

2019 -2022

Potential in Everyone Academy Trust
CEO – David Whitehead



Records Management and Retention Policy

Committee	Board of Directors
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Author	Helen Stewart
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Signature	
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Associated Documentation	
Data Protection Policy	

Contents

1.	Policy Statement.....	3
2.	Scope of the policy	3
3.	Adoption Arrangements and Date	3
4.	Review of Policy	3
5.	Responsibilities of the Trust.....	3
6.	Recording Systems.....	3
7.	Maintenance of Recording Systems	3
8.	The Safe Disposal of Information Using the Retention Schedule	4
	Appendix 1: Records Retention Schedule.....	5
	Appendix 2: Records to be kept in the Registered Office	24

1. Policy Statement

The Trust 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 institution. This document provides the policy framework through which this effective management can be achieved and audited. It covers scope, responsibilities and relationships with existing policies. This policy applies to all information, in whatever form, relating to the Trust's business activities, and to all information handled by the Trust relating to other organisations with whom it deals.

2. Scope of the policy

This policy applies to all records created, received or maintained by staff of the Trust and its schools in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Trust and its schools and which are thereafter retained (for a set period) to provide evidence of its transactions or activities.

These records may be created, received or maintained in hard copy or electronically. A small percentage of the Trust and its school's records may be selected for permanent preservation as part of the institution's archives and for historical research.

3. Adoption Arrangements and Date

This policy procedure was adopted by the Board of Directors of Potential in Everyone Academy Trust on 12 July 2019 and supersedes any previous policy.

4. Review of Policy

This policy will be reviewed by the Board of Directors every three years or earlier if there is a need.

5. Responsibilities of the Trust

The Trust and its schools 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 in the Trust Central Team is the Trust Business Manager, with the Headteacher being the responsible person within each of the Trust Schools.

The person responsible for records management in the Trust Central Team and the Trust Schools will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and timely. The Data Protection Officer will advise on the policy and its implementation from time to time and the Trust Business Manager will have due regard to the DPO's advice.

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.

This policy has been drawn up within the context of: Freedom of Information policy, Data Protection policy and with other legislation or regulations (including audit, equal opportunities and ethics) affecting the Trust and its Schools.

The Trust's *Data Protection Policy* should be read in conjunction with this document.

6. Recording Systems

Information created by the Trust and its schools must be managed against the same standards regardless of the media in which it is stored.

7. Maintenance of Recording Systems

It is important that filing information is properly resourced and is carried out on a regular basis. It is equally important that the files are weeded of extraneous information where appropriate on a regular basis. Removing information from a file once a freedom of information request has been made will be criminal offence (unless it is part of normal processing and unrelated to the request).

Applying retention periods is straightforward provided files are closed on a regular basis.

Once a file has been closed, it should be moved out of the current filing system and stored either in a record room in the appropriate school or in another place until it has reached the end of the retention period.

Information security is very important especially when dealing with personal information or sensitive policy information (including special category data as defined in the Data Protection legislation). There are a number of basic rules:

- All personal information should be kept in lockable filing cabinets which are kept locked when the room is unattended;
- Personal information held on computer systems should be adequately password protected.
- Information should never be left up on a screen if the computer is unattended;
- Files containing personal or sensitive information should not be left out on desks over night;
- Where possible sensitive personal information should not be sent by e-mail;
- If files need to be taken off the premises they should be secured in the boot of a car or in lockable containers;
- Teachers or central staff may carry data on memory sticks or other removable data carriers in order to access their files both at home and at school. Where this includes personal data, it must be encrypted using appropriate encryption software, e.g. TrueCrypt.
- All computer information should be backed up regularly and the back-up should be stored off the site.

Information contained in email, fax should be filed into the appropriate electronic or manual filing system once it has been dealt with.

8. The Safe Disposal of Information Using the Retention Schedule

Files should be disposed of in line with the attached retention schedule (see Appendix 1). This is a process which should be undertaken on an annual basis during the month of August.

Paper records containing personal information should be shredded using a cross-cutting shredder.

