

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

V1.00: First version

V2.00 Revised to reflect changes to national guidance

V3.00 Update re: non-disposal of pupil and staff files

V4.00 Updated to include: information on child protection records to be transferred to DCC; records of administration of medicines

V5.00: Updated to include temporary halt to destructions as ordered by IICSA

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

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

V6.00: Issued in new guidance note format. Examples of "major incident" in

Section 4 to include emergency services, hospitalisation, disease outbreak

Author / Authoriser

David Jenkins

David Jenkins

David Jenkins

David Jenkins

Mark Smith / Gareth

Mainprize

Mark Smith / Martin Stone,
Chris Newton

Mark Smith / Jon Farmer

Mark Smith / Jon Farmer

Date

2012

2014

2016

2017

2018

2019

Sep 2019

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 I.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 I.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 I.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

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

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

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

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

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				
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				
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

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
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

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

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