including non-child protection safeguarding records.	Yes	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: • 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
Attendance Registers	Yes	Six years from the date of entry (Working together to improve school attendance, Section 36, 2024 Statutory guidance)
Correspondence relating to any absence (authorised or unauthorised)	Yes	Current academic year + 2 years (Education Act 1996 – Section 7)
Special Educational Needs files, reviews and Education Health Carer Plan including advice and information provided to parents regarding educational needs and accessibility strategy	Yes	Primary school - whilst the child attends the school.
Child protection information (to be held in a separate file).		DOB of the child plus 25 years then review. If aspects of the record relate to child sexual abuse, then these records should be retained indefinitely. (Based on recommendations left by the IICSA, will be reviewed upon publication of ICO guidance)
Exam results (pupil copy)	Yes	This information should be added to the pupil file and retained in line with that record.
Examination results (school's copy)	Yes	Current year plus 6 years
Allegations of sexual abuse	Yes	If the complaint relates to child sexual abuse then indefinitely. (Based on recommendations left by the IICSA, will be reviewed upon publication of ICO guidance)
Records relating to any allegation of a child protection nature against a member of staff	Yes	Until the accused normal retirement age or 10 years from the date of the allegation (whichever is the longer) (Retention period informed by the guidance of KCSIE)
Consents relating to school activities as part of UK GDPR compliance (for example, consent to be sent circulars or mailings)	Yes	Evidence of consent will be retained whilst the pupil attends the school, or until withdrawn, whichever the shorter.
Pupil's work	Yes	Where possible, returned to pupil at the end of the academic year (provided the School have their own internal policy to this effect). Otherwise, the work should be retained for the current year plus 1 year.
Mark books	Yes	Current year plus 1 year

Schemes of work	No	Current year plus 1 year
Timetable	No	Current year plus 1 year
Class record books	Yes	Current year plus 1 year
Record of homework set	Yes	Current year plus 1 year
Photographs of pupils	Yes	For the time the child is at the School and for a short while after. Please note select images may also be kept for longer (for example to illustrate history of the school).
Parental consent forms for school trips where there has been no major incident	Yes	End of the trip or end of the academic year (subject to a risk assessment carried out by the School)
Parental permission slips for school trips where there has been a major incident	Yes	Date of birth of the pupil involved in the incident plus 25 years. Permission slips for all the pupils on the trip should be retained to demonstrate the rules had been followed for all pupils
Governance		
Instruments of Government including Articles of Association	No	For the life of the school. Consult local archives before disposal
Agendas for Governing Body meetings	Possibly	One copy should be retained with the master set of minutes. All other copies can be disposed of.
Meetings schedule	No	Current year
Minutes of Governing Body meetings – Principal set (signed)	Possibly	Date of meeting + 10 years
Reports presented to the Governing Body	Possibly	Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports then the reports should until for 10 years.
Register of attendance at full governing board meetings	Yes	Date of last meeting in the book plus 6 years
Annual reports required by the Department of Education (Governors Annual Reports) (England) (Amendment) Regulations 2002	No	Date of report plus 10 years
Action plans created and administered by the Governing Body	No	Life of the action plan + 3 years
Policy documents created and administered by the Governing Body	No	Until replaced

Records relating to complaints made to and investigated by the governing body or head teacher	Possibly	Major complaints: current year plus 6 years. If negligence involved: current year plus 15 years. If child protection or safeguarding issues are involved then: current year plus 40 years. If the complaint relates to child sexual abuse, then indefinitely. (Based on recommendations left by the IICSA, will be reviewed upon publication of ICO guidance)
Correspondence sent and received by the governing body or head teacher	No	General correspondence should be retained for current year plus 3 years
Records relating to the terms of office of serving governors, including evidence of appointment	Yes	Date appointment ceases plus 6 years except where there have been allegations concerning children. In this case retain for 25 years.
Register of business interests	Yes	Date appointment ceases plus 10 years (Companies Act 2006)
Records relating to the training required and received by governors	Yes	Date appointment ceases plus 6 years
Records relating to the appointment of a clerk to the governing body	Yes	Date on which clerk appointment ceases plus 6 years
Governor personnel files	Yes	Date appointment ceases plus 6 years
Proposals concerning the change of status of a maintained school including Specialist Status Schools and Academies	No	Date proposal accepted or declined + 3 years
Head Teacher and Senior Management Team		
Log books of activity in the school maintained by the Head Teacher	Possibly	Date of last entry in the book + a minimum of 6 years then review
Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies	Possibly	Date of the meeting + 3 years then review
Reports created by the Head Teacher or the Management Team	Possibly	Date of the report + a minimum of 3 years then review
Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	Possibly	Current academic year + 6 years then review
Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	Possibly	Date of correspondence + 3 years then review
Professional Development Plans	Yes	Life of the plan + 6 years

School Development Plans	No	Life of the plan + 3 years
Operational Administration		
General file series	No	Current year + 5 years then REVIEW
Records relating to the creation and publication of the school brochure or prospectus	No	Current year + 3 years
Records relating to the creation and distribution of circulars to staff, parents or pupils	No	Current year + 1 year
Newsletters and other items with a short operational use	No	Current year + 1 year
Visitors' Books and Signing in Sheets	Yes	Current year + 6 years then REVIEW
Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	No	Current year + 6 years then REVIEW
Risk Management and Insurance		
Employer's Liability Insurance Certificate	No	Closure of the school + 40 years
Asset Management		
Inventories of furniture and equipment	No	Current year + 6 years
Burglary, theft and vandalism report forms	No	Current year + 6 years
Accounts and Statements including Budget Management		
Annual Accounts	No	Current year + 6 years
Loans and grants managed by the school	No	Date of last payment on the loan + 12 years then REVIEW
All records relating to the creation and management of budgets including the Annual Budget statement and background papers	No	Life of the budget + 3 years
Invoices, receipts, order books and requisitions, delivery notices	No	Current financial year + 6 years
Records relating to the collection and banking of monies	No	Current financial year + 6 years

Records relating to the identification and collection of debt	No	Current financial year + 6 years
Contract Management		
All records relating to the management of contracts under seal	No	Last payment on the contract + 12 years
All records relating to the management of contracts under signature	No	Last payment on the contract + 6 years
Records relating to the monitoring of contracts	No	Current year + 2 years
School Fund - Cheque books, paying in books, ledger, invoices, receipts, bank statements and journey books	No	Current year + 6 years
School Meals Management		
Free School Meals Registers	Yes	Current year + 6 years
School Meals Registers	Yes	Current year + 3 years
School Meals Summary Sheets	No	Current year + 3 years
Property Management		
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
Leases of property leased by or to the school	No	Expiry of lease + 6 years
Records relating to the letting of school premises	No	Current financial year + 6 years
Maintenance		
All records relating to the maintenance of the school carried out by contractors	No	Current year + 6 years
All records relating to the maintenance of the school carried out by school employees including maintenance log books	No	Current year + 6 years
Local Authority		
Secondary Transfer Sheets	Yes	Current year + 2 years

Attendance Returns	Yes	Current year + 1 year
School Census Returns	No	Current year + 5 years
Circulars and other information sent from the Local Authority	No	Operational use
Central Government		
OFSTED reports and papers	No	Life of the report then REVIEW
Returns made to central government	No	Current year + 6 years
Emails		
Emails containing personal data are subject to the same retention periods as above; depending on the type of personal information, they contain. However, emails are not a secure way of keeping personal information and the school email system will only automatically delete emails after 3 years. If the information needs to be retained, it should either be printed off and kept with the data subject's file or saved to a file using the save as function. It is good practice to delete the original once it has been saved or printed.		