Other files can be bundled up and put in a skip or disposed of to the waste paper merchant. Loose papers should not be put in skips unless the skip has a lid. CD's/DVD's/Floppy disks should be cut into pieces.

Audio/Video tapes and fax rolls should be dismantled and shredded.

Electronic data should be archived on electronic media and 'deleted' appropriately at the end of the retention period.

Appendix 1: Records Retention Schedule

This information has been taken from the following link: <http://irms.org.uk/page/SchoolsToolkit>

Child Protection				
The retention and use of records relating to child protection matters concerning pupils, and child protection allegations against staff requires specific guidance in this schedule.				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Child Protection files	Yes	Education Act 2002, s175, related guidance 'Safeguarding Children in Education', September 2004	DOB + 25 years	SECURE DISPOSAL
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 guidance 'Dealing with allegations of Abuse against teachers and Other Staff' November 2005	Until the person's normal retirement age, or 10 years from the date of the allegation if that is longer	SECURE DISPOSAL

Members/Directors / Members of Local Monitoring Committees				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Minutes (eg committees, AGM, BOD)		<p>All companies must keep minutes of directors' meetings for ten years from the date of the meeting and if they do not, every officer who is in default will commit an offence (section 248, CA 2006).</p> <p>Every company must keep copies of members' resolutions passed otherwise than at general meetings and minutes of general meetings for ten years from the date of the resolution, decision or meeting and if it does not, every officer who is in default will commit an offence (sections 355 and 358, CA 2006).</p>		<p>SECURE DISPOSAL [If these minutes contain any sensitive personal information they must be shredded]</p> <p>SECURE DISPOSAL [If these minutes contain any sensitive personal information they must be shredded]</p>
Principal set (signed)	No		Permanent	Retain in school for 6 years from date of meeting
Inspection Copies	No		Date of meeting + 3 years	SECURE DISPOSAL [If these minutes contain any sensitive personal information they must be shredded]
Agendas	No		Date of meeting	SECURE DISPOSAL
Reports	No		Date of report + 6 years	Retain in school for 6 years from date of meeting
Annual Parents' meeting papers	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	SECURE DISPOSAL
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. SECURE DISPOSAL routine complaints.
Annual Reports required by the Department for Education	No	Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.S1 2002 No 1171	Date of report + 10 years	
Records to verify provision delivered by the Trust, or its subcontractors, in relation to the Academies Financial Handbook and the Funding Agreement	?	Academies Financial Handbook 2019 (para 6.5)	At least six years after the period to which funding relates	?

Management				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Log Books [Books where the Headteacher or another member of staff keeps a record of what happens in the school, this may include details of events, photographs and other information]	Yes		Date of last entry in the book + 6 years	Retain in the school for 6 years from the date of the last entry
Minutes of the Senior Management Team and other internal administrative bodies	Yes		Date of meeting + 5 years	Retain in the school for 5 years from meeting
Reports made by the Headteacher or the management team	Yes		Date of report + 3 years	Retain in the school for 3 years from meeting
Records created by Headteachers, deputy Headteachers, and other members of staff with administrative responsibilities.	Yes		Closure of file + 6 years	SECURE DISPOSAL
Correspondence created by Headteachers, Deputy Headteachers, and other members of staff with administrative responsibilities	No		Date of correspondence + 3 years	SECURE DISPOSAL
Professional development plans	Yes		Closure + 6 years	SECURE DISPOSAL
School Development Plans	Yes		Closure + 6 years	Review

Pupils				
Basic File Description	Data Prot 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 then consider transfer to the archives.
Attendance registers	Yes		Date of register + 3 years	SECURE DISPOSAL [If these records are retained electronically any back-up copies should be destroyed at the same time]
Pupil record cards	Yes			
Primary			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.
Pupil files	Yes			
Primary			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.
Special Educational Needs files, reviews and Individual Education Plans	Yes		DOB of the pupil + 25 years then review. NOTE: This retention period is the minimum period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time 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.	SECURE DISPOSAL

