



**REDE**EVERYWHERE

REDEFINING EDUCATION

# Records Retention Deletion/Disposal Policy

**January 2024**



## Introduction

This policy contains recommended retention periods for the different records created and maintained by RedEverywhere Education Alternative Provision in the course of our business. The schedule refers to all information, regardless of the media in which it is stored. Not all categories of information are currently applicable to the School, but they may become so as circumstances change.

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 Regulations (GDPR), Data Protection Act 2018 (DPA) and the Freedom of Information Act 2000 (FOI).

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

This policy will be reviewed at intervals of no less than three years, or exceptionally, if required by changes in Data Protection, Freedom of Information or other relevant legislation.

## **1. The purpose of the retention schedule**

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 which the record needs to be retained and the action which should be taken when it is of no further administrative use.

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

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

## **2. Benefits of a retention schedule**

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

- a. Managing records in line with best practice guidance fulfils duties under Section 46 Code of Practice on Records Management under the Freedom of Information Act 2000. Retention Guidelines are published so there is clear communication to customers over what information should still be available to them if they wish to make a subject access request. To retain information for too long or to destroy it too soon leaves us open to criticisms on openness and transparency, and in some cases, compliance with the law.
- b. Members of staff can be confident about destroying information at the appropriate time.
- c. Information which is subject to Freedom of Information and Data Protection legislation will be available when required.
- d. The school is not maintaining and storing information unnecessarily.

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

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

## **4. What to do with records once they have reached the end of their administrative life**

### **4a Destruction of records**

Where records have been identified for destruction, they should be disposed of in an appropriate way. All records containing personal information, or sensitive policy information should be shredded before disposal (if possible). Any other records should be bundled up and disposed of to a wastepaper merchant or disposed of in other appropriate ways.

The Freedom of Information Act 2000 requires the school to maintain a list of records which have been destroyed and who authorised their destruction. Members of staff should record at least:

- File reference (or another unique identifier);
- File title (or brief description);
- Number of files
- The name of the authorising officer

This could be kept in an Excel spreadsheet or other database format.

### **4b Transfer of records to the Archives**

Where records have been identified as being worthy of permanent preservation, arrangements should be made to transfer the records to the Archives.

### **4c Transfer of 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 microform or digital media. The lifespan of the media and the ability to migrate data where necessary should always be considered.

### **4d Transfer of Records between schools**

When a child leaves the school all records for the child should be transferred in a secure manner to the child's new school. If the records contain sensitive information (e.g. child protection records) proof of receipt should be obtained. All data held by the school should then be deleted including all paper records and data stored electronically. A record should be kept for tracking and auditing purposes only.

## **5. All Staff**

Everyone is responsible for:

- Following procedures and guidance for managing, retaining and disposing of records.
- Only disposing of records in accordance with the requirements outlined in this policy (if authorised to do so).
- Ensuring that any proposed divergence from the records retention and disposal policies is authorised by the Heads.

## **6. References**

General Data Protection Regulations 2016/679

Data Protection Act 2018

Article 8, The Human Rights Act 1998

Freedom of Information Act 2000

Code of Practice on Records Management (under Section 46 of the FOIA)

<b>6.1 Governors</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Minutes				
Principal set (signed)	No		Permanent	Retain in school for 6 years from date of meeting
Agendas	No		Date of meeting	DESTROY
Reports	No		Date of report + 6 years	Retain in school for 6 years from date of meeting
Instruments of Government	No		Permanent	Retain in school whilst school is open
Trusts and Endowments	No		Permanent	Retain in school whilst operationally required
Action Plans	No		Date of action plan + 3 years	DESTROY
Policy documents	No		Expiry of policy	Retain in school whilst policy is operational (this includes if the expired policy is part of a past decision-making process)
Complaints files	Yes		Date of resolution of complaint + 6 years	Retain in school for the first six years Review for further retention in the case of contentious disputes Destroy routine complaints
Annual Reports required by the Department for Education and Skills	No	Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.SI 2002 No 1171	Date of report + 10 years	

<b>6.2 Management</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Reports made by the Heads	Yes		Date of report + 3 years	Retain in the school for 3 years from meeting
Records created by Heads	Yes		Closure of file + 6 years	DESTROY
Correspondence created by Heads and other members of staff with administrative responsibilities	No		Date of correspondence + 3 years	DESTROY
Professional development plans	Yes		Closure + 6 years	DESTROY
Development plans	No		Closure + 6 years	Review

<b>6.3 Pupils</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Admission Registers	Yes		Date of last entry in the book (or file) + 6 years	Retain in the school for 6 years from the date of the last entry.
Attendance register	Yes		Date of register + 3 years	DESTROY [If these records are retained electronically any back-up copies should be destroyed at the same time]

Pupil files	Yes		Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school.
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### 6.3 Pupils

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Special Educational Needs files, reviews and Individual Education Plans	Yes		Closure + 35 year	DESTROY unless legal action is pending
Child Protection files	Yes	Education Act 2002 S175, related guidance Safeguarding Children in Education, September 2004	DOB + 25 years	DESTROY
Letters authorising absence	No		Date of absence + 2 years	DESTROY
Examination results	Yes			
Public	No		Year of examinations + 6 years	DESTROY
Internal examination results	Yes		Current year + 5 years	DESTROY
Any other records created in the course of contact with pupils	Yes/No		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or DESTROY
Statement maintained under The Education Act 1996 - Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	DESTROY unless legal action is pending



Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	DESTROY unless legal action is pending
Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	DESTROY unless legal action is pending
Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	DESTROY unless legal action is pending

#### 6.4 Curriculum

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Curriculum development	No		Current year + 6 years	DESTROY
Curriculum returns	No		Current year + 3 years	DESTROY
School syllabus	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY
Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY
Timetable	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention

				period or DESTROY
Class record books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY
Examination results	Yes		Current year + 6 years	DESTROY

## 6.5 Personnel

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Timesheets, sick pay	Yes	Financial Regulations	Current year + 6 years	DESTROY
Staff Personal files	Yes		Termination + 7 years	DESTROY
Interview notes and recruitment records	Yes		Date of interview + 6 months	DESTROY
Pre-employment vetting information (including DBS checks)	No	DBS guidelines	Date of check	DESTROY
Allegation of a child protection nature against a member of staff, including where the allegation is unfounded	Yes	Employment Practices Code: Supplementary Guidance 2.13.1 (Records of Disciplinary and Grievance) Education Act 2002	Until the persons normal retirement age, or 10 years from the date of the allegation if that is longer.	DESTROY
Disciplinary proceedings:	Yes			
Oral warning			Date of warning + 6 months	DESTROY

written warning – level one			Date of warning + 6 months	DESTROY
written warning – level two			Date of warning + 12 months	DESTROY
final warning			Date of warning + 18 months	DESTROY
case not found			DESTROY immediately at the conclusion of the case	
Records relating to accident/injury at work	Yes		Date of incident + 12 years	Review at the end of this period. In the case of serious accidents, a further retention period will need to be applied
Annual appraisal/assessment records	No		Current year + 5 years	DESTROY
Maternity pay records	Yes	Statutory Maternity Pay	Current year, +3yrs	DESTROY
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	DESTROY

<b>6.6 Health and Safety</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Accessibility Plans		Disability Discrimination Act	Current year + 6 years	DESTROY
Accident Reporting		Limitation Act 1980		
Adults	Yes		Current year + 3 years	DESTROY
Children	Yes		DOB + 25 years	DESTROY
COSHH			Current year + 10 years	Review [where appropriate an additional retention period may be allocated]
Incident reports	Yes		Current year + 20 years	DESTROY
Policy Statements			Date of expiry + 1 year	DESTROY
Risk Assessments			Current year + 3 years	DESTROY
Process of monitoring of areas where employees and persons are likely to have come in contact with asbestos			Last action + 40 years	DESTROY
			Last action + 50 years	DESTROY
<b>6.7 Administrative</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Employer's Liability certificate			Permanent whilst the school is open	DESTROY once the school has closed

Inventories of equipment and furniture					
School brochure/prospectus					
Circulars (staff/parents/pupils)					
Newsletters, ephemera					
Visitors' book					
Process of monitoring of areas where employees and persons are likely to have come in contact with radiation					
				Current year + 6 years	DESTROY
<b>6.8 Finance</b>					
Basic file description	Data Protection Issues	Statutory Provisions		Retention Period [operational]	Action at the end of the administrative life of the record
Annual Accounts		Financial	Regulations	Current year + 6 years	
Loans and grants		Financial	Regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required
Contracts				Contract completion date + 6 years	DESTROY
Copy orders				Current year + 2 years	DESTROY
Budget reports, budget monitoring etc				Current year + 3 years	DESTROY

Invoice, receipts and other records covered by the Financial Regulations				
Annual Budget and background papers				
Debtors' Records				
Applications for free school meals, travel, uniforms etc				
Student grant applications				
Free school meals registers				
Petty cash books				
Fire Precautions log books				

1 A child may make a claim for negligence for 7 years from their 18th birthday. To ensure that all records are kept until the pupil reaches the age of 25 this retention period has been applied.

<b>6.9 Property</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Title Deeds			Permanent	These should follow the property
Plans			Permanent	Retain in school whilst operational then
Maintenance and contractors		Financial Regulations	Current year + 6 years	DESTROY
Leases			Expiry of lease + 6 years	DESTROY
Lettings			Current year + 3 years	DESTROY
Burglary, theft and vandalism report forms			Current year + 6 years	DESTROY
Maintenance log books			Last entry + 10 years	DESTROY
Contractors' Reports			Current year + 6 years	DESTROY

<b>6.10 LEA</b>				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Secondary transfer sheets (Primary)	Yes		Current year + 2 years	DESTROY
Attendance returns	Yes		Current year + 1 year	DESTROY
Circulars from LEA			Whilst operationally required	Review to see whether a further retention period is required

**6.11 DfE**

Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
OFSTED reports and papers			Replace former report with any new inspection report	Review to see whether a further retention period is required
Returns			Current year + 6 years	DESTROY
Circulars from DfE			Whilst operationally required	Review to see whether a further retention period is required





# RED

EVERYWHERE

[hello@redeverywhere.co.uk](mailto:hello@redeverywhere.co.uk)  
[www.redeverywhere.co.uk](http://www.redeverywhere.co.uk)

