

Retention Guidelines

for Derbyshire Schools

PUBLIC

Due to the ongoing Independent Inquiry into Child Sexual Abuse (**IICSA**) there are restrictions on destroying pupil or staff records. The guidance below gives a retention period in the Retention Action column, but where records should not be destroyed, this is noted in the Disposal Action column. For further information, contact the council's Corporate Records Manager at records.management@derbyshire.gov.uk or on 01629 539203

Version History

| | Author / Authoriser | Date |
|---|---|----------|
| V1.00: First version | David Jenkins | 2012 |
| V2.00 Revised to reflect changes to national guidance | David Jenkins | 2014 |
| V3.00 Update re: non-disposal of pupil and staff files | David Jenkins | 2016 |
| V4.00 Updated to include: information on child protection records to be transferred to DCC; records of administration of medicines | David Jenkins | 2017 |
| V5.00: Updated to include temporary halt to destructions as ordered by IICSA | Mark Smith / Gareth Mainprize | 2018 |
| V5.01-v5.02: SCH 7.7/8: updated wording on medicines; SCH 6.2: mentions entitlement to work; SCH 6.3: changed from 6 to 12 months; SCH 6.4: expanded according to suggestions from Audit Services | Mark Smith / Martin Stone, Chris Newton | 2019 |
| V5.03: Introduction reworded: discusses use of pupil management systems, and retention by academies of records created by predecessor schools. SCH 4.12: reworded to allow confirmation time. SCH 7.1: PEEPs added as example | | |
| SCH 12.2: school census added as example | Mark Smith / Jon Farmer | Sep 2019 |
| V6.00: Issued in new guidance note format. Examples of "major incident" in SCH 12.1 to include emergency services, hospitalisation, disease outbreak | Mark Smith / Jon Farmer | May 2020 |

About these guidelines

These guidelines have been produced by Derbyshire County Council to help you manage your school's records. The retention periods given are based on legislation and common practice. If you can't find the information you need here, try the Information and Records Management Society's Schools Toolkit (<https://irms.site-ym.com/general/custom.asp?page=SchoolsToolkit>).

If your local authority school becomes an academy, it continues to be classed as a public body under the Freedom of Information Act 2000, meaning you are obliged to manage records appropriately using clearly established retention periods. Since May 2019, Commercial Transfer Agreements with newly formed academies have required them to follow the retention rules laid out in these guidelines when

managing records of the predecessor school. We recommend all academies take this approach, even if transfer was before that date.

These guidelines give a description of each record type, followed by the action you need to take (e.g. retain for 3 years), based on a “trigger” event (e.g. date record created). The disposal action will either be to destroy the records or transfer them elsewhere. This could be to another school, to Derbyshire County Council or as archives to Derbyshire Record Office.

You may see references to paper records which are no longer created in your school (e.g. log books). If so, you can ignore these retention periods except when reviewing any backlog of paper records. Many records separately listed on the following pages are in practice maintained as part of an integrated pupil record in an electronic management system. Where the stated retention period is under 7 years, this is generally not because of an overriding legal obligation to destroy the record at a particular point, but for administrative convenience or alignment with common practice. If there is no reasonably practical way to disaggregate the pupil record (e.g. destroying attendance data after 3 years but destroying exam results after 5 years), it is acceptable to destroy all such data after 6 years plus the current academic year. The Limitation Act 1980 provides a reasonable justification for this practice, as the school may need to rely on any component part of a record in defending itself from civil claims. Where the retention period is 7 years or more, this should be applied in your electronic system just as it would be with paper records.

Glossary

- 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 Derbyshire Record Office for permanent preservation
- Permanent: Retain the record permanently and offer to Derbyshire Record Office. Use the enquiry form at: <https://www.derbyshire.gov.uk/leisure/record-office/depositors/school-archives/school-archives.aspx>
- 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)

Additional Information:

For queries on retention periods please contact the Corporate Records Manager on records.management@derbyshire.gov.uk or 01629 539203. For queries about transferring records to Children’s Services contact the Information Governance Team on cs.dpandfoi@derbyshire.gov.uk or 01629 536470. Additional retention schedules (inc Finance, Human Resources, Management and Administration, Property) and Derbyshire County Council’s Records Disposal Policy and Procedures can be found at <http://staff.derbyshire.gov.uk/retentionschedules>.

