

South Farnham Educational Trust

Management and Retention of Records Policy

Introduction

This guidance applies to the retention of all records within schools. Some of the guidance below relates to records within schools that will contain 'personal data'. Personal data is defined under the General Data Protection Regulation (GDPR) as:

- Any information relating to an identified or identifiable natural person (data subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person (GDPR article 4).

Under the new data protection laws, it is each organisation's responsibility to ensure compliance with the GDPR which comes into force on 25 May 2018. Therefore, where records contain personal data, schools need to be aware of the additional obligations they need to meet.

In brief, the GDPR introduces several legal obligations in relation to records containing personal data. This includes obligations such as advising data subjects of the information you hold on them, the purpose for which you hold or process such information, how long you hold it for (the retention period), the legal basis for which you process the personal data and what the data subject's rights are in relation to the data.

Overall, personal data should be kept for no longer than necessary. This means that schools need to be aware of how long each type of record needs to be retained in law, where it might be judicious to retain records for a longer period, and how to destroy records that are no longer needed. To assist schools in identifying records that may contain personal data, they are advised to complete a data protection audit.

Under the Freedom of Information Act 2000, schools are required to maintain a retention schedule listing the record series which the school creates in the course of its business. The retention schedule lays down the length of time for which the record needs to be maintained and the action which is taken when it is of no further administrative use (what is destroyed, when it was destroyed and by whom).

This policy is based upon the policy recommended by the Records Management Society for maintained schools in England and that produced by Buzzacott LLP for compliance with the Charity Commission's requirements. South Farnham Educational Trust recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the organisation. This document provides the policy framework through which this effective management can be achieved and audited.

Objectives and targets

This policy applies to all records created, received or maintained by staff of the school in the course of carrying out its functions. This policy also applies to all accounting records required for retention by

the Charity Commission under the Charities Act 2011 and under the Companies Act 2006, as well as those records required by HMRC and others to be retained. . Records are defined as all those documents which facilitate the business carried out by the school and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

A small percentage of the school's records may be selected for permanent preservation as part of the school's archives and for historical research.

Action plan

The Trust keeps records under a wide variety of headings:

- Child protection.
- Governors.
- Management.
- Pupils.
- Trainees (SSFSCITT)
- Curriculum.
- Personnel records of staff.
- Health and safety.
- Administration.
- Finance.
- Property.
- CCTV.
- School meals.
- DfE, local authority (LA), work experience and careers, family liaison.

The Trust has a corporate responsibility to maintain these records and record keeping systems in accordance with the regulatory environment.

The person with overall responsibility for this policy is the Finance & Business Director who 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 fashion.

The storage and retention of digital information will be handled on a day-to-day basis by the IT manager under guidance of CEO, the headteachers and SCITT Director, ensuring that records are held securely, backed-up on suitable systems, archived when necessary and checked regularly for ease of retrieval when required. Guidance may also be required from the Trust's nominated data protection officer to ensure compliance.

Individual staff and employees must ensure that records for which they are responsible, particularly any that are kept on personally owned devices, are accurate, kept securely, and are maintained and disposed of in accordance with the school's records management guidelines. Loss and destruction of records that contain personal data can carry significant penalties from the Information Commissioner's Office (ICO). It is important for schools to be aware of this and ensure personal data is not placed at risk and that there are appropriate safeguards in place. There may be further consequences for individuals who fail to comply with safe record keeping guidelines and policies.

The Finance & Business Director is responsible for the secure retention of all financial documents for the period required by the Companies Act and charity legislation. These documents may be requested by authorised external agencies at any time, for example the academy's auditors or the EFA. The Finance & Business Director makes arrangements with the IT manager for the secure retention of electronic accounting records.

The guidelines follow those set out in the Records Management Toolkit for schools version 5 (updated in February 2016), and can be found on the Information and Records Management Society's website <http://irms.org.uk/page/SchoolsToolkit>.

There are a number of benefits from the use of a complete retention schedule:

- Managing records against the retention schedule is deemed to be 'normal processing' and employees can be confident that they are managing data in an appropriate manner.
- Members of staff can be confident about shredding/erasing information at the appropriate time and with appropriate safeguards in place.
- Information which is subject to freedom of information and data protection legislation will be available when required.
- The school is not maintaining and storing information unnecessarily.

Additional guidelines specifically for academies, which have financial reporting responsibilities under the Companies Act 2006 and to the Charity Commission, are also followed and are set out in the Charity Commission's guidance document 'Retention of accounting records and other corporate records' produced by Buzzacott LLP: [www.buzzacott.co.uk/insights/retention-of-accounting-records-\(1\)](http://www.buzzacott.co.uk/insights/retention-of-accounting-records-(1)).

Archives

Old accounting and personnel records, and some other records, will be archived until being disposed of. Archived records will:

- Be treated as being as confidential as current records.
- Not necessarily be as accessible as current records, but will still be retrievable.
- Have adequate storage made available or may be kept electronically or on microfilm.

Before deciding on whether records will be stored electronically or on microfilm the school will consider:

- Whether the records may need to be kept in the original format (for legal reasons).

- Whether the medium chosen to archive the records has an acceptable lifespan for records that will have to be retained for a very long time.
- Where records are archived electronically or on microfilm, whether there will have an adequate means for accessing and printing the record.

A record of all documents that have been archived electronically or on microfilm will be kept.

Disposal of records

When the period of retention has expired, and there is no other reason to keep them, the records may be disposed of safely and securely. Particular regard must be paid when disposing of records containing personal data. The records will be completely destroyed by shredding paper, cutting up CDs and similar items and dismantling and destroying hard drives. Non-sensitive papers will be bundled and disposed of to a waste paper recycling merchant. A list is kept of records which have been destroyed. This list includes:

- The file reference.
- The file title or a brief description.
- The number of files and date range.
- The name of the authorising officer.
- The date the file was destroyed.

Monitoring and evaluation

This policy has been drawn up within the context of the Freedom of information policy, the Data protection policy and with other legislation or regulations (including audit, equal opportunities and ethics) affecting the school and will be monitored to ensure that the retention guidelines updated by the Records Management Society periodically are adhered to.

In addition South Farnham Educational Trust, being an academy trust, recognises the specific requirements for the retention of accounting records and other corporate records by the Charity Commission, HMRC and under the Companies Act 2006 and will therefore monitor the guidelines as recommended by the Charity Commission in the document 'Retention of accounting records and other corporate records'.

Reviewing

The Trust board is responsible for the maintenance of this policy and will review it regularly in the light of recommendations and any changes made by the Information and Records Management Society and the Charity Commission.

Next review date: Spring 2020