Thameside Primary School: Records Management Procedure

Approved by Governors: September 2020

Last reviewed: September 2022

Next Review date: September 2024

Contents

Policy reviewed by:	Vicki Lucas
Key Changes:	**Included section on Cyber Security Page 16**

Definitions

Data Protection Act 1998	The law on data protection, known as the Data Protection Act 1998 of the United Kingdom, as amended , hereinafter referred to as "the DPA"
Data Controller	A person or organisation that handles and processes personal data and determines the manner in which such data should be processed
Data Protection Officer (DPO)	The person appointed by the School to have day-to-day responsibility for Personal Data. The role is a statutory role from May 2018.
Department for Education	The government department with regulatory powers, referred to as "DfE"
Personal Data	Any information from which a living individual can be identified
Sensitive Personal Data	Any Personal Data which includes further information as defined in the DPA. Further information includes (i) racial or ethnic origin; (ii) political opinions; (iii) religious beliefs; (iv) membership of a trade union; (v) physical or mental health or condition; (vi) sex life; (vii) information about any criminal offence or court proceedings related to a criminal offence
ICO	The Information Commissioner's Office. The Information Commissioner is the statutory regulator of the DPA
Fair Processing Notice	summarises the information held on pupils, why it is held and the other parties to whom it may be passed on
Reading Borough Council	The local authority and local education authority, often referred to as "RBC"

Mission Statement

The School holds large amounts of personal and sensitive data. It is responsible for safeguarding the data it holds and is legally bound under the Data Protection Act 1998 to ensure the security and confidentiality of personal information processed. These responsibilities extend to other organisations working on behalf of the School.

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.

PURPOSE

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. It covers:

- **Scope**
- **Responsibilities**
- **Relationships with existing policies**

1. Scope of the policy

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

2.1 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 Headteacher.

2.2 The Headteacher will give guidance about good records management practice and will promote compliance with this Policy so that information will be retrieved easily, appropriately and in a timely way. They will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed appropriately.

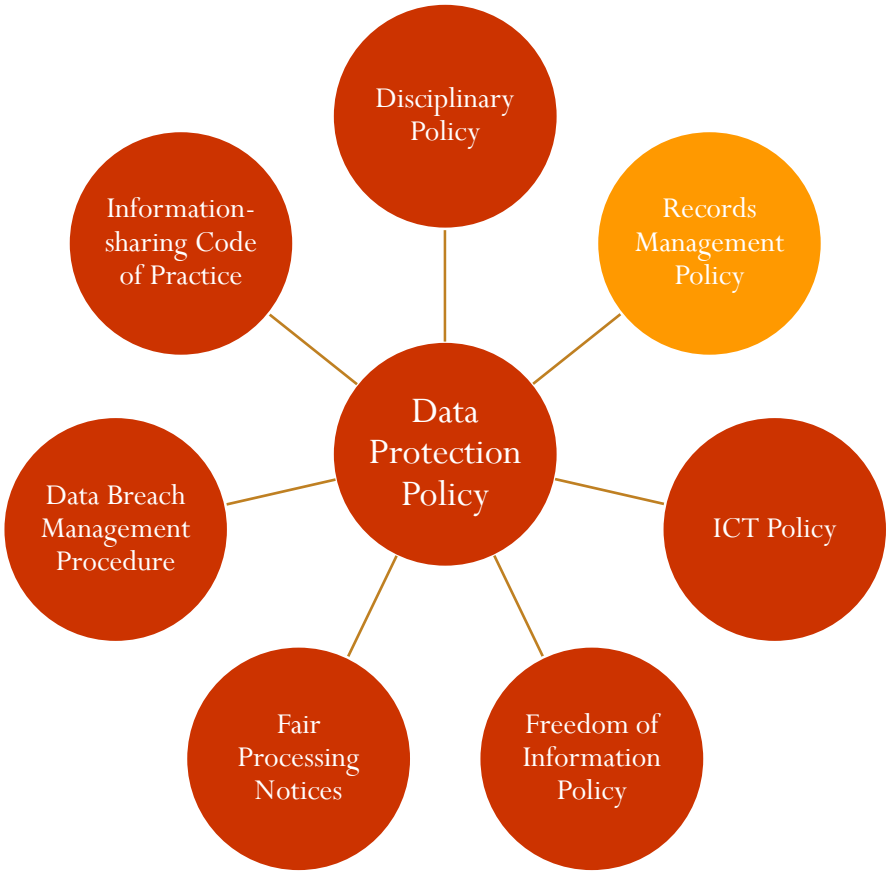
2.3 Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the school's records management guidelines.