| CHILD PROTECTION | | | | |
|------------------|--|---|---|--|
| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
| SCH 1.1 | 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 |
| SCH 1.2 | Child protection files (secondary school) | Retain for 25 years Trigger: Pupil's date of birth | Do not destroy (refer to note on front page) 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 |
| SCH 1.3 | Child protection files (Child missing from education, Traveller, Roma, or Gypsy and therefore removed from roll) | N/A Trigger: Date removed from roll | Transfer to Derbyshire 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 |

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| SCH 1.4 | Child protection files (child is removed from the roll and is Elective Home Educated) | N/A Trigger: Date removed from roll | Transfer to Derbyshire 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) Scan all your documents into one folder, use the naming convention as per guidance sent out (EHE) and send via the Perspective Lite Secure Portal which can also be accessed via Derbyshire SchoolsNet. |
| SCH 1.5 | 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 (refer to note on front page) | Employment Practices Code: Supplementary Guidance (Information Commissioner's Office) |

GOVERNORS

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|---------|---------------------------------|--|-----------------------------------|--------------------------|
| SCH 2.1 | Principal set of signed minutes | Retain at school for 6 years Trigger: Date of meeting | Offer to Derbyshire Record Office | Common practice |
| SCH 2.2 | Inspection copies of minutes | Retain for 3 years Trigger: Date of Meeting | Destroy | Common practice |
| SCH 2.3 | Agendas | No retention required Trigger: Conclusion of meeting | Destroy | Common practice |
| SCH 2.4 | Reports | Retain at school for 6 years Trigger: Date of report | Offer to Derbyshire Record Office | Common practice |
| SCH 2.5 | Annual parents meeting papers | Retain at school for 6 years Trigger: Date of meeting | Offer to Derbyshire Record Office | Common practice |

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| SCH 2.6 | Instrument of Government | Retain at school for the duration of its operation Trigger: Closure of school | Offer to Derbyshire Record Office | Common practice |
| SCH 2.7 | Trusts and Endowments | Retain at school whilst operationally required Trigger: End of operational use | Offer to Derbyshire Record Office | Common practice |
| SCH 2.8 | Action Plans | Retain for 3 years Trigger: Expiration of action plan | Destroy | Common practice May be appropriate to offer to Record Office |
| SCH 2.9 | Policy documents | Retain while policy is used operationally Trigger: Expiration of policy | Transfer to archives when policy is no longer operational | Common practice |
| SCH 2.10 | Complaints files | Retain for 6 years Trigger: Resolution of complaint | Review and destroy if complaints are non-contentious | Common practice |
| SCH 2.11 | Annual reports required by central government | Retain at school for 10 years Trigger: End of the calendar year that the record was created in | Offer to Derbyshire Record Office | Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002 |

SCHOOL MANAGEMENT

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|---------|---------------------------------|---|-----------------------------------|---|
| SCH 3.1 | Log books | Retain at school for 6 years Trigger: Date of last entry in log book | Offer to Derbyshire Record Office | Common practice Legislation no longer requires the completion of a school log book |
| SCH 3.2 | Minutes of management team | Retain at school for 5 years Trigger: Date of meeting | Offer to Derbyshire Record Office | Common practice |
| SCH 3.3 | Reports made by management team | Retain at school for 3 years Trigger: Date of report | Offer to Derbyshire Record Office | Common practice |

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| SCH 3.4 | Development plans | Retain for 6 years Trigger: Expiry of plan | Review with a view to destroy | Common practice May be appropriate offer to Derbyshire Record Office |
| SCH 3.5 | Successful school admissions applications | Retain for 1 year Trigger: Date of admission | Destroy | Common practice |
| SCH 3.6 | Unsuccessful school admission applications (where no appeal is made) | Retain for 1 year Trigger: Start of school term | Destroy | School Admissions Appeals Code 2012 |
| SCH 3.7 | Unsuccessful school admission applications (where an appeal is made) | Retain for 1 year Trigger: Resolution of case | Destroy | School Admissions Appeals Code 2012 |
| SCH 3.8 | Proofs of address supplied by parents as part of the admissions process | Retain for 1 year Trigger: Date of admission | Destroy | Common practice |

