

RECORD KEEPING & RETENTION POLICY



ST MARY'S LEWISHAM CE PRIMARY SCHOOL

Our Vision

To be a learning community that promotes the unique gifts, wellbeing and potential of every person. Our work is founded on the life and teaching of Jesus Christ, building on His message of equality, peace and justice, guided by His words 'As I have loved you, so you must love one another' (John 13:34).

Purpose of this Policy

The Lord Chancellor's Code of Practice on the Management of Records under the Freedom of Information Act 2000, states:

"A school should have in place an overall policy statement, endorsed by top management and made readily available to staff at all levels of the organisation, on how it manages its records, including electronic records."

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

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

- Data Protection Policy
- Information Security Policy
- Admissions Policy and Procedure

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

Benefits of the Record Retention Policy

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

- Managing records against the Retention Policy is deemed to be "normal processing" under the Data Protection Act 1998 and the Freedom of Information Act 2000. Provided members of staff are managing record series using the Retention Policy they cannot be found guilty of unauthorised tampering with files once a freedom of information request or a data subject access request has been made.
- Members of staff can be confident about destroying information at the appropriate

- time.
- Information which is subject to Freedom of Information and Data Protection legislation will be available when required.
- The school is not maintaining and storing information unnecessarily.

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

Current Pupils

Pupil Records

A file is kept on each pupil in the Pupil Record Cupboard. The file holds the registration and acceptance form, (the parent contract) and any other hard copies of information about that pupil. It will record any disciplinary sanctions imposed on a pupil. Reports of all conversations between parents and members of staff about any academic or pastoral issues are kept.

The information held on the school's electronic database covers: the pupil's name, address, year, class, emergency contact details, academic performance, subjects studied, school reports and daily attendance. Confidentiality of personal information is protected in accordance with the school's Data Protection Policy.

Pupils with Special Educational, Welfare or Medical Needs

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

Medical Records

Confidential medical information is kept in the school office in a locked filing cabinet. The questionnaire that the parents complete when their child joined the school contains each child's medical information. All accidents and injuries to pupils are recorded in the accidents book and face or head injury is reported to parents. Any significant known drug reactions, major allergies and notable medical conditions are recorded on the MIS system. This information is available to staff likely to administer medication or treatment. Chartwells (the school lunch provider) also holds details of pupils with food allergies.

All students who have a more serious level of medical need (e.g. diabetes, anaphylaxis) have an individual Health Care Plan (HCP) which is put together by the parents/guardian with the GP's/consultant's instructions for care within school should the event arise. The HCPs are then checked by the Nurses. Teachers who have contact with these students are made aware of pupils with serious health issues. The School Nurse holds the original copies.

The names of current pupils with medical conditions, or social information of a sensitive nature that may be of relevance to staff in their dealings with pupils, for example, when arranging trips and visits are made available from the MIS system for each class.

Access by Staff

All teaching and office staff are able to access the school's password protected database. Teaching staff may consult the pupil records held in the School Office.

Data Protection Policy

Parents accept a place for their child at St Mary's School in the knowledge that data about pupils and their parents will be collected periodically and stored and processed in order to allow for the efficient operation of the school.

Parents who accept a place for their child at St Mary's CE School are invited to agree to the school using anonymous photographs of their child and information relating to his or her achievements for promotional purposes, which may be published in the prospectus or on the web site

Access by Parents and Pupils

The Data Protection Policy describes its duties and obligations under the Data Protection Act, including parents' rights and the rights of pupils aged 12 or over to have access to their personal data. It also covers the circumstances under which data would be disclosed to a third party.

Fair Processing Notice

St Mary's CE School will comply with a Fair Processing Notice legally issued by a public body or other authority that is a data controller and is subject to the same legal constraints regarding the manner in which it handles data.

Staff Induction

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

Retention of Records Security

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

Retention Periods

One consideration in whether it is necessary or desirable to keep records is possible future litigation. Ideally, therefore, records would not be disposed of until the limitation period for bringing a claim has passed. For most contracts that will mean 6 years from any breach (or 12 years in case of, say, a witnessed deed), but the date to start counting from is the last day of the period under contract. For pupils, limitation periods will only apply from the age of 18 years.