Correspondence Relating to Authorised Absence and Issues	No		Date of absence + 2 years	SECURE DISPOSAL
Examination results	Yes			
Public	No		Year of examinations + 6 years	SECURE DISPOSAL
Internal examination results	Yes		Current year + 5 years If these records are retained on the pupil file or in their National Record of Achievement they need only be kept for as long as operationally necessary	SECURE DISPOSAL
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 allocated a further retention period or SECURE DISPOSAL
Statement maintained under The Education Act 1006 – Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SECURE DISPOSAL unless legal action is pending
Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	SECURE DISPOSAL 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	SECURE DISPOSAL unless legal action is pending
Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	SECURE DISPOSAL unless legal action is pending
Parental permission slips for school trips – where there has been no major incident	Yes		Conclusion of the trip	SECURE DISPOSAL
Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980	DOB of the pupil involved in the incident + 25 years. The permission slips for all pupils on the trip need to be retained to show that the rules had been followed for all pupils.	SECURE DISPOSAL

Curriculum				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
School Development Plan	No		Current year + 6 years	SECURE DISPOSAL
Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL
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 SECURE DISPOSAL
Timetable	No		Current year + 1 year	SECURE DISPOSAL
Class record books	No		Current year + 1 year	SECURE DISPOSAL
Mark Books	No		Current year + 1 year	SECURE DISPOSAL
Record of Homework set	No		Current year + 1 year	SECURE DISPOSAL
Samples of Pupils work	No		Current year + 1 year	SECURE DISPOSAL
Examination results	Yes		Current year + 6 years	SECURE DISPOSAL
SATS records – Examination Papers and Results	Yes		Current year + 6 years	SECURE DISPOSAL
PAN reports	Yes		Current year + 6 years	SECURE DISPOSAL
Value Added & Contextual Data	Yes		Current year + 6 years	SECURE DISPOSAL
Self-Evaluation forms	Yes		Current year + 6 years	SECURE DISPOSAL

Personnel				
Basic File Description	Data Prot 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	SECURE DISPOSAL
Staff Personal files	Yes		Termination + 7 years	SECURE DISPOSAL
Interview notes and recruitment records	Yes		Date of interview + 6 months	SECURE DISPOSAL
Pre-employment vetting information (including unsuccessful DBS checks)	No	DBS guidelines	Date of check + 6 months	SECURE DISPOSAL [by the designated member of staff]
Disciplinary proceedings	Yes	Where the warning relates to child protection issues see 1.2. If the disciplinary proceedings relate to a child protection matter please contact your safeguarding children officer for further advice.		
Oral warning			Date of warning + 6 months	SECURE DISPOSAL If this is placed on a personal file, it must be weeded from the file
Written warning – level 1			Date of warning + 6 months	SECURE DISPOSAL If this is placed on a personal file, it must be weeded from the file
Written warning – level 2			Date of warning + 12 months	SECURE DISPOSAL If this is placed on a personal file, it must be weeded from the file
Final warning			Date of warning + 18 months	SECURE DISPOSAL If this is placed on a personal file, it must be weeded from the file
Case not found			If child protection related please see 1.2, otherwise SECURE DISPOSAL immediately at the conclusion of the case	
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	SECURE DISPOSAL

			be applied.	
Annual appraisal/assessment records	No		Current year + 5 years	SECURE DISPOSAL
Maternity pay records	Yes	Statutory Maternity Pay (General Regulations 1986 (SI 1986/1990), revised 1999 (SI 1999/567))	Current year + 3 years	SECURE DISPOSAL
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SECURE DISPOSAL
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 placed on the member of staff’s personal file.	

Health and Safety				
Basic File Description	Data Prot 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	SECURE DISPOSAL
Accident Reporting		Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980.		
Adults	Yes		Date of incident + 7 years	SECURE DISPOSAL
Children	Yes		DOB of child + 25 years	SECURE DISPOSAL
			A child may make a claim for negligence for 7 years from their 18 th birthday. To ensure that all records are kept until the pupil reaches the age of 25 this retention period has been applied	
COSHH			Current year + 10 years [Where appropriate an additional retention period may be allocated]	
Incident reports	Yes		Current year + 20 years	SECURE DISPOSAL
Policy Statements			Date of expiry + 1 year	SECURE DISPOSAL
Risk Assessments	Yes		Current year + 3 years	SECURE DISPOSAL
Process of monitoring of areas where employees and persons are likely to have come in contact with asbestos			Last action + 40 years	SECURE DISPOSAL

