



Data Retention Policy

1. Requirements

1.1 Change Record

Issue	Date	Author	Description
0.1	July 2021	P Atkin	New policy bringing together current guidance and practice
1.0	14 July 2021	P Atkin	Approved by Governors

Note: All issues except those of the form 'X.0' are draft.

1.2 Equality Statement

In developing and reviewing this policy we have carefully considered its impact on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

1.3 Approval and Review

This policy was approved by the Governing Body on 14 July 2021. It is due for review in the Autumn Term 2023.

2. Purpose

This policy sets out the way in which Fowlmere Primary School exercises its duty under the GDPR to minimise the amount of data it holds on data subjects and to hold that data for no longer than is reasonably necessary. For each category of data, a period of time from a given trigger point, after which the data should be destroyed, is given.

The tables below should be read in conjunction with the notes which follow.

3. Definitions

- **Business decision:** if there is no law or regulation to say how long a record should be kept, we may base this decision on the administrative needs of the organisation
- **Closure:** when a record ceases to be 'current' – this can be the when a set of minutes are formally agreed, or when a Help Desk incident is formally closed. Many retention periods are triggered after the 'closure' of a record
- **Common practice:** if there is no law or regulation to say how long a record should be kept, we may base this decision on what similar organisations do
- **Disposal:** the processes associated with the end of a records lifecycle, they will typically include destruction of the records or transfer of the records to a third party
- **Permanent:** Retain the record permanently
- **Record:** the recorded evidence about an activity
- **Retention Action:** the action regarding the retention of a record, triggered by a particular event (e.g. closure of a record)

4. Disaggregating Records

Where there is no reasonably practical way to disaggregate a record for a pupil or staff member in order to destroy component parts at different times, it is acceptable to destroy the whole record following the longest retention period. The Limitation Act 1980 provides reasonable justification for this practice.

5. Safeguarding

Record Type	Retention Action	Disposal Action	Rationale / Information
Child protection files (primary school)	Retain for the duration of the pupil's attendance at the school Trigger: Date pupil changes school	Transfer to Secondary School	Keeping Children Safe in Education (Department for Education) Where a child is removed from the roll to be educated at home/missing from education see below
Child protection files (Child leaves country)	Retain for 25 years Trigger: Pupil's date of birth	Attempt to transfer to new school Do not destroy (see Note 1) Consider transfer to off-site storage on child reaching school leaving age	"Safeguarding Children in Education" 2004; Keeping Children Safe in Education (Department for Education) Where a child is removed from the roll to be educated at home/missing from education see below
Child protection files (Child missing from education, Traveller, Roma, or Gypsy and therefore removed from roll)	Retain for the duration of the pupil's attendance at the school Trigger: Date removed from roll	Transfer to Cambridgeshire County Council for retention in accordance with Children's Services retention schedule	"Safeguarding Children in Education" 2004; Keeping Children Safe in Education (Department for Education) Where a child is removed from the roll to be educated at home/missing from education see below
Child protection files (child is removed from the roll and is Elective Home Educated)	Retain for the duration of the pupil's attendance at the school	Transfer to Cambridgeshire County Council for retention in accordance with Children's Services retention schedule	"Safeguarding Children in Education" 2004; Keeping Children Safe in Education

Record Type	Retention Action	Disposal Action	Rationale / Information
	Trigger: Date removed from roll		(Department for Education)
Allegations of a child protection nature made against a member of staff (including unfounded allegations)	Retain until the normal retirement age for the member of staff or for 10 years (whichever is the longer) Trigger: Employee's retirement age	Do not destroy (See Note 1)	Employment Practices Code: Supplementary Guidance (Information Commissioner's Office)

5.1 Notes

1. Due to the ongoing Independent Inquiry into Child Sexual Abuse (IICSA) there are restrictions on destroying pupil or staff records. The guidance above gives a retention period in the Retention Action column, but where records should not be destroyed, this is noted in the Disposal Action column.

