



The Blue Coat School

INFORMATION AND RECORDS RETENTION POLICY

Approved by the Governors' Safeguarding, Health and Safety Committee

Signed: _____

(H Andrews – Chair of Safeguarding, Health and Safety Committee)

Date: _____

This Policy for Information and Records Retention was devised by the Bursar in consultation with the Headmaster and the Director of Marketing & Admissions.

Date of Next Review: Trinity 2027

The Blue Coat School Birmingham Limited

INFORMATION AND RECORDS RETENTION POLICY

1. INTRODUCTION

1.1

This Policy sets out a structured approach to reviewing and destroying records in relation to The Blue Coat School Birmingham.

1.2

Unless there are special circumstances, the School follows the retention period guidance for each type of record as set out in the table below. Special circumstances which mean that a record should be kept for longer include advice from insurers, potential litigation or requests from an outside body such as an Independent Inquiry.

1.3

Information, including paper records, electronic and biometric information is securely deleted. If an email falls into one of the categories set out in the table below then it should be filed centrally as soon as is reasonable. 'Routine' emails such as internal email advising staff that the weekly meeting is cancelled should be regularly deleted if possible.

1.4

Records linked to alleged, suspected or established child sexual abuse, child sexual exploitation, institutional safeguarding failures or individuals who may have relevant knowledge of such matters will be retained for longer than the standard retention periods set out in this Policy. Such records will normally be retained indefinitely where justified.

1.5

The School may retain selected records indefinitely for historical, archival or alumni purposes where it has identified a legitimate interest or other lawful basis for doing so, where retention is necessary and proportionate, and where appropriate safeguards are in place. Routine pupil, parent and staff records will not be retained indefinitely unless a specific justification applies.

2. RELATED POLICIES, MONITORING AND POLICY REVIEW

2.1

The Policy will be reviewed annually to ensure that it complies with statutory requirements and to ensure that any changes in practices are accurately reflected. It should be read in conjunction with other whole school documents and policies including the Employment Manual; Information Security Policy; ICT Online Safety Policy; ICT Acceptable Use Policy; Guidance for Staff on the Use of Photographs and Videos of Pupils by the School; Safeguarding and Child Protection Policy and the Staff Code of Conduct. It will be presented to the Governors' Safeguarding, Health and Safety Committee for approval in the Trinity Term. The minutes of this meeting will be presented to the Governors.

