

# Tenterden Schools Trust



## Records Management Policy and Retention Guidelines

Date to Trust Board  
24<sup>th</sup> May 2022

**TENTERDEN SCHOOLS TRUST**

**Records Management Policy and Retention Guidelines**

**This policy will be reviewed every 3 years**

**DATE OF POLICY: MAY 2022**

**DATE OF REVIEW: MAY 2025**

**Member of staff responsible for Policy:**

**Chief Executive Officer & Data Protection Officer**

**Signed**



**Chief Executive Officer**

**Signed**



**Chair of the Trust Board**

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## 1. About this policy

Within this policy the term 'learner' will be used to refer to students in secondary setting and pupils within primary settings

Tenterden Schools Trust (TST) in the course of its activities, processes and keeps certain information about its staff, governors/directors, students/pupils and their families, suppliers and other individuals.

TST recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Trust and its schools.

This policy sets out details of how long the Trust retains specific categories of information (including personal information). Under UK data protection legislation, the Trust is legally required to ensure that information which is capable of identifying any individual(s) is not retained by the Trust for any longer than is necessary. The purpose of this policy is to provide the Trust's Data Users with explicit guidance on how long the categories of information below should be retained by the Trust and what action should be taken at the end of the administrative life of the record. It provides the framework through which this effective management can be achieved and audited.

This policy should be read in conjunction with the following related Trust policies:

- Data Protection Policy
- ICT Acceptable Use Policy
- CCTV Policy
- Freedom of Information Policy

## 2. Legal Framework

2.1. This policy has due regard to legislation including, but not limited to, the following:

- The General Data Protection Regulation ((EU) 2016/679
- Data Protection Act 2018
- Freedom of Information Act 2000
- Limitation Act 1980 (as amended by the Limitation Amendment Act 1980)

- 2.2. This policy also has due regard to the following guidance in particular:
- Information Records Management Society (IRMS) Academies Toolkit 2019
  - DfE (2018) Data protection : a toolkit for schools

### 3. Responsibilities

3.1. The Trust as a whole has a responsibility for maintaining its records and record-keeping systems in line with statutory requirements. The person with overall responsibility for this policy is the Chief Executive Officer.

Each school within the Trust has a responsibility for maintaining its records and record-keeping systems in line with statutory requirements and this policy

3.2. The Trust's Data Protection Officer (DPO) is Sally Marsh whose email address is [dpo@tenterden-schools-trust.com](mailto:dpo@tenterden-schools-trust.com). The DPO is responsible for overseeing data protection compliance within the Trust, including promoting compliance with this policy and reviewing the policy (which will be conducted every two years).

3.3. All staff members are responsible for ensuring that any records for which they are responsible are accurate, maintained securely and disposed of correctly, in line with the provisions of this policy. And in accordance with the regulatory environment.

### 4. Records Management Good Practice

Good practice with regard to managing records requires consideration of matters such as:

- a. Ensuring accessibility of files when required
- b. Ensuring records are kept only for as long as necessary
- c. Preventing duplication of records
- d. Storage of records in the correct location.

Therefore, some general guidelines which may help to meet or address these matters are:

1. Avoid duplication - only create records where necessary,
2. Name files, electronic and paper, in a way that is meaningful to yourself and your colleagues,
3. Avoid long, complicated numbering or coding that may lead to misfiling
4. Have a filing system that has the security arrangements allowing access by all those that have the right to access the files e.g. computer access restrictions, computer passwords, locked filing cabinets and rooms.
5. Store material appropriately
6. Do not overfill boxes or cabinets
7. Sort files regularly
8. Dispose of records in a secure and timely manner using confidential waste collection or designated shredding facilities

How long records should be kept will vary depending on the type of documentation and any legal constraints. The Trust's Document Retention Schedule (Section 10) outlines the documents should be retained and what actions should be taken at the end of the administrative life of the record.

Records should be held in files - these may be paper based or held electronically in shared directories, databases or document management systems. The files should be organised in a structured way and have some indication as to their contents and relevance. Where there are confidentiality issues, files may be held in a secure storage area, on a computer or email box but there must be arrangements in place to enable colleagues (with the correct access rights) to access them in your absence.

Records that may require filing will vary according to the work being done, however, reasons for keeping records include but are not limited to:

- Legal requirements
- Required for operational business reasons
- Required for financial and accounting purposes
- Information to explain decision making processes
- Reasons of public accountability i.e. Information that may be needed if certain decisions are challenged.

For most data, there should be one lead copy and this should be held by the person or department who has the lead on the topic concerned. For example, a schedule of consents for a school trip may have to be printed for the accompanying teacher. The electronic file should be kept and attached to the Evolve record. All other records or copies should be destroyed. Other members of staff may also have a file on the same subject but they should keep this only for so long as is needed for their personal reference.

If a folder is created on a shared drive or on your personal drive, you should take responsibility for maintaining the contents of that folder. Material should not be allowed to accumulate or remain on folders when it is out of date.

## 5. Management of student/pupil (learner) records

Learner records are specific documents that are used throughout a learner's time in the education system - they are passed to each school or academy that a learner attends and includes all personal information relating to them e.g. date of birth, home address, as well as their progress and achievement.

The following information is stored on the front of a learner record, and will be easily accessible:

- Forename, surname, gender and date of birth
- Unique pupil number
- Note of the date when the file was opened
- Note of the date when the file was closed, if appropriate.

The following documents are recommended for inclusion on a learner record

- The record of transfer, if the pupil has attended an Early Years setting
- Admission form
- The current data collection/checking form
- Annual written reports to parents
- National Curriculum and RE syllabus record sheets
- Any information relating to a major incident involving the child
- Any information relating to exclusions (fixed period or permanent)

- Specific correspondence with parents or outside agencies relating to major issues
- Summary details of complaints made by the parents or pupil relevant to the child's ongoing education or behaviour
- Pupil copies of examination results
- SATs results

The following information is subject to shorter retention periods and therefore will be stored separately in a personal file for the pupil in an appropriate secure location. The should **not** be forwarded to the learner's next school

- Attendance Registers and information
- Absence notes and correspondence
- Parental and where appropriate, pupil consent forms for educational visits, photographs and videos etc.
- Accident forms (a copy can be placed on the pupil record if it is a major incident)
- Medicine consent and administering records
- Copies of birth certificates, passports, etc.
- Correspondence with parents about minor issues, e.g. behaviour
- Pupil work and drawings
- Previous data collection forms which have been superseded.

Hard copies of disclosures and reports relating to child protection are stored in a securely locked filing cabinet in a securely locked room.

Hard copies of complaints made by parents or learners are stored separately in a file in an appropriate secure location.

