



# WISBECH GRAMMAR SCHOOL

## Data Retention Guidelines for Parents and Pupil

Edition	2019 Edition
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Author:	Bursar as Data Lead
Reviewer:	School lawyers, HR Manager
Approval body:	Board of Governors

### Linked documents

This policy should be read in conjunction with the following published documents

- Data Protection Policy
- Privacy Notice for Parents and Pupils

### Acronyms

DfE Department for Education

### Availability

This policy is available to parents and prospective parents on the School website, and a printed copy may be requested from the School Office/Pupil Services Team.

### Background

The genesis of this document is the requirement in the General Data Protection Regulation (GDPR) that personal data should be kept for no longer than is necessary for the purpose(s) for which it is processed. If you can identify a valid reasons for retaining particular types of information (and you record your reason), this is likely to satisfy the Information Commissioner's Office (ICO).

These Guidelines have been formulated by the School's solicitors and provide sector wide advice and guidance

Type of Data	Minimum Retention Period	Reasoning and statutory guidance
<b>1. SCHOOL RECORDS</b>		
Registration/Admissions documents, including: <ul style="list-style-type: none"> <li>• application forms,</li> <li>• assessments,</li> <li>• records of decisions</li> </ul>	1 year from date of admissions decision	Challenges to admissions decisions can take up to 1 year to process. If child admitted to the school, this data becomes part of the pupil record. If not admitted, any data used for statistical purposes should be anonymised within 1 year so that it no longer constitutes personal data. The rest of the file should then be deleted.
Admissions appeals	5 years from date of any admissions appeal decision	Retain in case the matter is pursued further. In addition, retaining a reasonable history of other appeals, alongside the admissions policy of the time, can be helpful to ensure consistency of decisions. Anonymise this data, if possible.
Attendance Register	7 years from last date of entry, then archive.	Retain in line with limitation period recommendations. Schools should consider how this data is held – hard copy or electronic form. If the hard copy duplicates the electronic copy, it is unlikely to be necessary to keep this data in both formats.
Minutes of Governors' meetings	10 years from date of meeting	Set as a minimum by Companies Act 2006, s248.
<b>2. INDIVIDUAL PUPIL RECORDS</b>		
Pupil file including: <ul style="list-style-type: none"> <li>• Pupil reports,</li> <li>• Pupil medical records, absence and attendance records,</li> <li>• Parental consent forms,</li> <li>• Pupil consent forms (if applicable)</li> </ul>	25 years from date of birth, unless there is a good reason to extend. Also subject, where relevant, to safeguarding considerations: any material which may be relevant to potential claims should be kept for the lifetime of the pupil.	The 7 year limitation period for most claims by children does not begin until they are 18. The school which the pupil attended until the statutory school leaving age is responsible for retaining the pupil record until the pupil reaches the age of 25 years. The pupil record should thereafter be disposed of safely and securely and in line with any school or sector guidelines on disposal of records. The DfE recommends the retention of anonymised 'Attainment data', for statistical purposes for 3 to 5 years from the end of the relevant academic year.
Behaviour records	1 year from pupil leaving the school	The DfE emerging strategy separates this type of data from the pupil file and considers 1 year to be enough time to hand over any relevant information to the next education provider.

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Exclusions (temporary or permanent)	1 year from pupil leaving the school	Exclusion data should be shared with the next education provider. It is the new school that then has responsibility for retaining the full history of the child.  If it is not clear which new school the child attends, the school should ensure that the Local Authority has the exclusion data.
Examination results (external or internal)	7 years from pupil leaving the school	Retain in line with limitation period recommendations.
Special educational needs records <i>(to be risk assessed individually)</i>	Date of birth plus up to 35 years (allowing for special extensions to statutory limitation period)	Retain in line with limitation period recommendations: personal injury; professional negligence claims.  Not including safeguarding issues – see section on safeguarding below.
Biometrics	On the pupil leaving the school, if used for school site security purposes	Biometric data (i.e. fingerprints) should be retained in line with the GDPR compliant consent obtained at the outset.
Photographs	Varies according to purpose.	DfE guidance suggests that the purposes for which data is used should dictate the retention period.  Images used purely for identification purposes could be deleted when the child leaves the school.  Consider whether a photo forms part of your pupil files and whether this could justifiably be retained as part of the pupil file (as above).  Use of images for marketing or other purposes should be retained in line with the GDPR compliant consent obtained at the outset of using the photograph.
CCTV	Varies according to purpose.  Data may be kept long enough for incidents that the CCTV is designed to capture to come to light – for example 1 month. Where an incident does come to light retain until fully resolved.	To be determined by shortest possible retention period for the use and purpose of the recording.  Stored digitally using a cloud computing system.  Maintain a comprehensive log of when data is deleted.  Ensure permanent and secure deletion.
Catering and free school meal management	On the pupil leaving the school	Unless there is a reason to retain for longer, for example, for statistical purposes.