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law?
I	Pupils			
I.1	Admission registers	Kept indefinitely as part of the historical archives of the school	N/A	Yes - only for 6 years
I.2	Attendance registers	Kept indefinitely as part of the historical archives of the school	N/A	Yes
I.3	Child protection records	Indefinitely	<p>Review for further retention in the case of contentious dispute</p> <p>Notes</p> <ol style="list-style-type: none"> 1 When a child transfers to another school or college, the child protection file will be transferred securely, separately from the main pupil file, as soon as possible and within the timescales set out in KCSIE. Confirmation of receipt will be obtained and retained. 2 Where a child is removed from roll to be educated at home, the file should be copied to the Local Authority (LA). 3 The school retains information indefinitely which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; institutional failures to protect children from sexual abuse or other exploitation. 	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law?
1.4	Biometric* information (e.g. fingerprints to be used as part of an automated biometric recognition system)	For as long as the School requires the information for the automated biometric recognition system	If the School introduces any automated biometric recognition system, it will comply with the Protection of Freedoms Act 2012, including requirements relating to parental consent and pupil objection.	No
1.5	Medical records held by the School	DOB of the pupil + 22 years The 22-year period is based on the fact that once the child turns 18 years old they have a certain amount of time (known as a limitation period) in which to bring claims against the School.	Review for further retention in the case of contentious disputes SHRED/DELETE	No
2	Pupil files			
2.1	Pupil files	DOB of the pupil + 25 years	Review for further retention in the case of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests SHRED/DELETE Notes 1 When reviewing pupil files, the School should have regard to other applicable sections of this policy 2 Any examination certificates left unclaimed should be returned to the appropriate Examination Board	No
2.2	Internal examination scripts, marks & results	<u>Scripts:</u> Scripts from termly or yearly tests: Keep until the end of the next academic year	Keep for longer in accordance with the retention periods and guidance set out in 2.1 above if risk of contentious disputes, for example, parental complaints, disciplinary matters, pupil exclusions, bullying incidents and subject access requests.	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law?
		<u>Marks & results:</u> If the purpose of the test is to progress the child (either internally or externally) then keep marks & results until 12 months after the child's date of leaving.		
2.3	Special Educational Needs files, reviews and Individual Education Plans	DOB of the pupil + 35 years because SEN provision, reasonable adjustments, disability discrimination issues, safeguarding issues, complaints or claims may arise many years later.	Review for further retention in the case of contentious disputes SHRED/DELETE	No
2.4	Statement of Special Education Needs (SEN) and Education Healthcare (EHC) Plans	Original statements of SEN (including appendices) and EHC Plans should never be retained once the pupil has left the School	SHRED/DELETE unless legal action pending The Statement / Plan belongs to the LA which makes and maintains the Statement / Plan	Yes
3	Admission department and bursarial records			
3.2	Admission and parent contract documents including registration form, letter of offer and acceptance form	Seven years from date of leaving the School	Review for further retention in the case of contentious disputes SHRED/DELETE	No
3.3	Admissions documents relating to applicants	The documents can be kept for as long as the School considers that they are	SHRED/DELETE	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law?
	who did not join the School	required, and no longer than 4 years		
4	Employment			
4.2	Employment or personnel records including recruitment information, contracts of employment, changes to terms and condition, disciplinary matters, grievance procedures.	For at least seven years after date of termination of employment For at least 13 years after date of termination if any of the documents were signed as a deed	If on a date no earlier than seven years (after reaching the 18 th birthday) after the termination date there has been no recent contact from the relevant individual and no apparent breach of contract claim, dispose securely of documentation unless any child protection concerns. Records of anyone with child protection concerns (even if not proved) should be retained	No
4.3	Records of low-level concerns regarding staff conduct	For at least seven years after date of termination of employment	Records of low-level concerns will be maintained and reviewed at least annually to ascertain any patterns of behaviour as set out in the Safeguarding and Child Protection Policy.	No
4.4	Single Central Register (SCR)	There is no legal requirement to keep the SCR entry for staff who have left as it ceases to be relevant for inspection purposes. Entries are moved on to an archive register which is kept indefinitely.	Should the School be notified of a historic abuse claim or should a former member of staff commit offences elsewhere the School may need to demonstrate that it carried out all required checks prior to work starting, when they were carried and out and by whom. Review whether further retention is necessary. If so, these reasons must be documented. If not SHRED/DELETE	No
4.5	Records and documents relating to membership of and contributions to the Teachers' Pension Scheme	Indefinitely	Review whether further retention is necessary. Decisions in relation to the Teachers' Pension Scheme may have ramifications beyond six years, and may be queried at any time by members and the Teachers' Pension Scheme	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
4.6	Employment references received and references provided (where no safeguarding concerns have arisen or are known)	While employment continues and at least up to seven years after employment terminates	Consider whether any recent reference requests for the relevant individual have been received. If any concerns are/have been raised by social services or other agencies see 5.5 below. If none, SHRED/DELETE	No
4.7	Employment reference where an individual's employment ended for a safeguarding reason or where safeguarding was outstanding at the time of termination	Records relating to allegations or concerns of child sexual abuse, sexual exploitation or institutional safeguarding failures will be retained indefinitely where the School considers this necessary for safeguarding, legal, insurance, historical or survivor-access reasons.	Consider whether any recent reference requests for the relevant individual or new concerns raised by social services or other agencies If none, SHRED/DELETE	Yes
4.8	Working time optout forms	Two years from the date on which they were entered into	SHRED/DELETE	Yes
4.9	Records to show compliance with the Working Time Regulations	Two years after the relevant period	SHRED/DELETE	Yes
4.10	Payroll and wage records. These include records of: •Details on overtime; •Bonuses; •Expenses; and •Benefits in kind	Six years from the financial year end in which payments are made	SHRED/DELETE	Yes

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
4.11	PAYE Records	Three years in addition to the current year (however they may be kept for six years as they may fall within the definition of payroll and wage records)	SHRED/DELETE	Yes
4.12	Maternity/paternity records. These include: •Records regarding Maternity payments made save for where those include payroll records; and •Maternity certificates showing the expected week of confinement	Three years after the end of the tax year in which the maternity pay period ends	SHRED/DELETE	Yes
4.13	Sickness records required for the purposes of Statutory Sick Pay (SSP)	During employment and for a period of three years after employment has ended and to be kept separate from absence records which merely demonstrate the dates absent and not the health issue	SHRED/DELETE	Yes
4.14	Records in relation to hours worked and	For a period of three years beginning with the last day	SHRED/DELETE	Yes

