

NORTON CP SCHOOL

RECORDS RETENTION AND DISPOSAL POLICY

2021 to 2023



Vision Statement

Nothing is beyond our reach!

Care and challenge engage and motivate us!

Praise reassures and supports us!

Successes are celebrated and built on!

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1. Introduction

- 1.1. This policy is a part of a set of Information Governance policies and procedures that support the delivery of the Information Governance Framework. It should be read in conjunction with these associated policies.
- 1.2. Physical or electronic documents and records may need to be retained in order to fulfil statutory or regulatory requirements, to evidence events/agreements in the case of dispute(s) or meet operational needs.
- 1.3. However, keeping records that are not required wastes space, time and energy. Expensive physical and electronic storage space is used, time is wasted in managing these records, and accessibility is slowed, as those records that are not needed get in the way of those that are, i.e. those containing important information.
- 1.4. The untimely destruction of documents to which one or more of the criteria in paragraph 1.2 is applicable, could cause Norton C P School difficulty in defending a claim or prosecution brought against it or could cause operational problems or embarrassment to the organisation. Conversely, retaining records for too long could result in a breach of the General Data Protection Regulation and Data Protection Act 2018. The permanent retention of all documents and records is undesirable, uneconomical and unsustainable.
- 1.5. This policy, therefore, outlines the need for records to be retained for agreed periods of time, reviewed if necessary, and disposed of according to rules which will be clearly stated on retention schedule documents.

2. Scope

- 2.1 This policy applies to everyone who has access to Norton C P School's information, information assets or IT equipment. These people are referred to as 'users' in this policy. This may include, but is not limited to employees, temporary workers, partners and contractual third parties.
- 2.2 This policy is relevant to the records of Norton C P School. A 'record' is defined as follows:
- 2.3 Information that is **created or received, captured, and maintained as evidence** of the business of Norton C P School, due to its operational, legal or

financial value to the organisation.

- 2.4 This policy covers records in all physical and electronic formats; including, but not restricted to:
- Paper;
 - Electronic documents;
 - E-mails;
 - Voicemail;
 - Web records such as blogs, wikis and discussion threads;
 - Other records created in social media used for business purposes, such as Twitter;
 - Visual images such as photographs;
 - Scanned images;
 - Microform, including microfiches & microfilm;
 - Records stored on removable media, such as audio and video tapes, memory sticks, CDs, DVDs and cassettes;
 - Published web content (Intranet/Internet/Extranet); and
 - Databases and spreadsheets.

This policy will also cover formats that are developed and used in the future.

- 2.1. This policy does not cover documents that are not Norton C P School's, for example, non-work-related emails, stationery or reference material.

3. Definitions

- 3.1. Definitions of specialist terms which appear in the text of this policy can be found on the 'jargon buster' section of Insite.

4. Aims of the Policy

- 4.1. To promote the development and approval of a school's retention and disposal schedule which will enable improved and consistent record retention and disposal practices across Norton C P School;
- 4.2. To ensure that Norton C P School only retains records that are required by law or to support the business activity or transactions of the organisation;
- 4.3. To outline the standards that must be met to ensure appropriate retention and disposal of School records;
- 4.4. To ensure that the School complies with relevant regulations and legislation, for example the General Data Protection Regulation and Data Protection Act 2018;
- 4.5. To protect Norton C P School against the business and compliance risks associated with retaining records for too long, or disposing of them too soon;
- 4.6. To promote the identification of records which require permanent preservation to ensure protection of Norton C P School's corporate memory;
- 4.7. To ease pressures on physical and electronic storage space, facilitate fast retrieval of records, and improve staff confidence in records, by reducing the volume of records that are kept unnecessarily;
- 4.8. To ensure that when additional information governance rules (for example security classifications) are applied to records, this is carried out in the most efficient way possible, as these rules will only be applied to records that actually need to be retained.

5. Statement of Policy Retention of Records

- 5.1. It is a requirement of this policy that all Norton C P School records are retained and disposed of in accordance with clear rules agreed between relevant service areas, Record Managers, and Legal Services. Rules stating how long records will be kept for (retention periods), and the manner of disposal at the end of these retention periods, will be outlined in the school's retention and disposal schedule, which will be subject to an annual review. Retention periods should be assigned to existing records retrospectively (as far as possible) and to all newly created records.
- 5.2. The length of the retention period will depend on the type of record and its value to Norton C P School, and any legislation or standards that might apply. Where possible, disposal, review or transfer dates will be recorded on, or within the record or collection of records.
- 5.3. Most records will need to be kept for a reasonable period of time of between six months and six years, however they may be retained for longer periods when:
 - the information contained in them is relevant to a legal action which has been started or is pending. It is the responsibility of the service area to provide information about pending legal action, which should be brought to the attention of Legal Services. If such action is pending, a note should be appended to any physical file stating that the records should not be destroyed. Electronic records should be flagged to prevent erasure;
 - They hold business value to the organisation for longer than the six year period;
 - They are required to be kept longer by statute. A number of Acts, for example the Latent Damage Act (1986), and regulations govern the retention of certain types of records;
 - They consist of information maintained for the purpose of retrospective comparison. For example, tracking service improvement or service profiling data;
 - They are required for the purpose of staff disciplinary proceedings; or
 - They relate to contracts 'under seal' between Norton C P School and a third party.
- 5.4. We have adopted the NYCC recommended irms Information Management Toolkit as the school's retention schedule.
- 5.5. Where records contain personal information, the fifth principle of the GDPR must be satisfied – 'personal data should not be kept for longer than necessary'.
- 5.6. As far as possible, similar records across the organisation will be held for the same length of time. The corporate information governance (IG) team will have an overarching role in the development of the corporate retention schedule, to ensure this consistency is achieved.
- 5.7. The school's retention schedule is available to view and staff have been issued the information relevant to their role.
- 5.8. Documents that are not Norton C P School records, as per the examples in 2.4, should be disposed of once their usefulness has passed.

