

Retention and Destruction Policy

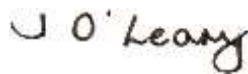


Management log

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Chair of the Board



CEO

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V2	November 2020	Lauren Cartwright	19 November 2020	20 November 2020	Reviewed to secure a retention and destruction policy to support SHINE and its academies.

Related policies

Policy	Website link
Equality	http://www.shine-mat.com/pupil-welfare/
General Data Protection Regulation (GDPR)	http://www.shine-mat.com/gdpr/

Please note that the version of this document contained at <https://www.shine-mat.com/business/> is the only version that is maintained.

Any printed copies should therefore be viewed as 'uncontrolled' and as such, may not necessarily contain the latest updates and amendments.

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Statement of Intent

SHINE Multi-academy Trust (SHINE) is committed to maintaining the confidentiality of its data and ensuring that all records within the SHINE and their academies are only accessible by the appropriate individuals. In line with the requirements of GDPR, the SHINE's academies also have a responsibility to ensure that all records are only kept for as long as it necessary to fulfil the purpose(s) for which they were intended.

SHINE has created this policy to outline how records are stored, accessed, monitored, retained and disposed of in order to meet statutory requirements.

1. Legal framework

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

- General Data Protection Regulations
- Freedom of Information Act 2000
- Limitation Act 1980 (as amended by the Limitation Amendment Act 1980)

2. Responsibilities

2.1 SHINE and their academies as a whole have a responsibility for maintaining records and record- keeping systems in line with statutory requirements.

2.2 The data protection officer (DPO) is responsible for the management of records for SHINE and their academies. Working with SHINE's leaders to ensure this policy is implemented properly within each academy.

2.3 The DPO is responsible for promoting compliance with this policy and reviewing the policy on an annual basis.

2.4 The DPO is responsible for ensuring that all records are stored securely, in accordance with the retention periods outlined in this policy and are disposed of correctly.

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

3. Management of pupil records

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

3.2 The following information is stored on the front of a pupil record, and will be easily accessible by key staff:-

- **Forename, Surname**

3.3 An electronic pupil management system (SIMS, Integris, Scholar pack etc) is used to store other pupil data and is accessible to staff; data stored includes:

- ethnic origin, religion and first language (if not English)
- any preferred names
- siblings in the academy
- emergency contact details
- any allergies or other medical conditions that are important to be aware of
- names of parents/carers, including their home address(es) and telephone number(s)
- name of the academy, admission number, the date of admission and the date of leaving, where appropriate

3.4 The following information is also stored this may be within a pupil file or on the above management system and will be easily accessible to staff:

- admissions form (paper copies kept with data office)
- details of any send
- if the pupil has attended a primary/other secondary academy, the record of transfer
- privacy notice/fair processing notice – only the most recent notice will be included
- assessment point reports to parents/carers
- notes relating to major incidents and accidents involving the pupil
- any information about an education, health and care (ehc) plan and support offered in relation to the ehc plan
- any information relating to exclusions
- any correspondence with parents/carers or external agencies relating to major issues
- notes indicating that records of complaints made by parents/carers or the pupil are held

- 3.5 The following information is subject to shorter retention periods and therefore, will be stored separately:
- absence notes
 - parental and, where appropriate, pupil consent forms for educational visits, photographs and videos, etc
- 3.6 For security purposes safeguarding information including disclosures and reports relating to child protection are stored on CPOMs which has restricted access; if any paper copies are held then they are kept in a securely locked filing cabinet.
- 3.7 Hard copies of complaints made by parents/carers or pupils are stored in a file kept securely within the academy – a note indicating this is marked on the pupils file.
- 3.8 Actual copies of accident and incident information are stored separately within the academy with restricted access and held in line with the retention periods outlined in this policy. An additional copy may be placed in the pupil's file in the event of a major accident or incident.
- 3.9 The academy will ensure that no pupil records are altered or amended before transferring them to the next academy that the pupil will attend. Note records will be anonymised to remove other pupil names and also staff names as appropriate.
- 3.10 The only exception to the above is if any records placed on the pupils file have a shorter retention period and may need to be removed. In such cases, the DPO responsible with ensure the appropriate training has been delivered.
- 3.11 Electronic records relating to a pupil's record will also be transferred to the pupil's next academy. Section 11 of this policy outlines how electronic records will be transferred.
- 3.12 The academy will, wherever possible, avoid sending a pupil record by post. Where a pupil record must be sent by post, it will be sent by **registered post** with an accompany list of the files included. **The academy 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 relevant SHINE academy.**

4. Retention of Pupil Records and Other Pupil Related Information

- 4.1 The table overleaf outlines the Trust's retention periods for individual pupil records and the action that will be taken after the retention period, in line with any requirements.
- 4.2 Electronic copies of any information and files will be destroyed in line with the retention periods overleaf.