	payments made to workers	of the following month to which the records relate		
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	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
4.15	Consents for the processing of personal data and sensitive personal data (known as special category personal data under the UK GDPR)	For as long as the data is being processed and up to seven years afterwards	For consent to be valid it must be "freely given". This is often difficult to evidence in an employment context owing to the imbalance in the relationship between the School and the employee. Therefore, the School should be very careful before asking employees to consent to their data being used in a particular way. In the vast majority of cases it is not necessary to obtain the employee's consent before using their personal data SHRED/DELETE	Yes
4.16	Disclosure and Barring Service (DBS) checks and disclosures of criminal record forms	DBS certificates and criminal record information should not normally be retained for longer than necessary after the recruitment decision has been made, unless retention is justified in connection with ongoing employment, safeguarding, legal or regulatory requirements.	Create a record of the date the check was completed, including the certificate number, date and decision, on the Single Central Register or associated recruitment records. SHRED/DELETE	Yes
4.17	Immigration checks	Throughout employment and then retained for two years after the termination of employment	SHRED/DELETE	Yes
4.18	Recruitment records of unsuccessful candidates	Six months after notifying unsuccessful candidates in order to demonstrate, if	SHRED/DELETE	No

		required, the fairness and transparency of the recruitment process		
4.19	Personnel and training records	Whilst employment continues and up to seven years after employment ceases	SHRED/DELETE	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
4.20	Annual leave records	Seven years or possibly longer if leave can be carried over from year to year	SHRED/DELETE	No
4.21	Collective / workforce agreements	Permanently or seven years after the agreement comes to an end	SHRED/DELETE	No
4.22	An Employee's bank details	Until last payment made	SHRED/DELETE	No
4.23	Travel and subsistence claims.	Whilst employment continues and up to seven years after employment ends	SHRED/DELETE	No
4.24	Records of advances for season tickets and loans to employees	Whilst employment continues and up to seven years after repayment or end of employment	SHRED/DELETE	No
4.25	Death Benefit Nomination and Revocation Forms	Whilst employment continues and up to seven years after payment of benefit	SHRED/DELETE	No
5	Health and safety information - employees			

5.2	Reportable injuries, diseases and dangerous occurrences (RIDDOR) reports or own record	Three years from the date of record If disease - indefinitely (recommended)	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
5.3	First aid / accident book entry	Three years from the date of injury or last record in the book. If disease - indefinitely	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
5.4	Records of maintenance, examination and test control measures relating to substances hazardous to health under the Control of Substances Hazardous to Health (COSHH) regime	Five years	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
5.5	Health records for licensable asbestos work	At least 40 years from the date of the last entry	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
5.6	Medical surveillance certificate for licensable asbestos work	At least four years from the date it was issued	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
5.7	Records of air monitoring for asbestos	Where a health record is required at least 40 years from the date of the last entry In other cases, at least five years from the date of the last entry		Yes

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
5.8	Records of examinations, tests and repairs carried out in respect of exhaust or respiratory protective equipment under the Control of Asbestos Regulations 2012 (CAR)	Five years	Review for further retention in the case of enforcement action contentious disputes SHRED/DELETE	Yes
5.9	Examination / report of defect for power presses	Two years	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
5.10	Records of water monitoring, inspection, testing, checks and control measures for legionellosis	Five years from the date of the last entry	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	Yes
6	Health and safety information – pupils			
6.2	Accident reports including first aid / accident book	DOB of the pupil involved in the incident + 25 years; or	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	No
6.3	Reportable injuries, diseases and dangerous occurrences	Minimum statutory retention period is at least 3 years but the record is kept for DOB	Review for further retention in the case of enforcement action or contentious disputes	Yes

	(RIDDOR) reports or own record	of the pupil involved in the incident + 21 years	SHRED/DELETE	
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	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
6.4	Incident investigations and reports, risk assessments and other relevant documents where there has been an accident or incident	DOB of the pupil involved in the incident + 22 years	Review for further retention in the case of enforcement action or civil claims for personal injury SHRED/DELETE	No
6.5	COVID-19 Risk Assessment	Retain for now – further advice awaited	Retain until advised otherwise.	No
7	Generic health and safety records			
7.2	Risk assessments, records of health and safety arrangements, copies of policies and procedures General records of health and safety auditing and monitoring including fire risk assessments, electrical testing, PAT testing and gas appliance testing	These should be kept for as long as they remain relevant - at least three years (in the absence of a specific accident, incident, dangerous occurrence or notifiable disease)	Review for further retention in the case of enforcement action or contentious disputes SHRED/DELETE	No