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Trips and activities	7 years from the end of the trip.	<p>A 'field file' is the information that is taken on a trip by a school. This can be destroyed following the trip, once information has been transferred to the relevant school files/systems, for example, any medicines administered on the trip have been entered onto the core system. If there is a minor medical incident (for example, a medical incident dealt with by staff in the way it would be dealt with 'within school') on the trip, then adding it into the core system would be done. If there is a major incident (for example, a medical incident that needed outside agency) then retaining the entire file until the time that the youngest child becomes 25 would be appropriate (longer if it was a safeguarding incident).</p> <p>Slips granting permission to go on a trip will contain personal data, and should be destroyed after the trip unless any significant incident arises, in which case, refer to the policies above.</p>
E-mail and other communications relating to a pupil for example: <ul style="list-style-type: none"> <li>• internal communications;</li> <li>• communications with external agencies;</li> <li>• details of complaints made.</li> </ul>	Review and delete, where appropriate, at the end of the academic year.	Information relevant to a specific issue should be added to a pupil or other relevant file during the academic year.
Medical information and administration	1 month for permission slips.  1 year from pupil leaving the school for details of medical conditions and ongoing management.  25 years in relation to medical incidents  Date of birth of pupil plus 40 years (subject to discretion of school) in relation to safeguarding issues.	<p>Permission forms that parents sign should be retained for the period that medication is given, and for 1 month afterwards if no issue is raised by child/parent. Adding this policy to the permission slip would seem prudent.</p> <p>To support any handover work about effective management of medical conditions to a subsequent institution.</p>

Type of Data	Minimum Retention Period	Reasoning and statutory guidance
Providing references	Up to 3 years (DfE Guidance)	Schools frequently provide references for pupils for up to 3 years after they leave, and so retaining the name in the core pupil record is important (this doesn't mean it needs to be retained in all systems). Keeping names attached to safeguarding files for longer than this may be appropriate – see safeguarding section.
Financial information relating to a pupil for example: <ul style="list-style-type: none"> <li>• fees invoices</li> <li>• correspondence relating to late payments</li> <li>• debt management</li> </ul>	As defined by Accounting standards	This information is necessary for the business of running the School, and will be kept in accordance with accounting standards
Bursary information relating to a pupil for example: <ul style="list-style-type: none"> <li>• bursary applications</li> <li>• paperwork to support applications</li> </ul>	Evidence: Only necessary information will be retained by the School, the majority of evidence provided will be returned once viewed without copy being taken.  Applications: On the pupil leaving the school	This information is necessary for Charities Commission review and reporting.
<b>3. SAFEGUARDING</b>		
DBS disclosure certificates (if held)	No longer than 6 months from decision on recruitment, unless DBS specifically consulted – but a record of the checks being made must be kept, if not the certificate itself.	This does not relate to the pupil. See Employment retention schedule for details of employment documentation retention.

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Incident reports	Date of birth of pupil plus 40 years (subject to discretion of school)	The limitation period of 3 years applies from the date the child reaches 18, but can be disapplied entirely, particularly in cases involving sexual abuse. However, it is very rare for this to happen when a claim is brought more than 20 years after the child turns 18 and the absence of relevant records is a factor that weighs against disapplying the limitation period. Nevertheless, some schools may decide to keep relevant records for as long as any living victim may bring a claim. Ideally, files to be reviewed from time to time if resources allow and a suitably qualified person is available.
Child Protection/ Safeguarding files	Date of birth of pupil plus 40 years (subject to discretion of school)	This longer period applies if a referral has been made/social care has been involved or child has been subject of a multi-agency plan. The same comments made above re: incident reports apply here.  If there are low level concerns, with no multi-agency involvement, apply applicable school low-level concerns policy rationale (this may be 25 years from date of birth).  Schools may choose to keep a copy of the file where a child has changed schools before the end of their schooling.
<b>4. CONTRACTS AND AGREEMENTS</b>		
Signed or final/concluded agreements (plus any signed or final/concluded variations or amendments), for example, with suppliers	7 years from completion of contractual obligations or term of agreement, whichever is later	This timescale anticipates that contracts for the sale of goods or services might include warranties which extend beyond the contract term.
Deeds (or contracts under seal) for example, a Third Party Fee Agreement to a Parent/ School Contract	13 years from completion of contractual obligations or term of agreement, whichever is later	
IP/IT agreements (including software licences and ancillary agreements e.g. maintenance; storage; development; coexistence agreements; consents)	7 years from completion of contractual obligations or term of agreement, whichever is later	

Type of Data	Minimum Retention Period	Reasoning and statutory guidance
<b>5. INSURANCE RECORDS</b>		
Insurance policies (will vary – private, public, professional indemnity)	40 years.	Duration of policy (or as required by policy) plus a period for any run-off arrangement and coverage of insured risks: ideally, until it is possible to calculate that no living person could make a claim. We would suggest a 40 year period.
Correspondence related to claims/renewals/notification re: insurance	Minimum of 7 years	If a claim is made or notified, the correspondence should be kept until after resolution of the claim, if longer.
<b>6. DATA PROTECTION</b>		
Data protection records documenting processing activity and data breaches	No limit: as long as up-to-date and relevant (as long as no personal data held)	There are a number of record keeping obligations under the GDPR that schools should be aware of and comply with, such as the Article 30 record keeping obligation.