Actual copies of accident and incident information are stored separately on the individual academies' management information system and held in line with the retention periods outlined in this policy - a note indicating this is marked on the pupil's file. An additional copy may be placed in the pupil's file in the event of a major accident or incident.

Each academy will ensure that no learner records are altered or amended before transferring them to the next school that the pupil will attend.

The only exception to the above is if any records placed on the learner's file have a shorter retention period and may need to be removed. In such cases, a named individual will be responsible for disposing records and will remove these records.

Electronic records relating to a learner's record will also be transferred to the learner's next school.

Each school will, wherever possible, avoid sending a learner record by post. Where a learner record must be sent by post, it will be sent by registered post, with an accompanying list of the files included. The school it is sent to is required to sign a copy of the list to indicate that they have received the files and return this to the school.

## Secondary Academies including sixth forms.

If any learner attends the school until statutory school leaving age, the school will keep the learner's records until the learner reaches the age of 25 years. After this time the learner record will be destroyed or deleted in accordance with the retention schedule guidance (Section 10)

If you create a folder on a shared drive or on a personal drive, you should take responsibility for maintaining the contents of that folder. Do not allow out-of-date material to accumulate. Documents and folders should be given titles which are easily understood by all members of staff. Only use commonly understood abbreviations. Do not store multiple versions / copies of the same data.

Do not use your computer hard drive (c:// drive) to store information as this drive is not backed up. Use your personal drive only for information that is confidential or personal or does not need to be shared within the Trust. Use cloud storage such as Google Drive.

G Suite shared drives should be used for current work to which your colleagues may need access. Do not password protect material unless your colleagues know the password so that the information can be accessed in your absence. The shared drive can be set up with folder permissions to allow a restricted group of people to have access.

## 6. Confidential Records

6.1 Confidential records should be labelled or held in clearly marked 'Confidential' files and it should be clear as to who within the organisation is able to access and use these records. It is also good practice for the record to hold an intended publication date, as few records remain confidential for their entire life-span.

6.2 N.B. Labelling a record 'Confidential' does not exempt the record from being admissible under the Freedom of Information Act 2000. Further information can be obtained from the Trust's Freedom of Information Policy

6.3 Information being supplied in confidence should be stamped, marked, or include a statement that it is confidential or being supplied in confidence, and be treated in a consistent confidential manner.

6.4 The following guidelines should be followed for confidential records:

- a. Store confidential records in secure filing cabinets.
- b. Cabinets should always be kept locked when not in use, not located in a public area, and access to the confidential records should be restricted only to those employees that require the information;



- c. Confidential records should never be left in a public open area such as an in-tray or on a desk. The record should be returned to the cabinet when not in use;
- d. Confidential records must be destroyed by confidential waste disposal or shredding only;
- e. For electronic records, store confidential records in separate directories or files and restrict access to these directories or files;
- f. Laptops that hold confidential information must be Trust owned and encrypted by IT Services; Confidential information should not be copied to non-Trust equipment;

## 7. Emails & Attachments

7.1 Emails may be disclosed in response to a Freedom of Information or Subject Access Request and in legal cases. Electronic messages can be legally binding and the Trust may be held liable for defamatory statements in emails. For these reasons, do not put anything in emails that you would not say in other forms of communication. If an email contains important information or an important decision, it should be added to the relevant file/folder either electronically or a hard copy.

7.2 The majority of emails produced are trivial; it is therefore a drain on Trust resources to store them on our system and can cause a delay in responding to a subject request because of the additional time caused in searching through them. Keep information about people for no longer than necessary; this includes emails to and from or about people. You should delete emails as soon as possible and should not allow a backlog to accumulate as this then becomes difficult to manage. Emails should also be deleted from your deleted items folder and/or recycle bin.

7.3 Because email is a record you need to know that you can find it quickly and easily if you have to disclose it because of a Freedom of Information or Subject Access Request.

7.4 E-mails need to be treated just like other records you deal with. When you receive an email, act on it as soon as possible and then delete it. If it needs to be kept, then file it.

7.5 If an email is needed to record official business procedure, note that paper printouts of emails don't hold the same legal weight as emails filed electronically.

7.6 Sensitive documents such as SEN documents, should be scanned and sent by secure Email. Postal services (even Special Delivery) may not guarantee security of delivery and receipt by the intended recipient.

7.7 Avoid sending documents as attachments. Instead send a link or tell people where the document can be found. This ensures documents are less likely to get lost and everyone looks at the most up to date copy so there is no confusion over which version is the correct or latest one.

7.8 It is advised not to use a pupil's full name in an email header. This information could be easily visible if a screen is left on in the background.

## 8. Archive and Disposal

8.1 Documents should be archived in accordance with the Retention Schedule outlined in Section 10

8.2 You may wish to archive electronic files this should be done by creating an archive subfolder on a Trust network drive. Within the archive subfolder you can then create a folder named 'do not dispose' and numerous folders with the naming convention as the date of destruction. This will make it easier to dispose of the archived records when they reach their destruction date.

8.3 Before you begin to archive you will need to use items that are suitable for storing items long term such as archive cardboard boxes, paper files, plastic-ended treasury tags etc. as over time metal components may damage the files.

## 9. Policy Circulation

9.1 This Policy will be published on the Trust's website and included in the Trust's Policy Monitoring Schedule.

9.2 The Trustees are responsible for overseeing, reviewing and organising the revision of this

## 10. Retention Schedule

The following retention schedule has been drawn up using resources made available by the Institute of Records Management (IRMS) for Academy Schools. As per the IRMS guidance the schedule has been reviewed and revised taking account of the Trust's internal organisation and senior management approval.

### **The purpose of the retention guidelines**

Under the Freedom of Information Act 2000, schools are required to maintain a retention schedule, listing the record series which the school creates in the course of its business. The retention schedule lays down the length of time over which the record needs to be retained, and the action which should be taken when it is of no further administrative use. The retention schedule lays down the basis for normal processing under the General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000.

Members of staff are expected to manage their current recordkeeping systems using the retention schedule and to take account of differing retention periods when creating new recordkeeping systems.

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

### **Benefits of a retention schedule**

There are numerous benefits which arise from the use of a complete retention schedule:

- Managing records against the retention schedule is deemed to be “normal processing” under the General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000. Members of staff should be aware that once a Freedom of Information request is received or a legal hold imposed, then records disposal must be stopped.
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- Members of staff can be confident that information has been disposed of safely and at the appropriate time.
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- Managing records against the retention schedule is deemed to be “normal processing” under the General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000. Members of staff should be aware that once a Freedom of Information request is received or a legal hold imposed, then records disposal must be stopped.
- Members of staff can be confident that information has been disposed of safely and at the appropriate time.
- Information which is subject to the General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000 legislation will be available when required.