The period of 6 years also applies to many claims outside contract (such as fraud, mistake or negligence), while in the case of personal injury it is only 3 years. However, if the harm is only discovered later - e.g. 'latent' damage, or some unseen injury - then the timer only starts from the point of discovery: subject, in the case of latent property damage, to a 15- year backstop.

3. SLT / Management

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

4. Pupils				
Basic file description	Data Protection Issues	Retention Period	Action at the end of the administrative life of the record	
Admission Registers (including application forms, assessments and records of decisions)	Yes	Date of pupil leaving school + 7 years	SHRED	For pupils who apply to but are not admitted to school, retain for 7 years from date of decision.
Attendance registers	Yes	Date of register + 7 years	SHRED	If these records are retained electronically any backup copies should be destroyed at the same time
Pupil record cards	Yes			
• Junior		Retain for the time which the pupil remains at the	Transfer to the senior school (or other junior school) when the child leaves the school	
• Senior		DOB of the pupil + 25 years	SHRED	In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service
Pupil files	Yes			
• Junior		Retain for the time Which the pupil remains at the junior school	Transfer to the senior school (or other junior school) when the child leaves the school	
• Senior		DOB of the pupil + 25 years	SHRED	In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service
Special Educational Needs files, Reviews and Individual Education Plans	Yes	DOB of the pupil + 25 years	SHRED	In the case of exclusion it may be appropriate to transfer the record to the Behaviour Service
Letters authorising absence	No	Date of absence + 2 years	DESTROY	

4. Pupils (continued)

Basic file description	Data Protection Issues	Retention Period	Action at the end of the administrative life of the record	
Absence books	No	Current year + 7 years	DESTROY	
Pupil Medical Records	Yes	DOB of the pupil + 25 years	SHRED	
Examination results	Yes			
• Public		Year of examinations + 7 years	SHRED	Any certificates left unclaimed should be returned to the appropriate Examination Board.
• Internal examination results		Current year + 5 years	SHRED	If these records are retained on the pupil file or in their National Record of Achievement they need only be kept for as long as operationally necessary.
Any other records created in the course of contact with pupils	Yes/No	Current year + 3 years	REVIEW/SHED	Review at the end of 3 years and either allocate a further retention period or destroy.
Statement maintained under The Education Act 1996 -Section 324	Yes	DOB + 30 years	SHRED	Unless legal action is pending, in which case retain.
Proposed statement or amended statement	Yes	DOB + 30 years	SHRED	Unless legal action is pending, in which case retain.
Advice and information to parents regarding educational needs	Yes	Closure + 12 years	SHRED	Unless legal action is pending, in which case retain.
Accessibility Strategy	Yes	Closure + 12 years	SHRED	Unless legal action is pending, in which case retain.
Children SEN Files	Yes	DOB + 35 years	SHRED	Unless legal action is pending, in which case retain.

5. Curriculum

Basic file description	Data Protection Issues	Retention Period	Action at the end of the administrative life of the record	
Curriculum development	No	Current year + 7 Years	DESTROY	
Curriculum returns	No	Current year + 3 years	DESTROY	
School syllabus	No	Current year + 1 year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Schemes of work	No	Current year + 1 year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Timetable	No	Current year + 1 year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Class record books	No	Current year + 1 year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Mark Books	No	Current year + 1 Year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Record of homework set	No	Current year + 1 year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Pupils' work	No	Current year + 1 year	DESTROY	Review these records at the end of each year and allocate a new retention period or destroy.
Examination results	Yes	Current year + 7 Years	SHRED	Also, see above under section 4 – Pupil Records.
SATS records	Yes	Current year + 7 years	SHRED	
Trip Records	Yes	Date of Trip + 2 years	SHRED	Also, see Health and safety with regard to risk assessments. Records should be retained for longer if an incident occurs.

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