PUPIL RECORDS

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|---------|---------------------------------------|---|---|--|
| SCH 4.1 | Admission registers | Retain for 6 years Trigger: Last entry in register | Offer to Derbyshire Record Office | Common practice Admission registers are not commonly created in paper format (see About These Guidelines) |
| SCH 4.2 | Attendance registers | Retain for 3 years Trigger: Last entry in register | Destroy | Common practice |
| SCH 4.3 | Pupil files (primary school) | Retain for duration of the pupil's attendance at school Trigger: Date pupil changes school | Transfer to Secondary School | Common practice In the case of school exclusions it may be appropriate to transfer to Behaviour Service |
| SCH 4.4 | Pupil files (secondary school school) | Retain for 25 years Trigger: Pupil's date of birth | Do not destroy (refer to note on front page) | The Limitation Act 1980 |

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| SCH 4.5 | Special educational needs records relating to individual support provided by the schools (primary) | Retain for duration of attendance at school Trigger: Date pupil changes school | Transfer to Secondary School | Common practice |
| SCH 4.6 | Special educational needs records relating to individual support provided by the schools (secondary) | Retain for 35 years Trigger: Pupil's date of birth | Do not destroy (refer to note on front page) | Special Educational Needs and Disability Act 2001 |
| SCH 4.7 | Letters authorising absence | Retain for 2 years Trigger: Date of absence | Destroy | Common practice |
| SCH 4.8 | Public examination results | Retain for 6 years Trigger: Date of examination | Destroy | Common practice |
| SCH 4.9 | Internal school examination result | Retain for 5 years Trigger: Date of examination | Destroy | Common practice |
| SCH 4.10 | 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 |
| SCH 4.11 | Accessibility Strategy | Retain for 12 years Trigger: Expiry of strategy | Destroy | Special Educational Needs and Disability Act 2001 May be appropriate to offer to Derbyshire Record Office |
| SCH 4.12 | Parental permission slips for school trips where there has not been a major incident | N/A Trigger: Confirmation that there has been no major incident | Destroy | Common practice |

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| SCH 4.13 | 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 |
| SCH 4.14 | 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 |
| SCH 4.15 | Records created by schools to obtain approval to run an Educational Visit outside the classroom where there has been a major incident (e.g. involvement of emergency services, hospital admission, disease outbreak) | Retain for 21 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 might include risk assessments |
| SCH 4.16 | Walking bus register | Retain for 3 years Trigger: Last entry in register | Destroy | Common practice In the event of an incident it is assumed that an accident report will be made and retained for the appropriate retention period (see Health and Safety, below) |

| CURRICULUM | | | | |
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| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
| SCH 5.1 | Curriculum development | Retain for 6 years Trigger: End of the calendar year that the record was created in | Destroy | Common practice |
| SCH 5.2 | Curriculum returns | Retain for 3 years Trigger: End of the calendar year that the record was created in | Destroy | Common practice |
| SCH 5.3 | School syllabus | Retain for 1 year Trigger: Expiration of syllabus | Destroy | Common practice May be appropriate to offer to Derbyshire Record Office |
| SCH 5.4 | Schemes of work | Retain for 1 year Trigger: End of the calendar year that the record was created in | Review with a view to destroy | Common practice |
| SCH 5.5 | Timetable development | Retain for 1 year Trigger: End of the calendar year that the record was created in | Review with a view to destroy | Common practice |
| SCH 5.6 | Records of marks awarded | Retain for 1 year Trigger: End of the calendar year that the record was created in | Destroy | Common practice |
| SCH 5.7 | Records of homework set | Retain for 1 year Trigger: End of the calendar year that the record was created in | Destroy | Common practice |

| PERSONNEL | | | | |
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| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
| SCH 6.1 | Staff personnel files | Retain for 7 years Trigger: End of employment | Do not destroy (refer to note on front page) | Common practice |
| SCH 6.2 | Recruitment record for successful candidates, including interview notes and copy evidence of entitlement to work in the UK | Retain and add to personnel file. Trigger: | | Common practice, Immigration, Asylum and Nationality Act 2006 |
| SCH 6.3 | Interview notes for unsuccessful candidates | Retain for 12 months Trigger: Date successful candidate is in post | Destroy | Business requirement |
| SCH 6.4.1 | Pre-employment vetting of successful candidates, for the purposes of preventing unsuitable people from working with children (e.g. DBS checks) | Retain for 6 months Trigger: Date information checked | Destroy | DBS guidelines |
| SCH 6.4.2 | Pre-employment vetting of successful candidates, for the purposes of ensuring school staff are adequately qualified | Add copies of evidence to personnel file (SCH 6.1) | | Common practice |
| SCH 6.4.3 | Pre-employment vetting of successful candidates, for the purposes of ensuring school staff are legally entitled to work in the United Kingdom | Add copies of evidence to personnel file (SCH 6.1) | | Immigration, Asylum and Nationality Act 2006 |