### **Maintaining and amending the retention schedule**

Where appropriate, the retention schedule should be reviewed and amended to include any new record series created, as well as to remove any obsolete record series.

This retention schedule contains recommended retention periods for the various record series created and maintained by Academies in the course of their business. The schedule refers to all information, regardless of the media in which it is stored.

Some of the retention periods are governed by statute; others are guidelines following best practice. Every effort has been made to ensure that these retention periods are compliant with the requirements of the General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000.

Managing record series using these retention guidelines will be deemed to be “normal processing” under the legislation mentioned above. If record series are to be kept for longer or shorter periods than those laid out in this document, the reasons for this need to be documented.

This schedule should be reviewed on a regular basis.

## 1. Governance, Funding and Financial Management of the Academy Trust

Academies are governed by the Academy Trust, which will usually be a company limited by guarantee<sup>1</sup>. The Academy Trust may also be a charitable trust.

1.1 Academy Trust Governance					
	Basic file description	Data Protection Issues	Statutory Provision	Retention Period (Operational)	Action a end of administrative life of the record
1.1.1	Governance Statement	No		Life of governance statement + 6 years	SECURE DISPOSAL
1.1.2	Articles of Association	No		Life of the Academy	
1.1.3	Memorandum of Association	No		Life of the Academy	
1.1.4	Memorandum of Understanding of Shared Governance among Schools	No	Companies Act 2006 s355	Life of Memorandum of Understanding + 6 years	SECURE DISPOSAL
1.1.5	Constitution	No		Life of the Academy	
1.1.6	Special Resolutions to amend the Constitution	No		Life of the Academy	
1.1.7	Written Scheme of Delegation	No	Companies Act 2006 s355	Life of Written Scheme of Delegation + 10 years	SECURE DISPOSAL

<sup>1</sup> A **company limited by guarantee** does not usually have a share capital or shareholders, but instead has members who act as guarantors. The guarantors give an undertaking to contribute a nominal amount (typically very small) in the event of winding up of the **company**. In the case of an Academy, the guarantors will guarantee the sum of £10 each.

1.1.8	Directors - Appointment	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.9Directos	Directors - Disqualification	No	Company Directors Disqualification Act 1986	Date of disqualification + 15 years	SECURE DISPOSAL
1.1.10	Directors - Termination of Office	No		Date of termination + 6 years	SECURE DISPOSAL
1.1.11	Annual Report - Trustees Report	No	Companies Act 2006 s355	Date of report + 10 years	SECURE DISPOSAL
1.1.12	Annual Report and Accounts	No		Date of report + 10 years	SECURE DISPOSAL
1.1.13	Annual Return	No		Date of report + 10 years	SECURE DISPOSAL
1.1.14	Appointment of Trustees and governors and Directors	Yes		Life of appointment + 6 years	SECURE DISPOSAL
1.1.15	Statement of Trustees Responsibilities	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.16	Appointment and removal of Members	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.17	Strategic Review	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.18	Strategic Plan (also known as School Development Plans)	No		Life of Plan	SECURE DISPOSAL
1.1.19	Accessibility Plan	There may be if the plan refers to specific	Limitation Act 1980 (S2)	Life of plan + 6 years	SECURE DISPOSAL

		pupils			
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<b>1.2 Board of Directors, Members Meetings and Governing Body</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
	<b>Board of Directors</b>				
1.2.1	Board Meeting Minutes	Could be if the minutes refer to living individuals	Companies Act 2006 s248	Minutes must be kept for at least 10 years from the date of the meeting	OFFER TO ARCHIVES
1.2.2	Board decisions	Could be if the minutes refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES
1.2.3	Board Meeting: Annual Schedule of Business	No		Current year	SECURE DISPOSAL
1.2.4	Board Meeting: Procedures for conduct of meeting	No	Limitation Act 1980 (s2)	Date procedures superseded + 6 years	SECURE DISPOSAL
	<b>Committees<sup>2</sup></b>				
1.2.5	Minutes relating to any committees set up by the Board of Directors	Could be if the minutes refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES

<sup>2</sup> The board can establish any committee and determine the constitution, membership and proceedings that will apply.

	<b>General Members' Meeting</b>				
1.2.6	Records relating to the management of the Annual General Meeting <sup>3</sup>	Could be if the minutes refer to living individuals	Companies Act 2006 s248	Minutes must be kept for at least 10 years from the date of the meeting <sup>4</sup>	OFFER TO ARCHIVES
	<b>Governors</b>				
1.2.8	Agendas for Governing Body meetings	May be data protection issues, if the meeting is dealing with confidential issues relating to staff		One copy should be retained with the master set of minutes. All other copies can be disposed of	OFFER TO ARCHIVES
1.2.9	Minutes of, and papers considered at, meetings of the Governing Body and its committees	May be data protection issues, if the meeting is dealing with confidential issues relating to staff		Minutes must be kept for at least 10 years from the date of the meeting	OFFER TO ARCHIVES
	Principal Set (signed)			Life of Academy	
	Inspection copies <sup>5</sup>			Date of meeting + 3 years	SECURE DISPOSAL

<sup>3</sup> Not all Academies are required to hold an Annual General Meeting for the Members – the requirement will be stated in the Constitution.

<sup>4</sup> The signed minutes must be kept securely together with the notice and agenda for the meeting and any supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

<sup>5</sup> These are the copies which the clerk to the Governor may wish to retain, so that requesters can view all the relevant information, without the clerk needing to print off and collate redacted copies of the minutes each time a request is made.

1.2.10	Reports presented to the Governing Body	May be data protection issues, if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports, then the reports should be kept for the life of the Academy	SECURE DISPOSAL or retain with the signed set of minutes
1.2.11	Meeting papers relating to the annual parents' meeting held under Section 33 of the Education Act 2002	No	Education Act 2002, s33	Date of the meeting + a minimum of 6 years	SECURE DISPOSAL
1.2.12	Trusts and Endowments managed by the Governing Body	No		PERMANENT	
1.2.13	Records relating to complaints dealt with by the Governing Body	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes	SECURE DISPOSAL
1.2.14	Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England) (Amendment) Regulation 2002	No	Education (Governor's Annual Reports) (England) (Amendment) Regulations 20032 SI2002 No1171	Date of report + 10 years	SECURE DISPOSAL
	Statutory Registers <sup>6</sup>				
1.2.15	Register of Directors		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL

<sup>6</sup> Academies are required by law to keep specific records, collectively known as statutory registers or the statutory books. The registers record information relating to the Academy's operations and structure, such as the current directors. Records should be kept up-to-date to reflect any changes that take place.