Type of file	Retention period	Action taken after retention period ends
Personal Identifiers, Contacts and Personal Characteristics		
Images used in displays in academies	Whilst the pupil is at academy + 1 year	Securely disposed of
Admissions		
Register of admissions	Whilst the pupil remains at the academy, plus one year	Information is reviewed and the register may be kept permanently
Admissions appeals	Whilst the pupil remains at academy, plus five years	Securely disposed of
Proof of address (supplied as part of the admissions process)	Whilst the pupil remains at the academy, plus one year	Securely disposed of
Supplementary information submitted, including religious and medical information etc. (where the admission was successful)	Whilst the pupil remains at the academy, plus one year	Securely disposed of
Supplementary information submitted, including religious and medical information etc. (where the admission was not successful)	Whilst the pupil remains at the academy, plus five years	Securely disposed of
Pupils' Educational Records		
Public examination results	Added to the pupil's record and transferred to next academy Certificates are held whilst the pupil is at academy, plus five years	Returned to the examination board
Child protection records held in a separate file	25 years after the pupil's date of birth	Securely disposed of – shredded

Type of File	Retention period	Action taken after retention period ends
Medical Information and Administration		
Permission slips	For the duration of the period that medication is given, plus one month	Securely disposed of
Medical incidents that have a behavioural or safeguarding influence	Added to the pupil's record and transferred to the next academy 25 years after the pupil's date of birth	Securely disposed of
SEND		
SEND files, reviews and individual education plans	25 years after the pupil's date of birth (as stated on the pupil's record)	Information is reviewed and the file may be kept for longer than necessary if it is required for the academy to defend themselves in a 'failure to provide sufficient education' case
An EHC plan maintained under section 37 of the Children and Families Act 2014 (and any amendments to the statement or plan)	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of, unless it is subject to a legal hold
Information and advice provided to parents regarding SEND	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of, unless it is subject to a legal hold
Accessibility strategy	25 years after the pupil's date of birth (as stated on the pupil's record)	Securely disposed of, unless it is subject to a legal hold
Curriculum Management		
External examination papers	Until the appeals/validation process has been completed	Securely disposed of
Published Admission Number (PAN) reports	Current academic year, plus six years	Securely disposed of
Pupil's work	Returned to pupils at the end of the academic year, or retained for the current academic year, plus one year	Securely disposed of

5. Retention of Staff Records

- 5.1 The table below outlines the Trust’s retention period for staff records and the action that will be taken after the retention period, in line with any requirements.
- 5.2 Electronic copies of any information and files will also be destroyed in line with the retention periods overleaf.

Type of File	Retention period	Action taken after retention period ends
Visits/Extra-Curricular Activities		
Trip Information – information taken on academy trips	Until the conclusion of the trip, plus one month	Securely disposed of
Financial information relating to academy trips	Whilst the pupil remains at academy, plus one year	Securely disposed of
Parental consent forms for academy trips where no major incident occurred	Until the conclusion of the trip +1 month	Securely disposed of
Parental consent forms for academy trips where a major incident occurred	25 years after the pupil’s date of birth on the pupil’s record (permission slips of all pupils on the trip will also be held to show that the rules had been followed for all pupils)	Securely disposed of
Catering and Free academy Meal Management		
Meal administration	Whilst the pupil is at academy, plus one year	Securely disposed of
Meal eligibility	25 years after the pupil’s date of birth on the pupil’s record	Securely disposed of

Type of File	Retention period	Action taken after retention period ends
Operational		
Staff members’ personal file	Termination of employment, plus six years	Securely disposed of
Timesheets	Current academic year, plus six years	Securely disposed of
Annual appraisal and assessment records	Current academic year, plus five years	Securely disposed of