6. Governance

Record Type	Retention Action	Disposal Action	Rationale / Information
Principal set of signed minutes	Retain at school for 6 years Trigger: Date of meeting	Destroy or Archive	Common practice
Inspection copies of minutes	Retain for 3 years Trigger: Date of Meeting	Destroy	Common practice
Agendas	No retention required Trigger: Approval of associated minutes	Destroy	Common practice
Reports	Retain at school for 6 years Trigger: Date of report	Destroy	Common practice
Annual parents meeting papers	Retain at school for 6 years Trigger: Date of meeting	Destroy	Common practice

Record Type	Retention Action	Disposal Action	Rationale / Information
Instrument of Government	Retain at school for the duration of its operation Trigger: Closure of school	Destroy	Common practice
Trusts and Endowments	Retain at school whilst operationally required Trigger: End of operational use	Destroy	Common practice
Action Plans	Retain for 3 years Trigger: Expiration of action plan	Destroy	Common practice
Policy documents	Retain while policy is used operationally Trigger: Expiration of policy	Transfer to archives when policy is no longer operational	Common practice
Complaints files	Retain for 6 years Trigger: Resolution of complaint	Review and destroy if complaints are non-contentious	Common practice
Annual reports required by central government	Retain at school for 10 years Trigger: End of the calendar year that the record was created in	Destroy or Archive	Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002

7. School Management

Record Type	Retention Action	Disposal Action	Rationale / Information
Minutes of leadership team	Retain at school for 5 years Trigger: Date of meeting	Destroy	Common practice
Reports made by leadership team	Retain at school for 3 years	Destroy	Common practice

Record Type	Retention Action	Disposal Action	Rationale / Information
	Trigger: Date of report		
Development Plans	Retain for 6 years Trigger: Expiry of plan	Destroy or Archive	Common Practice

8. Pupil Records

Record Type	Retention Action	Disposal Action	Rationale / Information
Admission registers	Retain for 6 years Trigger: Last entry in register	Destroy or Archive	Common practice Admission registers are not commonly created in paper format
Attendance registers	Retain for 3 years Trigger: Last entry in register	Destroy	Common practice
Pupil files (primary school)	Retain for duration of the pupil's attendance at school Trigger: Date pupil changes school	Transfer to new school	Common practice
Pupil files (no obvious destination – eg EHE, emigration)	Retain for 25 years Trigger: Pupil's date of birth	Do not destroy (See Note 1)	The Limitation Act 1980
Special educational needs records relating to individual support provided by the school (primary)	Retain for duration of attendance at school Trigger: Date pupil changes school	Transfer to new school / Secondary School	Common practice
Special educational needs records relating to individual support provided by the school (no obvious destination)	Retain for 35 years Trigger: Pupil's date of birth	Do not destroy (See Note 1)	Special Educational Needs and Disability Act 2001
Letters authorising absence	Retain for 2 years Trigger: Date of absence	Destroy	Common practice

Record Type	Retention Action	Disposal Action	Rationale / Information
Public examination results	Retain for 6 years Trigger: Date of examination	Destroy	Common practice
Internal school examination result	Retain for 5 years Trigger: Date of examination	Destroy	Common practice
Advice and information issued by the school to parents regarding educational needs for individual pupils	Retain for 12 years Trigger: Date advice issued	Destroy	Special Educational Needs and Disability Act 2001
Accessibility Strategy	Retain for 12 years Trigger: Expiry of strategy	Destroy	Special Educational Needs and Disability Act 2001
Parental permission slips for school trips where there has not been a major incident	Retain for the duration of the trip Trigger: Confirmation that there has been no major incident	Destroy	Common practice
Parental permission slips for school trips where there has been a major incident (e.g. involvement of emergency services, hospital admission, disease outbreak)	Retain for 25 years from the date of birth of the pupil/s involved in the incident Trigger: Pupil's date of birth	Destroy	The Limitation Act 1980
Records created by schools to obtain approval to run an Educational Visit outside the classroom where there has not been a major incident	Retain for 14 years Trigger: Date of visit	Destroy	The Health and Safety at Work Act 1974 Records created might include risk assessments
Records created by schools to obtain approval to run an Educational Visit outside	Retain for 21 years from the date of birth of the pupil's involved in the incident	Destroy	The Limitation Act 1980 Records created might include risk assessments