1.2.16	Register of Directors' interests (this is not a statutory register)			Life of the Academy + 6 years	SECURE DISPOSAL
1.2.17	Register of Directors' residential addresses		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.18	Register of gifts, hospitality and entertainments		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.19	Register of members		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.20	Register of secretaries		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.21	Register of Trustees interests			Life of the Academy + 6 years	SECURE DISPOSAL
1.2.22	Declaration of Interests Statements (Governors)(this is not a statutory register)			Life of the Academy + 6 years	SECURE DISPOSAL

1.3 Funding and Finance					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
	<b>Strategic Finance</b>				
1.3.1	Annual Audited Accounts including Statement of financial activities for the year	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.4	Records relating to the management of VAT	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.5	Accounts returns including Budget Forecast Return (BFR ) and the Budget Forecast Return Outturn (BFRO)	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.8	Charging and remissions policy	No		Date policy superseded + 3 years	SECURE DISPOSAL
	<b>Audit Arrangements</b>				
1.3.9	Audit Committee and appointment of responsible officers	No		Life of the Academy	SECURE DISPOSAL
1.3.10	Independent Auditor's report on financial statements	No		Financial year report relates to +	SECURE DISPOSAL

				6 years	
	<b>Funding Agreements</b>				
1.3.12	Funding Agreement with Secretary of State and supplemental funding agreements <sup>7</sup>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.13	Funding Agreement – Termination of the funding agreement <sup>8</sup>			Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.14	Funding Records – Capital Grant	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.15	Funding Records – Earmarked Annual Grant <a href="#">(EAG)</a>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.16	Funding Records – General Annual Grant <a href="#">(GAG)</a>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.17	Per pupil funding records	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.18	Exclusions agreement <sup>9</sup>	No		Date of last	SECURE DISPOSAL

<sup>7</sup> Where there is multi-Academy governance.

<sup>8</sup> Either party may give not less than 7 financial years' written notice to terminate the Agreement, such notice to expire on 31 August. Or, where the Academy has significant financial issues or is insolvent, the Agreement can be terminated by the Secretary of State to take effect on the date of the notice.

<sup>9</sup> The Academy can enter into an arrangement with a Local Authority (LA), so that payment will flow between the Academy and the LA, in the same way as it would do were the

				payment of funding + 6 years	
1.3.19	Funding records <sup>10</sup>	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.20	Gift Aid and Tax Relief	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.21	Records relating to loans	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	SECURE DISPOSAL
	<b>Payroll and Pensions</b>				
1.3.22	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	SECURE DISPOSAL
1.3.23	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	YES	Regulation 15 Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)	From the end of last payment on the pension + 6 years	SECURE DISPOSAL
1.3.24	Management of the Teachers' Pension Scheme	Yes		Date of last payment on the pension + 6 years	SECURE DISPOSAL

Academy a maintained school.

<sup>10</sup> Funding agreement which says that the Academy can receive donations and can only charge where the law allows maintained schools to charge [see Charging and Remission Policy].

1.3.25	Records relating to pension registrations	Yes		Date of last payment on the pension + 6 years	SECURE DISPOSAL
1.3.26	Payroll records	Yes		Date payroll run + 6 years	SECURE DISPOSAL
	<b>Risk Management and Insurance</b>				
1.3.27	Insurance policies	No		Date the policy expires + 6 years	SECURE DISPOSAL
1.3.28	Records relating to the settlement of insurance claims	No		Date claim settled + 6 years	SECURE DISPOSAL
1.3.29	Employer's Liability Insurance Certificate	No		Closure of the school + 40 years	SECURE DISPOSAL
	<b>Endowment Funds and Investments</b>				
1.3.30	Investment policies	No		Life of the investment + 6 years	SECURE DISPOSAL
1.3.31	Management of Endowment Funds	No		Life of the fund + 6 years	
	<b>Accounts and Statements</b>				
1.3.32	Annual management accounts	No		Current year + 6 years	STANDARD DISPOSAL
1.3.33	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then REVIEW	SECURE DISPOSAL

1.3.34	Student Grant applications e.g. Sixth Form Bursary applications	Yes		Current year + 3 years	SECURE DISPOSAL
1.3.35	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	SECURE DISPOSAL
1.3.36	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.37	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.38	Records relating to the identification and collection of debt	No		Current financial year + 6 years	SECURE DISPOSAL
	<b>Contract Management</b>				
1.3.39	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years	SECURE DISPOSAL
1.3.40	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years	SECURE DISPOSAL
1.3.41	Records relating to the monitoring of contracts	No		Current year + 2 years	SECURE DISPOSAL
	<b>Asset Management</b>				
1.3.43	Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL

1.3.44	Records relating to the lettings.	No		Current year + 6 years	SECURE DISPOSAL
1.3.45	Land and building valuations	No		Date valuation superseded + 6 years	SECURE DISPOSAL
1.3.46	Disposal of assets	No		Date asset disposed of + 6 years	SECURE DISPOSAL
1.3.47	Leases for land	No		Date lease expires + 6 years	SECURE DISPOSAL
1.3.48	Commercial transfer arrangements	No		Date of transfer + 6 years	SECURE DISPOSAL
1.3.49	Transfer of land to the Academy Trust	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
1.3.50	Transfers of freehold land	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
	<b>School Fund</b>				
1.3.51	School Fund – Cheque books	No		Current year + 6 years	SECURE DISPOSAL
1.3.52	School Fund – Paying in books	No		Current year + 6 years	SECURE DISPOSAL
1.3.53	School Fund – Ledger	No		Current year + 6 years	SECURE DISPOSAL

1.3.54	School Fund – Invoices	No		Current year + 6 years	SECURE DISPOSAL
1.3.55	School Fund – Receipts	No		Current year + 6 years	SECURE DISPOSAL
1.3.56	School Fund – Bank statements	No		Current year + 6 years	SECURE DISPOSAL
1.3.57	School Fund – Journey books	No		Current year + 6 years	SECURE DISPOSAL
	<b>School Meals<sup>11</sup></b>				
1.3.58	Free school meals registers	Yes		Current year + 6 years	SECURE DISPOSAL
1.3.59	School meals registers	Yes		Current year + 3 years	SECURE DISPOSAL
1.3.60	School meals summary sheets	No		Current year + 3 years	SECURE DISPOSAL

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<sup>11</sup> Unless it would be unreasonable to do so, school lunches should be provided when they are requested by, or on behalf of, any pupil. A school lunch must be provided free of charge to any pupil entitled to free school lunches. From September 2014, free school lunches must be provided to all KS1 pupils. As a charity, an Academy is not permitted to trade and make a profit. It is, however, possible to set up a subsidiary trading company, which can sell products or services and Gift Aid profits back to the Academy. If the Academy operates a subsidiary company, it is expected that these records will be managed in line with standard business practice.