3 Relationships with existing policies

Staff are expected to adhere to the principles and spirit of this Procedure in order to protect Personal Data belonging to our pupils, parents, friends of the School and other members of staff and mitigate against the loss of any Personal Data. Anyone found to have breached this Procedure may find that the School will invoke the Disciplinary Procedure.

This Procedure has been approved by the governors of the School, and is evidence of the commitment the School makes to safeguarding personal data.

This spidergram shows how this Procedure interacts with the Data Protection Policy and other policies.



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.

Paper records and electronic records will be regularly monitored by:

Staff- the school business manager

Pupils- the headteacher

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.

DESTRUCTION OF RECORDS

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;
- 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 by the school business manager. 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. Primary schools do not need to keep copies of any records in the pupil record except if there is an ongoing legal action when the pupil leaves the school. Custody of and responsibility for the records passes to the school the pupil transfers to.

If files are sent by post, they should be sent by registered post with an accompanying list of the files. Where possible, the secondary school should sign a copy of the list to say that they have received the files and return that to the primary school. Where appropriate, records can be delivered by hand with signed confirmation for tracking and auditing purposes.

Electronic documents that relate to the pupil file also need to be transferred, or, if duplicated in a master paper file, destroyed.

RESPONSIBILITY AND MONITORING

The Headteacher 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. 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.

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. These guidelines are based on the assumption that the pupil record is a principal record and that all information relating to the pupil will be found in the file (although it may spread across more than one file cover).

File covers for pupil records

The School will use consistent file cover for the pupil record. By using pre-printed file covers all the necessary information is collated and the record looks tidy and reflects the fact that it is the principal record containing all the information about an individual child. The use of standard document wallets should be avoided as it is very difficult to ensure that all the information required by the School is recorded consistently.

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 the Data Protection Act 1998; further information about this is contained in the School's Data Protection Policy. It is important to remember that all information should be accurately recorded, objective in nature and expressed in a professional manner.

Opening a file

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. If pre-printed file covers are not being used then the following information should appear on the front of the paper file:

Surname	
Forename	
DOB	
Special Educational Needs Yes/No	This is to enable the files of children with special educational needs to be easily identified for longer retention

The file cover should also contain a note of the date when the file was opened and the date when the file is closed if it is felt to be appropriate. Inside the front cover the following information should be easily accessible:

The name of the pupil's doctor	
Emergency contact details	
Gender	
Preferred name	
Position in family	
Ethnic origin	although this is sensitive personal data under the Data Protection Act 1998, the Department for Education require statistics about ethnicity
Language of home (if other than English)	
Religion	although this is sensitive personal data under the Data Protection Act 1998, the School must collect this data in order to be able to deliver education in line with pupils' differing faiths and so as not to breach equality legislation
Any allergies or other medical conditions that it is important for the School to be aware of	although this is sensitive personal data, the School requires this data in order to be able to administer medication or in the case of medical emergencies
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, admission number and the date of admission and the date of leaving.	
Any other agency involvement e.g. speech and language therapist, paediatrician	
Nationality	This information is necessary for the School to comply with the government's school census
Country of Birth	

It is essential that these files, which contain personal information, are managed against the information security guidelines contained in the Data Protection Policy.

Items which should be included on the pupil record

• If the pupil has attended an early years setting, then the record of transfer should be included on the pupil file

• Admission form (application form)

• Fair processing notice [if these are issued annually only the most recent need be on the file]

• Parental permission for photographs to be taken (or not)

• Years Record

• Annual Written Report to Parents

• National Curriculum and R.E. Agreed Syllabus Record Sheets

• 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 clearly marked as such)

• Child protection reports/disclosures (should be stored in the file in an envelope clearly marked as such)

• 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

Other items on pupil records

The following records should be stored separately to the pupil record as they are subject to shorter retention periods and if they are placed on the file then it will involve a lot of unnecessary weeding of the files before they are transferred on to another school. These records (except for the Accident Forms) can be destroyed.

• 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)

Pupil work

Should be returned to the pupil at the end of the academic year.