Record Type	Retention Action	Disposal Action	Rationale / Information
the classroom where there has been a major incident (e.g. involvement of emergency services, hospital admission, disease outbreak)	Trigger: Pupil's date of birth		
Photographs	Retain for 1 year Trigger: Date of pupil leaving the school	Destroy School may archive a representative sample	Common practice Photographs of school events will be difficult to disaggregate and therefore may be kept until the 1 year after the youngest identifiable child in the photograph has left the school.
Pupil Work	Retain for up to 1 year Trigger: Last day of school year	Return to pupil	Common practice

8.1 Notes

1. Due to the ongoing Independent Inquiry into Child Sexual Abuse (IICSA) there are restrictions on destroying pupil or staff records. The guidance above gives a retention period in the Retention Action column, but where records should not be destroyed, this is noted in the Disposal Action column.

9. Curriculum

Record Type	Retention Action	Disposal Action	Rationale / Information
Curriculum development	Retain for 6 years Trigger: End of the calendar year that the record was created in	Destroy	Common practice
School curriculum	Retain for 1 year Trigger: Expiration of curriculum	Destroy or Archive	Common practice
Schemes of work	Retain for 1 year	Destroy or Archive	Common practice

Record Type	Retention Action	Disposal Action	Rationale / Information
	Trigger: End of the calendar year that the record was created in		
Records of homework set	Retain for 1 year Trigger: End of the calendar year that the record was created in	Destroy	Common practice

10. Personnel

Record Type	Retention Action	Disposal Action	Rationale / Information
Staff personnel files	Retain for 7 years Trigger: End of employment	Do not destroy (See Note 1)	Common practice
Recruitment record for successful candidates, including interview notes and copy evidence of entitlement to work in the UK	Retain and add to personnel file.		Common practice, Immigration, Asylum and Nationality Act 2006
Application details and Interview notes for unsuccessful candidates	Retain for 6 months Trigger: Date of appointment of successful candidate	Destroy	Business requirement
Pre-employment vetting of successful candidates, for the purposes of preventing unsuitable people from working with children (e.g. DBS checks)	Retain and add to personnel file.		DBS guidelines
Pre-employment vetting of successful candidates, for the purposes of ensuring school staff are adequately qualified	Retain and add to personnel file.		Common practice
Pre-employment vetting of successful candidates, for the purposes of ensuring school staff are legally	Retain and add to personnel file.		Immigration, Asylum and Nationality Act 2006

Record Type	Retention Action	Disposal Action	Rationale / Information
entitled to work in the United Kingdom			
Written warnings (level 1)	Retain for 6 months Trigger: Date of warning	Do not destroy (See Note 1)	Common practice
Written warning (level 2)	Retain for 12 months Trigger: Date of warning	Do not destroy (See Note 1)	Common practice
Final warning	Retain for 18 months Trigger: Date of warning	Do not destroy (See Note 1)	Common practice
Warnings subsequently found to be based on an unfounded case (excluding child protection related warning)	No retention required Trigger: Date case found to be unfounded	Do not destroy (See Note 1)	Common practice For child protection related warnings see Child Protection section above.
Staff appraisal records	Retain for 5 years Trigger: End of the calendar year that the record was created in	Do not destroy (See Note 1)	Common practice

10.1 Notes

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11. Health and Safety

Record Type	Retention Action	Disposal Action	Rationale / Information
Accessibility Plans, including Personal Emergency Evacuation Plan (PEEPs)	Retain for 6 years Trigger: End of the calendar year that the record was created in	Destroy	Disability and Equality Act 2010
Accident/incident reporting (adults)	Retain for 7 years Trigger: Date of incident	Destroy	Common practice
Accident/incident reporting (children)	Retain for 25 years	Destroy	The Limitation Act 1980