1.4 Policies, Frameworks and overarching Requirements					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
1.4.1	Data Protection Policy, including data protection notification	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.2	Freedom of Information Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.3	Information Security Breach Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.4	Special Educational Needs Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.5	Complaints Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.6	Risk and Control Framework	No		Life of framework + 6 years	SECURE DISPOSAL
1.4.7	All other Trust/School policies	No		Date rules or bylaws superseded + 6 years	SECURE DISPOSAL
1.4.9	Home School Agreements <sup>12</sup>	No		Date agreement revised + 6 years	SECURE DISPOSAL

<sup>12</sup> This should be drawn up in consultation with parents and should apply to all pupils.

1.4.10	Equality Information and Objectives (public sector equality duty) Statement for publication	No		Date policy superseded + 6 years	SECURE DISPOSAL
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## 2. Human Resources

2.1 Recruitment <sup>13</sup>					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
2.1.3	All records leading up to the appointment of a new member of staff – successful candidate	Yes		All relevant information should be added to the Staff Personal File (see below) and all other information retained for 6 months	SECURE DISPOSAL
2.1.4	Pre-employment vetting information – DBS Checks <sup>14</sup>	No	DBS Update Service Employer Guide (last update Sept 2018)	The organisation should take a copy of the DBS certificate when it is shown to them by the individual and should be added to the Staff Personal File	SECURE DISPOSAL

<sup>13</sup> Academies do not necessarily have to employ people with qualified teacher status; only the SEN and designated LAC teacher must be qualified.

<sup>14</sup> Academies are bound by the legislation that applies to independent schools NOT maintained schools.

2.1.5	Proofs of identity collected as part of the process of checking “portable” enhanced DBS disclosure	Yes		Where possible, these should be checked, and a note kept of what was seen and what has been checked. If it is felt necessary to keep copy documentation, then this should be added to the Staff Personal File	SECURE DISPOSAL
2.1.6	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom <sup>15</sup>	Yes	An employer’s guide to right to work checks [Home Office May 2015]	Where possible, these documents should be added to the Staff Personal File, but if they are kept separately, then the Home Office requires that the documents are kept for termination of employment plus not less than 2 years	SECURE DISPOSAL
2.1.7	Records relating to the employment of overseas teachers	Yes		Where possible, these documents should be added to the Staff Personal File, but if they are kept separately, then the Home Office requires that the documents are kept for termination of employment plus not less than 2 years	SECURE DISPOSAL

<sup>15</sup> Employers are required to take a “clear copy” of the documents which they are shown as part of this process.

2.1.8	Records relating to the TUPE process	Yes		Date last member of staff transfers or leaves the organisation + 6 years	SECURE DISPOSAL
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## 2.2 Operational Staff Management

	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
2.2.1	Staff Personal File, including employment contract and staff training records	Yes	Limitation Act 1980 (Section 2)	Termination of employment + 6 years	SECURE DISPOSAL
2.2.2	Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL
2.2.3	Annual appraisal/assessment records	Yes		Current year + 5 years	SECURE DISPOSAL
2.2.4	Records relating to the agreement of pay and conditions	No		Date pay and conditions superseded + 6 years	SECURE DISPOSAL
2.2.5	Training needs analysis	No		Current year + 1 year	SECURE DISPOSAL

2.3 Management of Disciplinary and Grievance Processes					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
2.3.1	Allegation which is child protection in nature against a member of staff, including where the allegation is unfounded <sup>16</sup>	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	Until the person’s normal retirement age or 10 years from the date of the allegation, whichever is longer, then REVIEW	SECURE DISPOSAL These records must be shredded
2.3.2	Disciplinary Proceedings	Yes			

<sup>16</sup> This review took place when the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention.

	<ul style="list-style-type: none"> <li>Oral warning</li> </ul>			Date of warning <sup>17</sup> + 6 months	SECURE DISPOSAL <sup>18</sup>
	<ul style="list-style-type: none"> <li>Written warning – level 1</li> </ul>			Date of warning + 6 months	SECURE DISPOSAL <sup>19</sup>
	<ul style="list-style-type: none"> <li>Written warning – level 2</li> </ul>			Date of warning + 12 months	SECURE DISPOSAL <sup>20</sup>
	<ul style="list-style-type: none"> <li>Final warning</li> </ul>			Date of warning + 18 months	SECURE DISPOSAL <sup>21</sup>
	<ul style="list-style-type: none"> <li>Case not found</li> </ul>			If the incident is child protection related, then see above; otherwise, dispose of at the conclusion of the case	SECURE DISPOSAL

## 2.4 Health and Safety

	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life
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<sup>17</sup> Where the warning relates to child protection issues, see above. If the disciplinary proceedings relate to a child protection matter, please contact your Safeguarding Children Officer for further advice.

<sup>18</sup> If warnings are placed on personal files, then they must be weeded from the file.

<sup>19</sup> If warnings are placed on personal files, then they must be weeded from the file.

<sup>20</sup> If warnings are placed on personal files, then they must be weeded from the file.

<sup>21</sup> If warnings are placed on personal files, then they must be weeded from the file.

					of the record
2.4.1	Health and Safety policy statements	No		Life of policy + 3 years	SECURE DISPOSAL
2.4.2	Health and Safety risk assessments	No		Life of risk assessment + 3 years	SECURE DISPOSAL
2.4.3	Records relating to accident/injury at work	Yes		Date of incident + 12 years In the case of serious accidents, a further retention period will need to be applied	SECURE DISPOSAL
2.4.4	Accident reporting	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	The official Accident Book must be retained for 3 years after the last entry in the book. The book may be in paper or electronic format  The incident reporting form may be retained as below	
	<ul style="list-style-type: none"> <li>Adults</li> </ul>			Date of incident + 6 years	SECURE DISPOSAL
	<ul style="list-style-type: none"> <li>Children</li> </ul>			Date of birth of the child + 25 years	SECURE DISPOSAL

2.4.5	Control of Substances Hazardous to Health (COSHH)	No		Current year + 10 years then REVIEW	SECURE DISPOSAL
2.4.6	Process of monitoring of areas where employees and persons are likely to have come into contact with asbestos	No		Last action + 40 years	SECURE DISPOSAL
2.4.7	Process of monitoring of areas where employees and persons are likely to have come into contact with radiation	No		Last action + 50 years	SECURE DISPOSAL
2.4.8	Fire precautions log books	No		Current year + 6 years	SECURE DISPOSAL
2.4.9	Fire risk assessments	No	Fire Service Order 2005	Life of the risk assessment + 6 years	SECURE DISPOSAL
2.4.10	Incident reports	Yes		Current year + 20 years	SECURE DISPOSAL