Retention Periods

FILE DESCRIPTION	RETENTION PERIOD
Employment Records	
Job applications and interview records of unsuccessful candidates	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	6 years after employment ceases
Written particulars of employment, contracts of employment and changes to terms and conditions	6 years after employment ceases
Right to work documentation including identification documents	6 years after employment ceases
Immigration checks	Two years after the termination of employment
DBS checks and disclosures of criminal records forms	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	No longer than 6 months after receiving this notification
Emergency contact details	Destroyed on termination
Personnel and training records	While employment continues and up to six years after employment ceases, or for the length of time specified by the awarding professional body
Staff training where it relates to safeguarding or other child related training	Date of the training plus 40 years
Annual appraisal/assessment records	Current year plus 6 years
Annual leave records	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	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	• Two years from the date on which they were entered into • Two years after the relevant period
Disciplinary and training records	6 years after employment ceases
Allegations of a child protection nature against a member of staff including where the allegation is founded	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	12 years
Retirement benefits schemes – notifiable events (for example, relating to incapacity)	6 years from the end of the scheme year in which the event took place
Payroll and wage records	6 years after end of tax year they relate to
Maternity/Adoption/Paternity Leave records	3 years after end of tax year they relate to
Statutory Sick Pay	3 years after the end of the tax year they relate to
Current bank details	Until updated plus 3 years
Pupil Premium Fund records	Date pupil leaves the provision plus 6 years
National Insurance (schedule of payments)	Current year plus 6 years
Insurance	Current year plus 6 years
Overtime	Current year plus 3 years
Annual accounts	Current year plus 6 years
Loans and grants managed by the School	Date of last payment on the loan plus 12 years
All records relating to the creation and management of budgets	Life of the budget plus 3 years
Invoices, receipts, order books and requisitions, delivery notices	Current financial year plus 6 years
Student Grant applications	Current year plus 3 years
Pupil Premium Fund records	Date pupil leaves the school plus 6 years
School fund documentation (including but not limited to invoices, cheque books, receipts, bank statements etc).	Current year plus 6 years
Free school meals registers (where the register is used as a basis for funding)	Current year plus 6 years
School meal registers and summary sheets	Current year plus 3 years
Agreements and Administration Paperwork	
Collective workforce agreements and past agreements that could affect present employees	Permanently
Trade union agreements	10 years after ceasing to be effective
School Development Plans	3 years from the life of the plan
Professional Development Plans	6 years from the life of the plan

Visitors Book and Signing In Sheets	6 years
Newsletters and circulars to staff, parents and pupils	1 year
Minutes of Senior Management Team meetings	Date of the meeting plus 3 or as required
Reports created by the Head Teacher or the Senior Management Team.	Date of the report plus a minimum of 3 years or as required
Records relating to the creation and publication of the school prospectus	Current academic year plus 3 years
Health and Safety Records	
Health and Safety consultations	Permanently
Health and Safety Risk Assessments	3 years from the life of the risk assessment
Health and safety Policy Statements	Life of policy plus 3 years
Any records relating to any reportable death, injury, disease or dangerous occurrence	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	Accident book should be retained 3 years after last entry in the book.
Accident reporting records relating to individuals who are over 18 years of age at the time of the incident	Accident book should be retained 3 years after last entry in the book
Fire precaution log books	Current year plus 3 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)	40 years from the date of the last entry made in the record
Records of tests and examinations of control systems and protection equipment under COSHH	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	3 years
Governing Body Documents *(documents referenced have been stored online on Governor Hub since 2015)*	
Instruments of government	For the life of the School
Meetings schedule	Current year
Minutes – principal set (signed)	Generally kept for the life of the organisation