6. Disposal of Records

- 6.1. Records must be disposed of appropriately once their retention period has expired. Records should not be retained beyond disposal dates, and therefore services must consider the practicality of disposing of records in accordance with the relevant date.
- 6.2. Physical and electronic records must be disposed of appropriately in line with the 'guidance on the disposal of records', available here.
- 6.3. Retention rules must cover 'archived' data and data held on back up tapes, to

ensure clarity over when a record has actually been deleted. The IT Department are responsible for the destruction of data held on back-up tapes in line with the retention schedule.

- 6.4. Where records are destroyed a record is kept on our Record of Disposable spreadsheet. Disposal records demonstrate that the disposal was in accordance with this policy or a written record should be made justifying the reasons for departure from this policy. If records are destroyed by external organisations on behalf of Norton C P School a certificate of destruction should be provided to, and held by, the relevant Records Manager.
- 6.5. If a record due for destruction is known to be the subject of a request for information under the Data Protection Act 2018 or Freedom of Information Act (2000), destruction should be delayed until disclosure has taken place or, Norton C P School has decided not to disclose the information, until the complaint or appeal provisions of the relevant legislation have been exhausted.

7. Review of Records

- 7.1. When a review date is reached, a review should be undertaken to determine if the record can be disposed of, or if a further review or disposal date needs to be assigned. Where records are not destroyed as a result of review, this action, and the reasons for it, must be clearly justified, and documented within the disposal record.

8. Duplicate Records

- 8.1. Many records will exist in both electronic and physical formats, and multiple copies may exist. The creation of duplicate records should be kept to a minimum, for example when copies of meeting papers are printed, these copies should be disposed of as soon as they are no longer needed for reference. If duplication is necessary, then a decision must be taken as to which copy is the 'master' copy record, and retention rules should reflect this decision. If one copy is destroyed but others still exist, then Norton C P School still holds the information, and this could increase the risk of a breach of the GDPR or Data Protection Act 2018.
- 8.2. Where the decision is taken that an electronic copy is the 'master' copy of a record, then consideration must be given to any potential legal admissibility issues that may arise. For further information please contact the corporate information governance team.

9. Roles and Responsibilities

- 9.1. Any records created by employees of Norton C P School or transferred to Norton C P School by an external organisation, are part of a corporate asset, and are the property of Norton C P School. Individual employees are responsible for ensuring that:
 - The policy and any related procedures are adhered to;
 - All records, regardless of format, are managed in line with corporate policy; and
 - The corporate retention schedule, once approved, is adhered to, and consequently records are disposed of or reviewed as necessary.
- 9.2. Chief Officers will be responsible for:
 - ensuring that users are fully informed of their obligations and responsibilities with respect to information governance policies, standards, guidelines and procedures;

- ensuring that breaches of information governance policies are brought to the attention of the appropriate employee assigned responsibility for information governance, at the earliest opportunity; and
 - ensuring that temporary staff or external contractors only access information required to perform their duties and are provided information security training before handling any information.
- 9.3. The school's DPO will be responsible for developing, advising and monitoring compliance with record retention and disposal schedules and supervising records access and permission controls.
- 9.4. The IT Department will be responsible for ensuring that future technologies procured allow access to electronic records for the duration of relevant retention periods.

10. Training and Awareness

- 10.1. Appropriate training will be made available for existing staff that have responsibility for information governance duties.
- 10.2. All staff will be made aware of their obligations for information governance through effective communication programmes.
- 10.3. Each new employee will be made aware of their obligations for information governance during an induction programme.
- 10.4. Training requirements will be reviewed on a regular basis to take account of the needs of the individual, and to ensure that staff are adequately trained.

11. Policy Compliance and Audit

- 11.1. Failure to observe the standards set out in this policy may be regarded as serious and any breach may render an employee liable to disciplinary action, which may include dismissal. The Disciplinary procedure is part of the Local Conditions of Employment. Any disciplinary investigation resulting from a breach of this policy will be undertaken by the line manager
- 11.2. Non-compliance with this policy could have a significant effect on efficient operation and may result in financial loss and an inability to provide necessary services to our customers. Norton C P School will undertake audits as required to monitor compliance with its information governance policies.
- 11.3. Occasionally there may be situations where exceptions to this policy are required, as full adherence may not be practical, could delay business critical initiatives or could increase costs. These will need to be risk assessed on a case by case basis. Where there are justifiable reasons why a particular policy requirement cannot be implemented, a policy exemption may be requested by following the policy exemption process, available here. Exemptions may be granted on a temporary or permanent basis. All exemptions will be subject to review.
- 11.4. Any user who does not understand the implications of this policy or how it may apply to them, should seek advice from their immediate line manager.

12. Review and Maintenance

- 12.1. This policy will be reviewed annually, or as appropriate and in response to changes to legislation or School policies, technology, increased risks & new vulnerabilities or in response to security incidents.