Process of monitoring of areas where employees and persons are likely to have come in contact with radiation			Last action + 50 years	SECURE DISPOSAL
Fire Precautions log books			Current year + 6 years	SECURE DISPOSAL

Management of Schools – Safeguarding				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Adults				
Records of allegations about workers who have been investigated and found to be without substance		Information Commissioner Code of Practice: Employment Records 2002 - “Child Protection Procedures for Managing Allegations Against Staff within Schools and Education Services” (September 2008) p17	These records should not normally be retained once an investigation has been completed ¹ .	SECURE DISPOSAL
Outcome of an allegation made against a staff member		Safeguarding Children in Education Guidelines: Dealing with Allegations of Abuse against Teachers and Other Staff Safeguarding Children in Education and Safer Recruitment 2007 Para 5.1	Until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer	SECURE DISPOSAL

¹ There are some exceptions to this where for its own protection the employer has to keep a limited record that an allegation was received and investigated, for example where the allegation relates to abuse and the worker is employed to work with children or other vulnerable adults

Family Liaison Officers				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Day Books			Current year + 2 years then review	SECURE DISPOSAL
Reports for outside agencies – where the report has been included on the case file created by the outside agency			Whilst the child is attending the school then destroy	SECURE DISPOSAL
Referral forms			While the referral is current then add to child's file	SECURE DISPOSAL
Contact data sheets			Current year then review, if contact is no longer active then destroy	SECURE DISPOSAL
Contact database entries			Current year then review, if contact is no longer active then destroy	SECURE DISPOSAL
Group Registers			Current year + 2 years	SECURE DISPOSAL

Administrative				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Employer's Liability Certificate			Closure of the school + 40 years	SECURE DISPOSAL
Inventories of equipment and furniture			Current year + 6 years	SECURE DISPOSAL
General file series			Current year + 5 years	Review to see whether a further retention period is required
School brochure/prospectus			Current year + 3 years	Transfer to Archives [The appropriate archivist will then take a sample for permanent preservation]
Circulars (staff/parents/pupils)			Current year + 1 year	SECURE DISPOSAL
Newsletters, ephemera			Current year + 1 year	Review to see whether a further retention period is required
Visitors' book			Current year + 2 years	Review to see whether a further retention period is required
PTA/Old Pupils' Associations			Current year + 6 years	Review to see whether a further retention period is required

Finance				
Basic File Description	Data Prot 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	Archive
Loans and grants		Financial regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required
Contracts				
Under seal			Contract completion date + 12 years	SECURE DISPOSAL
Under signature			Contract completion date + 6 years	SECURE DISPOSAL
Monitoring records			Current year + 2 years	SECURE DISPOSAL
Copy orders			Current year + 2 years	SECURE DISPOSAL
Budget reports, budget monitoring etc.			Current year + 3 years	SECURE DISPOSAL
Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	Current year + 6 years	SECURE DISPOSAL
Annual Budget and background papers			Current year + 6 years	SECURE DISPOSAL
Order books and requisitions			Current year + 6 years	SECURE DISPOSAL
Delivery Documentation			Current year + 6 years	SECURE DISPOSAL
Debtors' Records		Limitation Act 1980	Current year + 6 years	SECURE DISPOSAL
School Fund – Cheque books			Current year + 3 years	SECURE DISPOSAL
School Fund – Paying in books			Current year + 6 years then review	SECURE DISPOSAL
School Fund – Ledger			Current year + 6 years then review	SECURE DISPOSAL
School Fund – Invoices			Current year + 6 years then review	SECURE DISPOSAL
School Fund – Receipts			Current year + 6 years	SECURE DISPOSAL
School Fund – Bank statements			Current year + 6 years then review	SECURE DISPOSAL
School Fund – School Journey books			Current year + 6 years then review	SECURE DISPOSAL