Type of File	Retention period	Action taken after retention period ends
Recruitment		
Records relating to the appointment of a new Headteacher	Date of appointment, plus six years	Securely disposed of
Records relating to the appointment of new members of staff (unsuccessful candidates)	Date of appointment of successful candidate, plus six months	Securely disposed of
Records relating to the appointment of new members of staff (successful candidates)	Relevant information added to the member of staff's personal file and other information retained for six months	Securely disposed of
Proof of identify as part of the enhanced DBS check	After identity has been proven	Reviewed and a note kept of what was seen and what has been checked – if it is necessary to keep a copy this will be placed on the staff member's personal file, if not, securely disposed of
Evidence of right to work in the UK	Added to staff personal file or, if kept separately, termination of employment, plus no longer than two years	Securely disposed of
Disciplinary and Grievance Procedures		
Child protection allegations, including where the allegation is unproven	Added to staff personal file, and until the individual's normal retirement age, or 10 years from the date of the allegation – whichever is longer. If allegations are malicious, they are removed from personal files	Reviewed and securely disposed of – shredded
Oral warnings	Date of warning, plus six months	Securely disposed of – if placed on staff personal file, removed from file
Written warning – level 1	Date of warning, plus six months	Securely disposed of – if placed on staff personal file, removed from file
Written warning – level 2	Date of warning, plus 12 months	Securely disposed of – if placed on staff personal file, removed from file
Final warning	Date of warning, plus 18 months	Securely disposed of – if placed on staff personal file, removed from file
Records relating to unproven incidents	Conclusion of the case, unless the incident is child protection related and is disposed of as above	Securely disposed of

6. Retention of senior leadership and management records

6.1 The table below outlines the Trust's retention periods for senior leadership and management records, and the action that will be taken after the retention period in line with any requirements.

6.2 Electronic copies of any information and files will also be destroyed in line with the retention periods below.

Type of File	Retention period	Action taken after retention period ends
Governing Board		
Agendas for governing board meetings	One copy alongside the original set of minutes – all others disposed of without retention	Securely disposed of
Original, signed copies of the minutes of governing board meetings	Permanent	
Inspection copies of the minutes of governing board meetings	Date of meeting, plus three years	Shredded if they contain any sensitive and personal information
Reports presented to the governing board	Minimum of six years, unless they refer to individual reports – these are kept permanently	Securely disposed of or, if they refer to individual reports, retained with the signed, original copy of minutes
Instruments of government, including articles of association	Permanent	
Trusts and endowments managed by the governing board	Permanent	
Action plans created and administered by the governing board	Duration of the action plan, plus three years	Securely disposed of
Policy documents created and administered by the governing board	Duration of the policy, plus three years	Securely disposed of
Records relating to complaints dealt with by the governing board	Date of the resolution of the complaint, plus a minimum of six years	Reviewed for further retention in case of contentious disputes, then securely disposed of

7. Retention of health and safety records

- 7.1 The table below outlines the Trust's retention periods for health and safety records and the action that will be taken after the retention period, in line with any requirements.
- 7.2 Electronic copies of any information and files will also be destroyed in line with the retention periods below.

Type of File	Retention period	Action taken after retention period ends
Health & Safety		
Health and safety policy statements	Duration of policy, plus three years	Securely disposed of
Health and safety risk assessments	Duration of risk assessment, plus three years	Securely disposed of
Records relating to accidents and injuries at work	Date of incident, plus 12 years. In the case of serious accidents, a retention period of 15 years is applied	Securely disposed of
Accident reporting – adults	Date of the incident, plus six years	Securely disposed of

Type of File	Retention period	Action taken after retention period ends
Health & Safety		
Accident reporting – pupils	25 years after the pupil's date of birth, on the pupil's record	Securely disposed of
Control of substances hazardous to health	Current academic year, plus 40 years	Securely disposed of
Information relating to areas where employees and persons are likely to come into contact with asbestos	Date of last action, plus 40 years	Securely disposed of
Information relating to areas where employees and persons are likely to come into contact with radiation	Date of last action, plus 50 years	Securely disposed of
Fire precautions log books	Current academic year, plus six years	Securely disposed of

8. Retention of financial records

8.1 The table below outlines the Trust's retention periods for financial records and the action that will be taken after the retention period, in line with any requirements.

