

## **Retention FAQs**

### **What are we required to do under the CTF process?**

When a child leaves your school to go to another school the information you hold about them should generally follow them to their next educational establishment.

All maintained schools are required to send certain information in the form of a Common Transfer File (CTF). Academies and independent schools are not legally required to follow the CTF process but it is recommended that they do.

A detailed description of what is included in a CTF, the required format of a CTF and the required means of sending a CTF, can be found in the Department of Education's latest guidance. This which can be found [here](#).

The law which covers the CTF process states that a CTF must be sent to the child's new educational establishment within 15 school days of the child no longer being registered at your school or if the child is registered at two schools, within 15 school days of the child being registered at their new school. Schools do not always need to wait until a child is registered at their new school before sending the CTF.

We would recommend that you send your CTFs once you are reasonably certain that the pupil will be attending their new school.

Alongside the CTF, you are also required to send their educational record to the child's new school. This must also be done within 15 school days of the child no longer being registered at your school.

If a child leaves your school and you are unsure of their next destination the CTF process should be followed and your pupil's information should be sent to your local authority instead.

### **What is in a pupil's educational record?**

The definition of a child's educational record is very broad. It refers to information and documents which have been generated by or on behalf of the school's teachers and governing body.

As such a child's educational record will include but is not limited to the following:

- Data collection sheets.
- Annual reports to parents
- SEN Information, plans, records or reports.
- Child protection/safeguarding information.
- Details of complaints made by parents or pupils
- Exam results
- Any information from the child's previous school
- Any information relating to exclusions

When pupil's leave your school for a new establishment, you are required to send all of the above information to their next school.

Technically, a child's educational record would also include – photo consent forms, consents for trips, pupil work, photographs, newsletters, old data collection sheets, etc.

Legislation does not make a distinction of what part of a pupil's educational record should be sent to the child's new school and what should not. However, we would advise that only the information which you consider of value to progressing the child's education or building a picture of the child's circumstances and needs should be sent to their new school.

### **What do we do with pupil information that did not go to the child's new school?**

Broadly, information that does not go with the child to their new school should either be retained or securely destroyed.

Retention periods describe the *minimum* amount of time information is required/recommended to be retained for. If circumstances require you to retain information for longer, you are able to do so as long as you are able to justify why you have decided to retain the information.

[Pages 67-76 of the DFE's guidance on Data Protection](#) provides good contextual examples of the considerations that you may make when deciding to hold on to certain pieces information.

### **What does good records management look like?**

This will be dependent on your individual setting, but typically it will involve something similar to the below process:

- There is a team/individual responsible for ensuring that records are appropriately managed throughout the school/MAT.
- Individual members of staff/departments are aware of: the information they hold, what information they are required to destroy/retain, and how the school requires them to dispose of this information.

The checklist provided with this bulletin will assist individuals to make sure that they do not overlook information.

- There is an organised process for ensuring that information is reviewed or destroyed when appropriate.

We have been advised that most schools have a general review of the information held in their organisation at the end of the academic year.

For larger schools or academies, you may wish to formalise this process by setting aside time/setting deadlines to review the information that you hold.

- The school's archive facilities are organised, clearly labelled and have appropriately secure, restricted access.

- The school documents the information that they have destroyed.

We would advise that a sensible approach is taken when documenting information that has been destroyed. Broad categories of information should be recorded. For example, as opposed to recording you have destroyed '3 consent forms for S. Ballas, Y5', we would advise that you record that you have destroyed 'Y5, Consent forms, 2017-18, Digital and Paper copies'.

Recording the information that you have destroyed will help school's evidence that they monitor retention periods appropriately. This practice will also help you when responding to SARs or FOI requests.

### **Can we delete old pupil information from our MIS?**

The principles of retention and safe destruction also apply to information held electronically.

You should ask your IT services provider how you can delete historic information from your MIS system.

When you review historic information on your MIS and in hard copy, please bear in mind the Independent [Inquiry into Historic Child Sexual Abuse \(IICSA\)](#).

IICSA has placed a hold on all documents relating **directly or indirectly to the sexual abuse of children or to child protection and care**. This information should be retained and not deleted until the conclusion of the inquiry.

Please refer to the 'Records Keeping' section in '[Keeping Children Safe in Education](#)' for further details about how to keep and store this information.

### **How do we safely destroy information?**

The GDPR does not prescribe a single method of secure destruction.

Instead, you should take 'appropriate steps' to ensure the security of your information. What will be considered to be appropriate will be dependent on the size of your organisation and the nature and volume of the sensitive information you are seeking to destroy.