### 3. Management of the Academy

3.1 Admissions					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record



3.1.1	All records relating to the creation and implementation of the School Admissions' Policy	No	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Life of the policy + 3 years then REVIEW	SECURE DISPOSAL
3.1.2	Admissions – if the admission is successful	Yes	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Date of admission + 1 year	SECURE DISPOSAL
3.1.3	Admissions – if the appeal is unsuccessful	Yes	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Resolution of case + 1 year	SECURE DISPOSAL
3.1.4	Register of admissions	Yes	School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014	Every entry in the admission register must be preserved for a period of 3 years after the date on which the	REVIEW Schools may wish to consider keeping the admission register permanently, as often schools receive enquiries from past

				entry was made <sup>22</sup>	pupils to confirm the dates they attended the school
3.1.5	Admissions – Secondary Schools – Casual	Yes		Current year + 1 year	SECURE DISPOSAL
3.1.6	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels December 2014	Current year + 1 year	SECURE DISPOSAL
3.1.7	Supplementary information form, including additional information such as religion and medical conditions	Yes			
	<ul style="list-style-type: none"> <li>For successful admissions</li> </ul>			This information should be added to the pupil file	SECURE DISPOSAL
	<ul style="list-style-type: none"> <li>For unsuccessful admissions</li> </ul>			Until appeals process completed	SECURE DISPOSAL

<sup>22</sup> School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014 p6.

<b>3.2 Head Teacher and Senior Management Team</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
3.2.1	Log books of activity in the school maintained by the Head Teacher	There may be data protection issues if the log book refers to individual pupils or members of staff		Date of last entry in the book + a minimum of 6 years then REVIEW	These could be of permanent historical value and should be offered to the County Archives Service, if appropriate
3.2.2	Minutes of Senior Management Team meetings and meetings of other internal administrative bodies	There may be data protection issues if the minutes refers to individual pupils or members of staff		Date of the meeting + 3 years then REVIEW	SECURE DISPOSAL
3.2.3	Reports created by the Head Teacher or the Management Team	There may be data protection issues if the report refers to individual pupils or members of staff		Date of the report + a minimum of 3 years then REVIEW	SECURE DISPOSAL
3.2.4	Records created by Head Teachers, Deputy Head Teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the records refer to individual pupils or members of staff		Current academic year + 6 years then REVIEW	SECURE DISPOSAL
3.2.5	Correspondence created by Head Teachers, Deputy Head Teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the correspondence refers to individual pupils or members of staff		Date of correspondence + 3 years then REVIEW	SECURE DISPOSAL

3.2.6	Professional Development Plans	Yes		Life of the plan + 6 years	SECURE DISPOSAL
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<b>3.3 Operational Administration</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
3.3.1	Management of complaints	Yes		Date complaint resolved + 3 years	SECURE DISPOSAL
3.3.2	Records relating to the management of contracts with external providers	No		Date of last payment on contract + 6 years	SECURE DISPOSAL
3.3.3	Records relating to the management of software licences	No		Date licence expires + 6 years	SECURE DISPOSAL
3.3.4	General file series	No		Current year + 5 years then REVIEW	SECURE DISPOSAL
3.3.5	Records relating to the creation and publication of the school brochure or prospectus	No		Current year + 3 years	STANDARD DISPOSAL
3.3.6	Records relating to the creation and distribution of circulars to staff, parents or pupils	No		Current year + 1 year	STANDARD DISPOSAL

3.3.7	Newsletters and other items with a short operational use	No		Current year + 1 year	STANDARD DISPOSAL
3.3.8	Visitors' books and signing in sheets	Yes		Current year + 6 years then REVIEW	SECURE DISPOSAL
3.3.9	Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	No		Current year + 6 years then REVIEW	SECURE DISPOSAL

#### 4. Property Management

This section covers the management of buildings and property.

4.1 Property Management					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
4.1.1	Title deeds of properties belonging to the school	No		These should follow the property, unless the property has been registered with the Land Registry	
4.1.2	Plans of property belonging to the school	No		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	
4.1.3	Leases of property leased by or to the school	No		Expiry of lease + 6 years	SECURE DISPOSAL
4.1.4	Records relating to the letting of school premises	No		Current financial year + 6 years	SECURE DISPOSAL
4.1.5	Business continuity and disaster recovery plans	No		Date the plan superseded + 3 years	SECURE DISPOSAL

<b>4.2 Maintenance</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
4.2.1	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	SECURE DISPOSAL
4.2.2	All records relating to the maintenance of the school carried out by school employees, including maintenance log books	No		Current year + 6 years	SECURE DISPOSAL

<b>4.3 Fleet Management</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
4.3.1	The process of acquisition and disposal of vehicles through lease or purchase, e.g., contracts/leases, quotes, approvals	N	Limitation Act 1980 (Section 2)	Disposal of the vehicle + 6 years	SECURE DISPOSAL
4.3.2	The process of managing allocation and maintenance of vehicles, e.g., lists of who was driving the vehicles and when, maintenance	N	Limitation Act 1980 (Section 2)	Disposal of the vehicle + 6 years	SECURE DISPOSAL
4.3.3	Service logs and vehicle logs	N	Limitation Act 1980 (Section 2)	Life of the vehicle, then either to be retained for 6 years by school or to be returned to lease company	SECURE DISPOSAL
4.3.4	GPS tracking data relating to the vehicles	N	Limitation Act 1980 (Section 2)	Date of journey + 6 years	SECURE DISPOSAL

### **Pupil Management**

This section includes all records which are created during the time a pupil spends at the school. For information about accident reporting, see under Health and Safety above.

5.1 Pupil's Educational Record					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
5.1.1	Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437		
	<ul style="list-style-type: none"> <li>Primary</li> </ul>			Retain whilst the child remains at the primary school	<p>The file should follow the pupil when they leave the primary school. This will include:</p> <ul style="list-style-type: none"> <li>To another primary school</li> <li>To a secondary school</li> <li>To a pupil referral unit</li> </ul> <p>If the pupil dies whilst at primary school, the file should be returned to the LA to be retained for the statutory retention period.</p> <p>If the pupil transfers to an independent school, transfers to home schooling or leaves the country, the file should be returned to the LA to be retained for the statutory retention period. Primary schools do not ordinarily</p>



					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 LA, as it is more likely that the pupil will request the record from the LA
	<ul style="list-style-type: none"> <li>Secondary</li> </ul>		Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	SECURE DISPOSAL
5.1.2	Records relating to the management of exclusions	Yes		Date of birth of the pupil involved + 25 years	SECURE DISPOSAL
5.1.3	Management of examination registrations	Yes		The examination board will usually mandate how long these records need to be retained	
5.1.4	Examination results – pupil copies	Yes			
	<ul style="list-style-type: none"> <li>Public</li> </ul>			This information should be added to the pupil file	All uncollected certificates should be returned to the examination board
	<ul style="list-style-type: none"> <li>Internal</li> </ul>			This information should be added to the pupil file	
<p><b>This review took place when the Independent Inquiry on Historical Child Sexual Abuse was in progress. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the</b></p>					

<b>Inquiry might make concerning record retention</b>					
5.1.5	Child protection information held on pupil file	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file	SECURE DISPOSAL – these records MUST be shredded
5.1.6	Child protection information held in separate files	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	Date of birth 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 LA Social Services record	SECURE DISPOSAL – these records MUST be shredded

Retention periods relating to allegations made against adults can be found in the Human Resources section of this retention schedule.