8.2 Electronic copies of any information and files will also be destroyed in line with the retention periods below.

Type of File	Retention period	Action taken after retention period ends
Payroll Pensions		
Maternity pay records	Current academic year, plus three years	Securely disposed of
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Current academic year, plus six years	Securely disposed of
Risk Management and Insurance		
Employer's liability insurance certificate	Closure of the academy, plus 40 years	Securely disposed of
Asset Management		
Inventories of furniture and equipment	Current academic year, plus six years	Securely disposed of
Burglary, theft and vandalism report forms	Current academic year, plus six years	Securely disposed of

Type of File	Retention period	Action taken after retention period ends
Accounts and Statements Including Budget Management		
Annual accounts	Current academic year, plus six years	Disposed of against common standards
Loans and grants managed by the academy	Date of last payment, plus 12 years	Information is reviewed then securely disposed of
All records relating to the creation and management of budgets	Duration of the budget, plus three years	Securely disposed of
Invoices, receipts, order books, requisitions and delivery notices	Current financial year, plus six years	Securely disposed of
Records relating to the collection and banking of monies	Current financial year, plus six years	Securely disposed of
Records relating to the identification and collection of debt	Current financial year, plus six years	Securely disposed of
Contract Management		
All records relating to the management of contracts under seal	Last payment on the contract, plus 12 years	Securely disposed of
All records relating to the management of contracts under signature	Last payment on the contract, plus six years	Securely disposed of
All records relating to the monitoring of contracts	Current academic year, plus two years	Securely disposed of
Academy Meals		
Free school meals registers	Current academic year, plus six years	Securely disposed of
academy meals registers	Current academic year, plus three years	Securely disposed of
academy meals summary sheets	Current academic year, plus three years	Securely disposed of

9. Retention of other academy records

9.1 The table below outlines the Trust's retention periods for any other records held by its Academies, and the action that will be taken after the retention period, in line with any requirements.

9.2 Electronic copies of any information and files will also be destroyed in line with the retention periods below.

Type of File	Retention period	Action taken after retention period ends
Property Management		
Title deeds of properties belonging to the academy	Permanent	Transferred to new owners if the building is leased or sold
Plans of property belonging to the academy	For as long as the building belongs to the academy	Transferred to new owners if the building is leased or sold
Leases of property leased by or to the academy	Expiry of lease, plus six years	Securely disposed of
Records relating to the letting of academy premises	Current financial year, plus six years	Securely disposed of
Maintenance		
All records relating to the maintenance of the academy carried out by contractors	Current academic year, plus six years	Securely disposed of
All records relating to the maintenance of the academy carried out by academy employees	Current academic year, plus six years	Securely disposed of
Operational administration		
Records relating to the creation and distribution of circulars to staff, parents or pupils	Current academic year, plus one year	Disposed of against common standards
Newsletters and other items with short operational use	Current academic year plus one year	Disposed of against common standards
Visitors' books and signing-in sheets	Current academic year, plus six years	Reviewed then securely disposed of

9.3 Identifying information

9.4 Under GDPR, all individuals have the right to data minimisation and data protection by design and default – as the Data Controller, the Trust ensures appropriate measures are in place in order for individuals to exercise this right.

9.5 Where data is required to be retained over time, eg attendance data, the academy removes any personal data not required and keeps only the data needed – in this example, the statistics of attendance rather than personal information.

9.6 Storing and protecting information

9.7 The DPO will undertake a risk analysis to identify which records are vital to academy management and these records will be stored in the most secure manner.

9.8 **Confidential paper records are kept in a locked filing cabinet, drawer or safe, with restricted access.**

9.9 **Confidential paper records are not left unattended or in clear view when held in a location with general access.**

9.10 USBs/portable hard drives are not used to hold personal information unless they are password-protected and fully encrypted and staff have specific permission from the DPO to have such a device.

9.11 **All electronic devices are password-protected** to protect the information on the device in case of theft.

9.12 All members of staff are provided with their **own secure login and password**, and every computer regularly prompts users to change their password.