For information to be considered 'securely destroyed', it should be made permanently unreadable and unable to be reconstructed. The process of destruction should also ensure that the information being destroyed remains confidential throughout its destruction.

The same principle of secure destruction applies to both 'hard-copy' and digital information.

A lot of our schools engage third parties to destroy paper records on their behalf. This can be both on site and off site destruction.

Below is a checklist of requirements that may help you to decide whether the service you have chosen provides a sufficient level of security:

- Your shredding company should provide you with a Certificate of Destruction which you can retain for your own records.
- You should have a contract in place with your shredding company which contains the specified data protection terms discussed in - [Bulletin 8](#), [Bulletin 8.5](#) and [Bulletin 16](#). The terms contained in this contract will require that your shredding company keep information safe in transit, that their employees will keep any information confidential, etc.
- There are various standards of shredding ranging from a DIN 1 – 6. The higher the DIN number the more thorough the shredding is considered to be. DIN 3 – 4 is considered to be appropriate for school information.
- The British Standard Institution and the International Standards Organisation provide the following certifications which your secure shredding company should have:
  - BSEN15713 – secure destruction of confidential material
  - BS7858 – staff security vetting
  - ISO 9001 – service quality
  - ISO 14001 – environmental management standards
  - ISO 27001 – information security

Similarly, there are a number of ways in which electronic information can be deleted and not all of them will mean that the information cannot be recovered. It is important that you consult with your IT services provider about the best means of destruction for you.

More information regarding the standards of destruction for digital information can be found [here](#) and [here](#).

### **Can we continue to display images of old students?**

A lot of the images of your students will be processed on the lawful basis of consent. One of the main changes implemented by the GDPR is that individuals can now withdraw their consent at any time.

Furthermore, most of your consent forms will advise individuals that the consent to use their images will only be valid whilst they are still a pupil/member of staff at your school.

If consent is withdrawn or expires when a child leaves your school, in most circumstances you will not be able to continue to use the data in the same way as you had done before.

This means that it is important that images used within the school and externally are regularly reviewed, and marketing material is updated at regular intervals.

There may be scope to retain some images of former pupils in your school archive.

Remember - the GDPR only applies to data which can lead to the identification of a living individual, as such it may be arguable that very old images of students/individuals may no longer be considered as data subject to the GDPR.

## **Rules of Thumb**

Below are some rules of thumb which may act as a good starting point when you manage the records in your school. We would always recommend that a detailed review is conducted and information is judged on a case by case basis.

As always, please refer to the IRMS TOOL Kit for Schools for detailed guidance on retention periods.

<b>Location in the School</b>	<b>Typical documents</b>	<b>Suggested Retention Period</b>
The Class Room	Pupil work, safeguarding + SEN information, Pupil Images, Class Room Apps.	Information in the class room should <b>follow the child through the school</b> or should be sent to central location so it can be stored/destroyed as appropriate – e.g. to the office to be added to the pupil file. All other information should be destroyed when no longer needed – e.g. at the end of the academic year.
Finance	Invoices, Account Statements, Inventories, Contracts.	Most information is stored for a minimum of <b>7 years (current year + 6 years)</b> . However, some retention periods are shorter e.g. school meals registers can be destroyed after <b>4 years</b> .
Human Resources	Staff personnel files, Pensions and Pay Roll information, Staff Disciplinary information, Absence and sickness information.	Most information should be kept on staff personnel file, which is stored for the <b>duration of employee's appointment + 6 Years</b> .  Information relating to child sexual abuse should be stored <b>until the conclusion of the IICSA</b> .  Information pertaining to staff disciplinary matters may have some shorter suggested retention periods – <b>3 – 18 Months</b> . Pension and Payroll information – <b>4 – 7 years</b> .

Health and Safety	Accident Book, Risk Assessments, Logs.	<b>3 Years</b> since the: last entry, date of assessment, creation of log or incident book.
The Office	Consent Forms, Registers, Signing-Books, Parent Pay, School Trip Information.	<p>Consent Forms = <b>End of the school trip, whilst the child is in attendance at the school.</b></p> <p>Attendance Registers = <b>3 years</b> following last entry into the register.</p> <p>School Trip Information = <b>End of the school trip, or 25 years</b> following the trip if there has been an incident on the trip.</p> <p>Data Collection Sheets = <b>whilst current</b> (should be updated at least annually).</p>
SLT	SEN Information, School Records, Safe Guarding Information – Paper files and electrically – CPOMs/My Concern, Governing Body Records, Governor Hub.	<p>Primary School – follow the child as they move school.</p> <p>Secondary School – follow the child as they move school, if child end's school career at school <b>D.O.B + 25 years.</b></p>