## 5.2 Attendance

	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
5.2.1	Attendance registers	Yes	School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014	Every entry in the attendance register must be preserved for a period of 3 years after the date on which the entry was made	SECURE DISPOSAL
5.2.2	Correspondence relating to authorised absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL

### 5.3 Special Educational Needs

	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
5.3.1	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	REVIEW NOTE: This retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time in order to defend themselves in a "failure to provide a sufficient education"

					case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period – this should be documented
5.3.2	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth 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
5.3.3	Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth 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
5.3.4	Accessibility strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth 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

## 5. Curriculum Management

### 6.1 Statistics and Management Information

	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
6.1.1	Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL
6.1.2	Examination results (schools copy)	Yes		Current year + 6 years	SECURE DISPOSAL
	SATs records –	Yes			
	<ul style="list-style-type: none"> <li>Results</li> </ul>			<p>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</p> <p>The school may wish to keep a composite record of all the whole year SATs results. These could be kept for current year + 6 years to allow suitable comparison</p>	SECURE DISPOSAL
	<ul style="list-style-type: none"> <li>Examination papers</li> </ul>			The examination papers should be kept until any appeals/validation process is complete	SECURE DISPOSAL

6.1.3	Published Admission Number (PAN) reports	Yes		Current year + 6 years	SECURE DISPOSAL
6.1.4	Value added and contextual data	Yes		Current year + 6 years	SECURE DISPOSAL
6.1.5	Self-evaluation forms	Yes		Current year + 6 years	SECURE DISPOSAL

<b>6.2 Implementation of Curriculum</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
6.2.1	Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.2	Timetable	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.3	Class record books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year

					and allocate a further retention period, or, SECURE DISPOSAL
6.2.4	Mark books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.5	Record of homework set	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.6	Pupils' work	No		Where possible, work should be returned to the pupil at the end of the academic year. If this is not the school's policy, then current year + 1 year	SECURE DISPOSAL

## 6. Extracurricular Activities

7.1 Educational Visits outside the Classroom					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
7.1.1	Records created by schools in order to obtain approval to run an educational visit outside the classroom – Primary schools	No	Outdoor Education Advisers' Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practice".	Date of visit + 14 years	SECURE DISPOSAL
7.1.2	Records created by schools in order to obtain approval to run an educational visit outside the classroom – Secondary schools	No	Outdoor Education Advisers' Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practice".	Date of visit + 10 years	SECURE DISPOSAL
7.1.3	Parental consent forms for school trips where there has been no major incident <sup>23</sup>	Yes		Conclusion of the trip	Although the consent forms could be retained for date of birth + 25 years, the requirement for them being needed

<sup>23</sup> One-off or blanket consent: The Department for Education (DfE) has prepared a one-off consent form to be signed by the parent on enrolment of their child in a school. This form is intended to cover all types of visits and activities where parental consent is required. The form is available on the DfE website for establishments to adopt and adapt, as appropriate, at [www.gov.uk/government/publications/consent-for-school-trips-and-other-off-site-activities](http://www.gov.uk/government/publications/consent-for-school-trips-and-other-off-site-activities). A similar form could be used for other establishments, such as Early Years Foundation Stage (EYFS) providers and youth groups, or at the start of programmes for young people.



					is low and most schools do not have the storage capacity to retain every single consent form issued by the school for this period of time
7.1.4	Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980 (Section 2)	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	
7.1.5	Records relating to residential trips	Yes		Date of birth of youngest pupil involved + 25 years	SECURE DISPOSAL

7.2 Walking Bus					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
7.2.1	Walking bus registers	Yes		Date of register + 3 years. This takes into account the fact that, if there is an incident requiring an accident report, the	SECURE DISPOSAL [If these records are retained electronically any back up copies should be destroyed at the same time]

				register will be submitted with the accident report and kept for the period of time required for accident reporting	
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## 7. Central Government and Local Authority (LA)

This section covers records created in the course of interaction between the school and the LA.

8.1 Local Authority					
	Basic files description	Data Protection Issues	Statutory Provisions	Retention Period (Operational)	Action at end of administrative life of the record
8.1.1	Secondary transfer sheets (Primary)	Yes		Current year + 2 years	SECURE DISPOSAL
8.1.2	Attendance returns	Yes		Current year + 1 year	SECURE DISPOSAL
8.1.3	School census returns	No		Current year + 5 years	SECURE DISPOSAL

<b>8.2 Central Government</b>					
	<b>Basic files description</b>	<b>Data Protection Issues</b>	<b>Statutory Provisions</b>	<b>Retention Period (Operational)</b>	<b>Action at end of administrative life of the record</b>
8.2.1	OFSTED reports and papers	No		Life of the report then REVIEW	SECURE DISPOSAL
8.2.2	Returns made to central government	No		Current year + 6 years	SECURE DISPOSAL
8.2.3	Circulars and other information sent from central government	No		Operational use	SECURE DISPOSAL

## Appendix A - Glossary

### Admissions Policy

Academies are their own admission authority (although the LA or another organisation can be contracted to carry out the tasks associated with the role). The Admissions Policy must comply with the requirements of the admission code and must be reviewed and adopted annually, irrespective of any changes. A formal consultation for a period of at least eight weeks between 1 November and 1 March must be carried out where any changes are required. Admissions-related information should be uploaded to the academy website.

### Accessibility Plan

A plan or strategy must be put into place, setting out how disabled pupils can participate in the curriculum and associated services, thereby maximising access to both the physical environment and written information provided to pupils.<sup>24</sup>

### Annual Report and Accounts

It is a condition of the funding agreement that Academy accounts must be produced for the 12-month accounting period ending on 31 August. The Annual Report and Accounts must be filed with Companies House by 31 May and should include the following elements:

Reports:

- A trustees' report;
  - A governance statement;
  - A statement on regularity, propriety and compliance;
  - A statement of trustees' responsibilities;
  - An independent auditor's report on the financial statements; and
  - An independent auditor's report on regularity.
- 
- Financial statements;
  - A statement of financial activities;
  - A balance sheet;
  - A cash-flow statement; and

<sup>24</sup> Paxton-Doggett, Katie "How to Run An Academy School" (ICSA 2014) p229.