Record Type	Retention Action	Disposal Action	Rationale / Information
	Trigger: Child's date of birth		
Records of monitoring areas where employees/pupils are likely to come into contact with asbestos	Retain for 40 years Trigger: Last action on file	Destroy	The Control of Substances Hazardous to Health Regulations 2002
Records of monitoring areas where employees/pupils are likely to come into contact with radiation	Retain for 50 years Trigger: Last action on file	Destroy	The Ionising Radiations Regulations 1985
Fire log books	Retain for 7 years Trigger: End of calendar year	Destroy	Common practice
Records of the administration of non-prescription medicines and remedies including painkillers, or very commonly prescribed drugs such as antibiotics or asthma inhalers	Retain for 1 year Trigger: End of calendar year	Destroy	Business decision Events significantly outside individual treatment plan should be treated as non-routine (see below)
Records of the administration of any other medication, including: peg feeding; injections; treatments for serious conditions such as diabetes, ADHD or depression; records of reported incidents, or problems arising from administering medication.	Retain for 21 years and 6 months from pupil's date of birth Trigger: Pupil's date of birth	Destroy	Business decision

12. Administration

Record Type	Retention Action	Disposal Action	Rationale / Information
Employer's Liability Certificate	Retain for 40 years Trigger: Closure of school		Common practice

Record Type	Retention Action	Disposal Action	Rationale / Information
Inventories of equipment/furniture	Retain for 6 years Trigger: End of calendar year	Destroy	Common practice
Circulars to parents/staff/pupils	Retain for 1 year Trigger: End of calendar year	Destroy	Common practice
Newsletters produced by the school	Retain for 1 year Trigger: End of calendar year	Offer to Derbyshire Record Office	Common practice
Visitor records	Retain for 2 years Trigger: End of calendar year	Destroy	Common practice
Emails / Posts	Retain for 6 months Trigger: Date of final thread communication	Destroy	Business decision

13. Finance

Record Type	Retention Action	Disposal Action	Rationale / Information
Annual accounts	Retain at school for 6 years Trigger: End of calendar year	Destroy or Archive	Common practice
Invoices, receipts, and other financial records covered by financial regulations	Retain for 6 years Trigger: End of calendar year	Destroy	Standard financial regulations
Annual budget and supporting papers	Retain for 6 years Trigger: End of calendar year	Destroy	Common practice
Ordinary contracts	Retain for 6 years Trigger: End of contract	Destroy	The Limitation Act 1980
Contracts under seal	Retain for 12 years	Destroy	The Limitation Act 1980

Record Type	Retention Action	Disposal Action	Rationale / Information
	Trigger: End of contract		

14. Property

Record Type	Retention Action	Disposal Action	Rationale / Information
Building plans	Retain whilst operational Trigger: End of operational use	Archive	Common practice
Burglary, theft and vandalism report forms	Retain for 6 years Trigger: End of the calendar year that the record was created in	Destroy	Common practice
Contractors' reports	Retain for 6 years Trigger: End of the calendar year that the record was created in	Destroy	Common practice

15. Local Authority

Record Type	Retention Action	Disposal Action	Rationale / Information
Secondary transfer sheets	Retain for 2 years Trigger: Year of transfer	Destroy	Common practice
Returns to Local Authority	Retain for 1 year Trigger: End of the calendar year that the record was created in	Destroy	Common practice

16. Central Government

Record Type	Retention Action	Disposal Action	Rationale / Information
Ofsted reports and papers	Retain whilst current Trigger: Date new report issued	Archive	Common practice Replace old report with new report
Returns to central government (e.g. school census)	Retain for 6 years	Destroy	Common practice

Record Type	Retention Action	Disposal Action	Rationale / Information
	Trigger: End of the calendar year that the record was created in		