9.13 **Emails containing sensitive or confidential information are password-protected** to ensure that only the recipient is able to access the information. The password will be shared with the recipient in a separate email.

9.14 For a variety of organisations where recipients do not know each other/have not shared email contacts, **circular emails are sent blind carbon copy (bcc)**, so email addresses are not disclosed to other recipients.

9.15 **Where personal information that could be considered private or confidential is taken off the premises**, to fulfil the purpose of the data in line with the GDPR, either in an electronic or paper format, staff take extra care to follow the same procedures for security, e.g. keeping devices under lock and key. **The person taking the information from academy**

premises accepts full responsibility for the security of the data.

9.16 Before sharing data staff always ensure that:

- **They have consent from data subjects to share it**
- **Adequate security is in place to protect it**
- **The data recipient has been outlined in a privacy notice.**

9.17 **All staff members will implement a 'clear desk policy'** to avoid unauthorised access to physical records containing sensitive or personal information. All confidential information will be **stored in a securely locked** filing cabinet drawer or safe with restricted access.

9.18 Under no circumstances are visitors allowed access to confidential or personal information. Visitors to areas of the academy containing sensitive information are supervised at all times.

9.19 The Trust takes its duties under the GDPR seriously and any unauthorised disclosure may result in disciplinary action.

9.20 The DPO is responsible for continuity and making sure recovery measures are in place to ensure the security of protected data.

10. Assessing information

10.1 All Trust Academies are transparent with data subjects, the information held and how it can be processed.

10.2 All members of staff, parents/carers of registered pupils and other users of each academy, e.g. visitors and third-party clubs, are entitled to:

- Know what information the academy holds and processes about them or their child and why
- Understand how to gain access to it
- Understand how to provide and withdraw consent to information being held
- Understand what the academy is doing to comply with its obligations under the GDPR

10.3 All members of staff, parents/carers of pupils and other users of the academy and its facilities have the right, under the GDPR, to access certain personal data being held about them or their child.

10.4 Personal information can be shared with pupils once they are considered to be at an

appropriate age and responsible for their own affairs; although this information can still be shared with parents/carers.

10.5 Each academy will adhere to the provisions outlined in the Trust's Data Protection Policy when responding to requests seeking access to personal information.

- Questionnaires to key staff members to identify information and information flows etc
- A mixture of the above

10.6 The DPO is responsible for completing the information audit. The information audit will include the following:

- the academy's data needs
- the information needed to meet those needs
- the format in which data is stored
- how long data needs to be kept for
- vital records status and any protective marking
- who is responsible for maintaining the original document

10.7 The DPO will consult with staff members involved in the information audit process to ensure that the information is accurate.

10.8 Once it has been confirmed that the information is accurate, the DPO will record all details on the academy's Data Register.

10.9 The information displayed on the Data Register will be shared with each headteacher to gain their approval.

11. Disposal of data

11.1 Where disposal of information is outlined as standard disposal, this will be re-cycled appropriate to the form of the information, e.g. paper re-cycling, electronic re-cycling.

11.2 Where disposal of information is outlined as secure disposal, this will be shredded or pulped and electronic information will be scrubbed clean and, where possible, cut. The DPO will keep a record of all files that have been destroyed. Academies must ensure they receive and store proof of disposal certificates from any external companies providing monthly, annual or one of data disposal.

11.3 Where the disposal action is indicated as reviewed before it is disposed, the DPO will

review the information against its administrative value – if the information should be kept for administrative value the DPO will keep a record of this.

- 11.4 If, after the review, it is determined that the data should be disposed of, it will be destroyed in accordance with the disposal action outlined in this policy.
- 11.5 Where information has been kept for administrative purposes, the DPO will review the information again after three years and conduct the same process. If it needs to be destroyed, it will be destroyed in accordance with the disposal action outlined in this policy. If any information is kept, the information will be reviewed every three subsequent years.
- 11.6 Where information must be kept permanently, this information is exempt from the normal review procedures.

12. Monitoring and review

- 12.1 This policy will be reviewed on an annual basis by the DPO in conjunction with each headteacher and presented to the board for approval.
- 12.2 Any changes made to this policy will be communicated to all members of staff and the board.