



PUPIL DATA RETENTION POLICY

Approved by: Trustees

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1. Aims

1.1 The Trust recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution. Records provide evidence for protecting the legal rights and interests of the Trust, and provide evidence for demonstrating performance and accountability. This document provides the policy framework through which this effective management can be achieved and audited.

2. Scope of the Policy

2.1 This policy applies to all staff and pupil records created, received or maintained by staff of the school in the course of carrying out its functions.

2.2 Records are defined as all those documents which facilitate the business carried out by the Trust and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or received and then stored, in hard copy or electronically.

3. Responsibilities

3.1 The Trust has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The person with overall responsibility is the Executive Headteacher.

3.2 The person responsible for records management in each school (Headteacher) will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely way. They will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed approximately.

3.3 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.

4. Relationship with existing policies

4.1 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.

5. Managing Pupil Records

5.1 The pupil record should be seen as the core record charting an individual pupil's progress through the Education System. The pupil record should accompany the pupil to every school they attend and should contain information that is accurate, objective and easy to access. These guidelines are based on the assumption that the pupil record is a principal record and that all information relating to the pupil will be found in the file (although it may spread across more than one file cover).

5.2 Pupil records may be held on a combination of paper based records and electronic systems from our chosen information management system suppliers.

6. File covers for Pupil Records

6.1 It is strongly recommended that schools use a consistent file cover for the pupil record. This assists secondary schools to ensure consistency of practice when receiving records from a number of different primary schools.

6.2 Using pre-printed file ensures all the necessary information is collated and the record looks tidy, and reflects the fact that it is the principal record containing all the information about an individual child.

7. Recording Information

7.1 Pupils have a right of access to their educational record and so do their parents/carers under the Education (Pupil Information) (England) Regulations 2005. Under the Data Protection Act 2018 a pupil or their nominated representative has a right to see information held about them. This right exists until the point that the file is destroyed. Therefore, it is important to remember that all information should be accurately recorded, objective in nature and expressed in a professional manner.

8. Primary School Records

8.1 The pupil record starts its life when a file is opened for each new pupil as they begin school. This is the file which will follow the pupil for the rest of his/her school career. If pre-printed file covers are not being used then the following information should appear on the front of the paper file:

- Surname
- Forename
- DOB
- Unique Pupil Number

The file cover should also contain a note of the date when the file was opened and the date when the file is closed if it is felt to be appropriate.

Inside the front cover the following information should be easily accessible:

- The name of the pupil's doctor
- Emergency contact details
- Gender
- Preferred name
- Position in family
- Ethnic origin
- Language of home (if other than English)
- Religion
- Any allergies or other medical conditions that it is important to be aware of
- Names of adults who hold parental responsibility with home address and telephone number (and any additional relevant carers and their relationship to the child)
- Name of the school, admission number and the date of admission and date the date of leaving
- Any other agency involvement e.g speech and language therapist, pediatrician

8.2 The following items should be included on the pupil record:

- If the pupil has attended an early years setting, then the record of transfer should be included on the pupil file
- Admission form (application form)
- Photography Consents
- Years Record
- Annual Written Report to Parents
- National Curriculum and Religious Education Locally Agreed Syllabus Record Sheets
- Any information relating to a major incident involving the child (either an accident or other incident)
- Any reports written about the child
- Any information about a statement and support offered in relation to the statement
- Any relevant medical information (should be stored in the file in a sealed envelope clearly marked as such)
- Child protection reports/disclosures (should be stored in the file in a sealed envelope clearly marked as such)

- Any information relating to exclusions (fixed or permanent)
- Any correspondence with parents or outside agencies relating to major issues
- Details of any complaints made by the parents or the pupil

8.3 The following records should be stored separately to the pupil record as they are subject to shorter retention periods and if they are placed on the file then it will involve a lot of unnecessary weeding of the files before they are transferred on to another school:

- Absence notes
- Parental consent forms for trips/outings [in the event of a major incident all the parental consent forms should be retained with the incident report not in the pupil record]
- Correspondence with parents about minor issues
- Accident forms (these should be stored separately and retained on the school premises until their statutory retention period is reached. A copy could be placed on the pupil file in the event of a major incident)

8.4 The pupil record should not be weeded before transfer to the secondary school unless any records with a short retention period have been placed in the file. It is important to remember that the information which may seem unnecessary to the person weeding the file may be a vital piece of information required at a later stage.