<sup>25</sup> *Ibid* p174.

- Notes which expand on the statements,

including a note on the Academy trust's accounting policies.<sup>25</sup>

### Annual Return

Every Academy must file a completed annual return at Companies House each year.<sup>26</sup>

### Articles of Association

The Articles of Association prescribe the internal management, decision-making and running of the Academy trust as well as its liability. The DfE has model documentation which schools are expected to adopt.<sup>27</sup>

### Annual Report – Trustees'/Directors' Report

The Directors of the Academy are responsible for the preparation of a Trustees'/Directors' report which supports the financial statements. The report fulfils the requirements for a Directors' report, as set out in ss. 415–419 CA 2006, as well as a Trustees' report under charity law, as set out in the Charities' SORP. The main objective is to supplement financial information with such further information as necessary for a full appreciation of the company's activities. The report describes what the Academy is trying to do and how it is going about it, demonstrates whether and how the Academy has achieved its objectives during the year, and explains its plans for the future.<sup>28</sup>

### Charging and Remissions Policy

An Academy is treated in the same way as a maintained school in respect of charging, particularly in relation to, charges, regulations about information about charges and school hours, voluntary contributions, recovery of sums as civil debt, interpretation regarding charges, and the obligation to enter pupils for public examinations. The terms also place an obligation on an Academy to have a Charging and Remissions policy.

<sup>26</sup> *Ibid* pp68-69.

<sup>27</sup> *Ibid* pp49ff.

<sup>28</sup> *Ibid* p175

The Education Act 1996 provides that parents and pupils cannot be charged for any activity, unless there is a policy in place. Charges per pupil cannot exceed the actual costs incurred, so that no extra cost can be charged to cover pupils who cannot afford the activity or in order to make a profit. Charges for activities taking place during the normal school day can only be on the basis of voluntary contributions and pupils will be treated no differently whether they pay the contribution or not.

### **Directors /Governors – Appointment**

The method of appointment will depend on the category of Director/Governor and the terms of the Articles. However, there must be at least two parent governors on the Local Governing Body and no more than a third of Directors – including the Head Teacher – can be Academy staff. Directors are generally appointed for a term of 4 years.

When a new Chair is appointed to the Trust Board they must also undertake a Suitability check, which will be authorised by the Secretary of State.

### **Directors – Disqualification**

The Company Directors' Disqualification Act 1986 grants the court power to make an order disqualifying a person from promoting, forming or taking part in the management of a company without the leave of the court. There are numerous grounds for disqualification and the model articles set out specific instances which will be regarded as disqualification.

### **Directors/Governors – Termination of Office**

Generally, Directors/Governors are appointed for a fixed term of office, which in the model articles is set at 4 years. A Director/Governor may resign by giving written notice to the clerk at any time, although the articles provide that this will only be valid if there are at least three Directors/Governors remaining in office when the notice of resignation is to take effect. The Companies Act 2006 provides that a "company may by ordinary resolution at a meeting remove a director before the expiration of his period of office, notwithstanding anything in any agreement between it and him". This very wide provision is slightly tempered by the model articles, which state that Directors/Governors can generally be removed from office by the person or persons who appointed them. This means that where Directors are appointed by the members they can be removed from office, following a

member resolution, by written notice to the clerk. Elected Directors/Governors cannot be removed in this way.

### **Funding Agreement with the Secretary of State**

The Funding Agreement is effectively the contract by which the Academy agrees to provide educational services in exchange for funding provided by the DfE. There are model versions of the Funding Agreement, but these have been updated over time to reflect changes in policy and legislation. The DfE does not expect schools to deviate from the model documents.

### **Funding Records – Capital Grant**

Specific prior written agreement by the Secretary of State must be obtained prior to incurring any capital expenditure on which capital grant payments are sought. Capital expenditure may include costs for building new premises or for substantially refurbishing existing premises.

### **Funding Records – Earmarked Annual Grant (EAG)**

The EAG may be paid for either recurrent expenditure or capital expenditure for such specific purposes as have been agreed between the Secretary of State and the Academy. EAG may only be spent in accordance with the terms, conditions and scope of the grant, which are set out in the relevant funding letter.

### **Funding Records – General Annual Grant (GAG)**

The GAG will be paid to cover the normal running costs of the Academy, such as salary and administration costs. The funding is equivalent to that which would be received by a maintained school with similar characteristics, together with an additional element for functions which would be carried out by the LA if the Academy were a maintained school.

### **General Members' Meetings**

Meetings of the members are known as General Meetings. Apart from any specific requirement to call an Annual General Meeting, the Articles contain no specific obligations with regard to holding General Meetings. This means that it is feasible for long periods of time to pass without any meetings being held, since all resolutions are passed using the written resolution method! Members'

meetings are closely regulated and the Companies Act 2006 has a whole chapter (Part 13, Chapter 3) dedicated to the requirements. This can be contrasted with Board Meetings, which have very little in the way of formal requirements.

### **Governance Statement**

Academies are recipients of public funding and so must prepare a Governance Statement – this is a requirement by HM Treasury for all public bodies. It must be signed by the Chair and Accounting Officer on behalf of the board.

### **Memorandum of Association**

Document confirming the three ‘subscribers’ who wish to form the Academy and become its members. The memorandum has no ongoing significance once an Academy has been incorporated.

### **Rules and Bylaws**

The Directors are entitled to make “such rules or bylaws as they may deem necessary or expedient or convenient for the proper conduct and management of the Academy” in connection with matters that are “commonly the subject matter of company rules”, such as in connection with meetings or members.

### **Special Educational Needs**

The Academies Act 2010 provides that academies must have regard to the SEN Code of Practice. Published by the DfE, the Code of Practice includes adoption of a policy on SEN which sets out the approach to meeting pupils’ special educational needs whether with or without a statement.

### **Strategic Review**

Academies are now required to produce a strategic report, which must contain a fair review of the Academy’s business as well as a description of the principal risks and uncertainties it faces. It will specifically include the following: achievements and performance; financial review; plans for future periods; and funds held as a custodian trustee on behalf of others. The Directors/Trustees must include a clear statement that they are approving the strategic report in their capacity as Company Directors.

### **Written Scheme of Delegation**

The board can delegate any power or function to an individual Director, a committee, the principal or any other holder of an executive office. That person must report to the board when that authority has been exercised and any action taken, or decision made.