Agendas – principal copy	Where possible the agenda should be stored with the principal set of the minutes
Agendas – additional copies	Date of meeting
Policy documents created and administered by the governing body	Until replaced.
Register of attendance at full governing board meetings	Date of last meeting in the book plus 6 years
Annual reports required by the Department of Education	Date of report plus 10 years
Records relating to complaints made to and investigated by the governing body or head teacher	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.
Correspondence sent and received by the governing body or head teacher	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	Date appointment ceases plus 6 years
Register of business interests	Date appointment ceases plus 6 years
Records relating to the training required and received by governors	Date appointment ceases plus 6 years
Records relating to the appointment of a clerk to the governing body	Date on which clerk appointment ceases plus 6 years
Governor personnel files	Date of appointment plus 6 years
Pupil Records	
Details of whether admission is successful/unsuccessful	1 year from the date of admission/non-admission
Proof of address supplied by parents as part of the admissions process	Current year plus 1 year
Admissions register	Entries to be preserved for three years from date of entry
Pupil Record	Primary – Whilst the child attends the School
Attendance Registers	3 years from the date of entry
Correspondence relating to any absence (authorised or unauthorised)	Current academic year plus 2 years
Special Educational Needs files, reviews and Education, Health and Care Plan, including advice and information provided to parents regarding educational needs and accessibility strategy	Date of birth of the pupil plus 31 years (Education, Health and Care Plan 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).
Child protection information (to be held in a separate file).	DOB of the child plus 25 years then review Note: These records will be subject to any instruction given by IICSA
Exam results (pupil copy)	1-3 years from the date the results are released.
Examination results (school's copy)	Current year plus 6 years
Allegations of sexual abuse	For the time period of an inquiry by the Independent Inquiry into Child Sexual Abuse.

Records relating to any allegation of a child protection nature against a member of staff	Until the accused normal retirement age or 10 years from the date of the allegation (whichever is the longer)
Consents relating to school activities as part of GDPR compliance (for example, consent to be sent circulars or mailings)	Consent will last whilst the pupil attends the school.
Pupil's work	Where possible, returned to pupil at the end of the academic year .
Mark books	Current year plus 1 year.
Schemes of work	Current year plus 1 year
Timetable	Current year plus 1 year
Class record books	Current year plus 1 year
Record of homework set	Current year plus 1 year
Photographs of pupils	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	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	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

Other records	
Emails	The school will delete non-essential emails on an annual basis i.e. those not saved to folders by staff. All emails will be deleted after a period of 3 years unless there is a specific reason given.
Privacy notices	Until replaced plus 6 years.
Inventories of furniture and equipment	Current year plus 6 years
All records relating to the maintenance of the School carried out by contractors or employees of the school	Whilst the building belongs to the school.
Records relating to the letting of school premises	Current financial year plus 6 years
Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	Current year plus 6 years then review
Referral forms	While the referral is current
Contact data sheets	Current year then review, if contact is no longer active then destroy

Training & Development

The School is committed to ensuring the staff adopt the highest standards in relation to the processing and handling of Personal Data.

New staff will be trained within 3 months of their joining the School and being able to access Personal Data.

Staff will be re-trained according to their needs against the tide of new guidance and legislation. It is anticipated that this will usually be annually.

Cyber Security

Cyber-crime is a significant and growing risk, with cyber attacks increasing in both volume and technical sophistication. Increasing in frequency and complexity, cyber-attacks on schools have major implications for teaching and learning, school budgets, parent communication, and the protection of sensitive personal data.

Phishing emails are the prime weapon in the hacker's arsenal.

According the government's National Cyber Security Centre (NCSC): "Phishing is when attackers attempt to trick users into doing 'the wrong thing', such as clicking a bad link that will download malware or direct them to a dodgy website.

"Phishing can be conducted via a text message, social media or by phone, but the term 'phishing' is mainly used to describe attacks that arrive by email."

The school recognises and understands the potential risk of a breach of data security via cyber-crime and understand the nature and significance of the cyber security threats they face and what it should do to stay secure. The school do the following to keep its data systems and data secure:

Unique passwords are set for each employee and pupil

The network receives regularly software updates to ensure it has software enabled to adequately protect against the latest cyber attacks.

Staff receive training on what to look out for and in-depth training for staff is essential so that they can spot phishing attacks- Self Learn Video https://www.ncsc.gov.uk/information/cyber-security-training-schools

Control how USB drives (and memory cards) can be used in school

Install antivirus software

We make it difficult for attackers to reach your staff email addresses- we don't publicise Teacher email address externally or on school's website. Only key email addresses are publicised.

In the event of a cyber attack on the school or loss of data the school will implement a formal 'lessons learned' process in the aftermath of a data breach to determine what else can be done to strengthen security of our data.

Further Information

Any person reading this Procedure requiring further information or assistance is invited to contact the School Business Manager or Headteacher.

Where any person has a complaint about the way the School has handled their Personal Data or that of their child's, they may address their concern in writing to the Headteacher.

For further information about the DPA and its application, the Information Commissioner's Office has a wealth of information on its website – www.ico.org.uk

Data Protection Officer: Craig Stilwell

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Email: dataservices@judicium.com

Telephone: 0203 326 9174

V Lucas, SBM Sept 2022