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| SCH 6.5 | Written warnings (level 1) | Retain for 6 months Trigger: Date of warning | Do not destroy (refer to note on front page) | Common practice |
| SCH 6.6 | Written warning (level 2) | Retain for 12 months Trigger: Date of warning | Do not destroy (refer to note on front page) | Common practice |
| SCH 6.7 | Final warning | Retain for 18 months Trigger: Date of warning | Do not destroy (refer to note on front page) | Common practice |
| SCH 6.8 | 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 (refer to note on front page) | Common practice For child protection related warnings see Child Protection section above. |
| SCH 6.9 | Staff appraisal records | Retain for 5 years Trigger: End of the calendar year that the record was created in | Do not destroy (refer to note on front page) | Common practice |

HEALTH AND SAFETY

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|---------|--|--|-----------------|--|
| SCH 7.1 | 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 |
| SCH 7.2 | Accident/incident reporting (adults) | Retain for 7 years Trigger: Date of incident | Destroy | Common practice |
| SCH 7.3 | Accident/incident reporting (children) | Retain for 25 years Trigger: Child's date of birth | Destroy | The Limitation Act 1980 |
| SCH 7.4 | 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 |

| SCH 7.5 | 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 |
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| SCH 7.6 | Fire log books | Retain for 7 years Trigger: End of calendar year | Destroy | Common practice |
| SCH 7.7 | 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) |
| SCH 7.8 | 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 |
| ADMINISTRATION | | | | |
| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
| SCH 8.1 | Employer's Liability Certificate | Retain for 40 years Trigger: Closure of school | | Common practice Transfer to DCC on closure of school |
| SCH 8.2 | Inventories of equipment/furniture | Retain for 6 years Trigger: End of calendar year | Destroy | Common practice |

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|---------|------------------------------------|---|-----------------------------------|-----------------|
| SCH 8.3 | Circulars to parents/staff/pupils | Retain for 1 year Trigger: End of calendar year | Destroy | Common practice |
| SCH 8.4 | Newsletters produced by the school | Retain for 1 year Trigger: End of calendar year | Offer to Derbyshire Record Office | Common practice |
| SCH 8.5 | Visitor books | Retain for 2 years Trigger: End of calendar year | Destroy | Common practice |

FINANCE

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|---------|--|---|-----------------------------------|--------------------------------|
| SCH 9.1 | Annual accounts | Retain at school for 6 years Trigger: End of calendar year | Offer to Derbyshire Record Office | Common practice |
| SCH 9.2 | Invoices, receipts, and other financial records covered by financial regulations | Retain for 6 years Trigger: End of calendar year | Destroy | Standard financial regulations |
| SCH 9.3 | Annual budget and supporting papers | Retain for 6 years Trigger: End of calendar year | Destroy | Common practice |
| SCH 9.4 | Ordinary contracts | Retain for 6 years Trigger: End of contract | Destroy | The Limitation Act 1980 |
| SCH 9.5 | Contracts under seal | Retain for 12 years Trigger: End of contract | Destroy | The Limitation Act 1980 |

PROPERTY

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|----------|--|--|-----------------------------------|--------------------------|
| SCH 10.1 | Building plans | Retain whilst operational Trigger: End of operational use | Offer to Derbyshire Record Office | Common practice |
| SCH 10.2 | 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 |

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| SCH 10.3 | Contractors' reports | Retain for 6 years Trigger: End of the calendar year that the record was created in | Destroy | Common practice |
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LOCAL AUTHORITY

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|----------|---------------------------|---|-----------------|--------------------------|
| SCH 11.1 | Secondary transfer sheets | Retain for 2 years Trigger: Year of transfer | Destroy | Common practice |
| SCH 11.2 | Attendance returns | Retain for 1 year Trigger: End of the calendar year that the record was created in | Destroy | Common practice |

CENTRAL GOVERNMENT

| RefNo | Record type | Retention action | Disposal action | Rationale / Further Info |
|----------|--|--|-----------------------------------|---|
| SCH 12.1 | Ofsted reports and papers | Retain whilst current Trigger: Date new report issued | Transfer Derbyshire Record Office | Common practice Replace old report with new report |
| SCH 12.2 | Returns to central government (e.g. school census) | Retain for 6 years Trigger: End of the calendar year that the record was created in | Destroy | Common practice |