Primary schools do not need to keep copies of any records in the pupil record except if there is an ongoing legal action when the pupil leaves the school. Custody of and responsibility for the records passes to the school the pupil transfers to.

Files should not be sent by post unless absolutely necessary. If files are sent by post, they should be sent by registered post with an accompanying list of the files. The secondary school should sign a copy of the list to say that they have received the files and return that to the primary school. Where appropriate, records can be delivered by hand with signed confirmation for tracking and auditing purposes.

Electronic documents that relate to the pupil file also need to be transferred, or, if duplicated in a master paper file, destroyed.

9. Secondary School Records

9.1 Items which should be included on the pupil record:

- If the pupil has attended an early years setting, then the record of transfer should be included on the pupil file
- Admission form (application form)
- Data Collection Booklet
- Years Record
- Any information relating to a major incident involving the child (either an accident or other incident)
- Any reports written about the child
- Any information about a statement and support offered in relation to the statement
- Any relevant medical information (should be stored in the file in a sealed envelope clearly marked as such)
- Child protection reports/disclosures should be stored in the file in a sealed envelope clearly marked as such, if not stored on CPOMS
- Any information relating to exclusions (fixed or permanent)
- Any correspondence with parents or outside agencies relating to major issues
- Details of any complaints made by the parents or the pupil

The following records should be stored within the pupil record but removed once the pupil leaves the school, before the file is archived:

- Absence notes
- Parental consent forms for trips/outings [in the event of a major incident all the parental consent forms should be retained with the incident report not in the pupil record]
- Correspondence with parents about minor issues
- Accident forms (these should be stored separately and retained on the school premises until their statutory retention period is reached. A copy could be placed on the pupil file in the event of a major incident)

10. Responsibility for the pupil record once the pupil leaves the school

10.1 The school which the pupil attended until statutory school leaving age is responsible for retaining the pupil record until the pupil reaches the age of 25 years. [See the retention schedule for further information].

11. Safe destruction of the pupil record

11.1 The pupil record should be disposed of in accordance with the safe disposal of records guidelines.

12. Transfer of a pupil record outside of the UK

12.1 If you are requested to transfer a pupil file outside of the UK area because a pupil has moved into that area, please contact the Data Protection Officer for guidance.

13. Storage of pupil records

13.1 All pupil records should be kept securely at all times. Paper records, for example, should be kept in lockable storage areas with restricted access, and the contents should be secure within the file. Equally, electronic records should have appropriate security.

13.2 Access arrangements for pupil records should ensure that confidentiality is maintained whilst equally enabling information to be shared lawfully and appropriately, and to be accessible for those authorised to see it.

16. Pupil Records Schedule

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

16.1 Pupil's Educational Record				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
				not transferred in the normal way. It makes more sense to transfer the record to the LA, as it is more likely that the pupil will request the record from the LA
• Secondary		Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	SECURE DISPOSAL
Records relating to the management of exclusions	Yes		Date of birth of the pupil involved + 25 years	SECURE DISPOSAL
Management of examination registrations	Yes		The examination board will usually mandate how long these records need to be retained	
Examination results – pupil copies	Yes			
• Public			This information should be added to the pupil file	All uncollected certificates should be returned to the examination board
• Internal			This information should be added to the pupil file	

16.1 Pupil's Educational Record					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Child protection information held on pupil file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file	SECURE DISPOSAL – these records MUST be shredded
	Child protection information held in separate files	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	Date of birth of the child + 25 years then REVIEW	SECURE DISPOSAL – these records MUST be shredded

16.2 Special Educational Needs

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	REVIEW
	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL, unless the document is subject to a legal hold
	Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL, unless the document is subject to a legal hold
	Accessibility strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL, unless the document is subject to a legal hold