Student grant applications			Current year + 3 years	SECURE DISPOSAL
Petty cash books		Financial Regulations	Current year + 6 years	SECURE DISPOSAL

Property				
Basic File Description	Data Prot 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 unless the property has been registered at the Land Registry
Plans			Permanent	Retain in school whilst operational
Maintenance and contractors		Financial Regulations	Current year + 6 years	SECURE DISPOSAL
Leases			Expiry of lease + 6 years	SECURE DISPOSAL
Lettings			Current year + 3 years	SECURE DISPOSAL
Burglary, theft and vandalism report forms			Current year + 6 years	SECURE DISPOSAL
Maintenance log books			Current year + 6 years	SECURE DISPOSAL
Contractors' Reports			Current year + 6 years	SECURE DISPOSAL

Department for Education				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention period [operational]	Action at the end of the administrative life of the record
HMI reports			These do not need to be kept any longer	
OFSTED reports and papers			Replace former report with any new inspection report	Review to see whether a further retention period is required
ISI reports and paper			Replace former report with any new inspection report	Review to see whether a further retention period is required
Returns			Current year + 6 years	SECURE DISPOSAL
Circulars from DFE			Whilst operationally required	Review to see whether a further retention period is required

School Meals				
Basic File Description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Dinner Register			Current year + 3 years	SHRED
School Meals Summary Sheets			Current year + 3 years	SHRED

Appendix 2: Records to be kept in the Registered Office

The Companies (Company Records) Regulations 2008 deal with the location, inspection and provision of copies of company records.

The Companies Act 2006, section 1136(2), specifies the records required to be available for inspection.

Regulation 27 of the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015 (SI 2015/17) provide that where a company has specified an alternative inspection location for its records, it is required to disclose the address of that place and the type of records kept at that place to any person it deals with in the course of business who makes a written request for such information. The company is required to send a written response to that person within five working days of receiving the request.

The items asterisked (*) are currently applicable to the Potential in Everyone Academy Trust:

- Register of Members (including resignation and appointment dates)*
- Register of Directors (including resignation and appointment dates)*
- Directors' service contracts
- Directors' indemnities
- Register of secretaries
- Records of resolutions*
- Contracts relating to purchase of own shares
- Documents relating to redemption or purchase of own shares out of capital by private company
- Register of debenture holders
- Register of people with significant control over a company*
- Historic PSC register
- Report to members of outcome of investigation by public company into interests in its shares
- Register of shares disclosed to a public company
- Instruments creating changes

Failure to keep records as required by each section of the above sections is an offence by the officers of the company, and in most cases, the company itself

Inspection of Records

A person who has a right of inspection, can require a private company to make its company records available to them by giving the company:

- Two working days' notice during the period of notice for a general meeting or a class meeting or during the period for agreeing to a written resolution under section 297(1), CA 2006 (paragraph 4(2), Company Records Regulations): or
- Ten working days' notice in all other cases (paragraph 4(3), Company Records Regulations).

The notice must specify the working day and time (between 9am and 3pm) of the inspection and the company must make its records available for inspection for at least two hours between 9.00 am and 5.00 pm on that day.

Copying of Records

- A company must allow a person inspecting records to make a copy of them but is not obliged to assist a person making a copy (paragraph 6(2), Company Records Regulations).
- If a person requests a copy of a record in hard copy form, the company is required to provide a hard copy. Where an electronic copy is requested, an electronic copy must be provided (in whatever electronic form the company may decide), unless the company only keeps the record in hard copy form (paragraphs 7 and 8, Company Records Regulations).
- The Company Records Regulations provide an exception to the right of a person to require a hard copy of the company record under section 1145, CA 2006 (as permitted by section 1143, CA 2006). Where a company provides a copy of a company record in electronic form to a member or debenture holder, the company is not then required to provide a hard copy of that record under section 1145 (paragraph 8(3), Company Records Regulations)

Fees for inspection and copying of records

The Companies (Fees for Inspection and Copying of Company Records) (No.2) Regulations 2007 (SI 2007/3535) prescribe the fees payable for inspection and copying of records.