	<p>Training records and copies of instructions or information</p> <p>Maintenance logs and / or records of plant and / or equipment plus safety manuals / notices / instructions</p> <p>Records of emergency evacuations and fire drills, fire safety risk assessments and fire safety policy / fire arrangements</p>			
7.3	Copies of documents, including health and safety files, prepared pursuant to the Construction (Design and Management) Regulations 2015	To be decided by the School - records should be retained as long as is reasonably necessary to inform on future construction projects at the School site	SHRED/DELETE	N/A
8	Insurance			
8.2	Insurance certificates and schedules of cover	Indefinitely	N/A	No
8.3	Correspondence with insurers related to specific accidents or incidents	<p>Three years generally</p> <p>If the incident involved a pupil - DOB of the pupil involved in the incident + 22 years</p> <p>Disease claims or where there have been allegations of abuse - indefinitely</p>	<p>Review for further retention in the case of civil claims for disease or personal injury</p> <p>SHRED/DELETE</p>	No

9	Investigations, reviews and inquiries			
9.2	<p>Internal reports and investigations into accidents / incidents</p> <p>Copies of reports submitted to external agencies / regulators such as Independent Schools Inspectorate, Health and Safety Executive, Local Authority, Charity Commission etc</p> <p>External reports, reviews, investigations and inquiries for example inquests and public inquiries</p>	<p>To be decided by the School</p> <p>Where the investigation / inquiry / report has been necessitated as a result of a specific incident, these documents are stored centrally for at least three years where there is a risk of enforcement action and / or criminal prosecution and / or a civil claim. Where this relates to pupil DOB +22 years.</p>	SHRED/DELETE	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
10	Alumni records			
10.2	Alumni are treated as employees for the purposes of health and safety records. Although some of the health and safety requirements relating to employees do not apply to alumni.	As set out in section 5 above	As set out in section 5 above	No
10.3	General alumni correspondence, membership forms etc	Six years after the last time the individual contacted the School	This is subject to any longer retention period set out above. For example, records relating to a reportable disease should be kept indefinitely. SHRED/DELETE	No
11	Keeping information for longer			
11.2	Records which do not contain personal data, for example, old photographs of School buildings, title deeds etc	Can be kept indefinitely	N/A	No
11.3	Records relating to a number of pupils, or the School generally, such as old class photographs, lists of pupils attending the School in any given year, School	Can be kept indefinitely provided the School is satisfied (1) there is a legitimate interest in doing so, (2) keeping the record is necessary for that legitimate interest, and (3) the legitimate interest is not	The School should document its decision based on the three part test. The School should also have particular regard to paragraph 1.4 in the introduction before destroying any records. If in doubt, legal advice should be sought.	No

	prospectuses, newspaper cuttings etc	overridden by the interests, rights or freedoms of the individuals concerned.		
11.4	Records concerning specific pupils kept for a valid reason. For example, a poem written by an exceptionally gifted pupil.	Can be kept indefinitely if the School is satisfied that the legitimate interests test set out at paragraph 11.2 above has been met and documented.	Note: this does not apply to more routine pupils records. Routine work produced by pupils should not be kept for longer than the retention period set out in section 2.1 above unless the School has a specific reason for keeping it and that decision can be justified on the basis of the legitimate interests test. For example, if the School wished to retain the essays written by pupils which were submitted to an essay competition about growing up in the 2010s. This will usually be permissible but further legal advice should be sought.	No
12	CCTV, videos and photographs			
12.2	CCTV footage	30 days	DELETE Review for further retention if the recording may be required for any reason such as in relation to an incident or accident involving any person. CCTV footage may also be needed in relation to parental complaints, disciplinary matters, pupil exclusions, bullying incidents or health and safety matters. If a subject access request has been made for the footage it must be retained. The School should consider the relevant limitation periods for claims being brought against the School and seek advice as necessary.	No
12.3	Photographs of pupils for internal admin purposes e.g. to identify the pupil or photographs used on security passes	These photographs should be retained for as long as they are required for the purpose for which they were taken.	SHRED/DELETE Review for further retention in the case of relevance to contentious disputes.	No

	Record	Minimum Retention period	Action at the end of the retention period	Retention period required by law
12.4	Photographs or videos of pupils taken for marketing reasons e.g. photographs for use in the School prospectus or a video of pupils on the School's website	These photographs and videos should be retained for as long as they are required for the purpose for which they were taken.	SHRED/DELETE Review for further retention in the case of relevance to contentious disputes. 11.3 above gives further guidance on the retention of images for historical reasons.	No
12.5	Photographs or videos of pupils used as part of the curriculum e.g. a video of a drama lesson/ performance or as part of an art project	These photographs and videos should be retained for as long as they are required for the purpose for which they were taken.	SHRED/DELETE Review for further retention in the case of relevance to contentious disputes. Review for further retention in the case of relevance to contentious disputes. 11.3 above gives further guidance on the retention of images for historical reasons.	No