

# **Sheffield Catholic Schools Partnership**

## **Data Protection Policy for St Wilfrid's Primary School**

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

- Privacy Notice for Pupils
- Privacy Notice for Contacts
- Privacy Notice for Governors
- Privacy Notice for Visitors
- Privacy Notice for Parents
- Privacy Notice for Volunteers
- Privacy Notice for the School Workforce
- Images Policy for Pupils
- Images Policy for the School Workforce

St Wilfrid's Primary School is registered with the Information Commissioner's Office. The registration number is Z7322401.

The Data Protection Officer (DPO) for the school is Mrs L Graham. The DPO can be contacted on enquiries@stwilfridssheffield.co.uk or 0114 2365529.

### **Roles and Responsibilities**

Data Controller – determines the purposes and means of processing personal data. The Data Controller has an obligation to ensure that contracts with Data Processors comply with the General Data Protection Regulation.

Data Processor – responsible for processing personal data on behalf of a Data Controller. The Data Processor is required to maintain records of personal data and processing activities, and will have legal liability if the Data Processor is responsible for a breach.

### **General Data Protection Regulation (GDPR) May 2018**

The GDPR is European-wide legislation is an update to the 1998 Data Protection Act. As a Public Organisation, the School has a statutory duty to adhere to the GDPR.

The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way we collect information about people.

The GDPR applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data.

The GDPR refers to sensitive personal data, including genetic data, and biometric data where

processed to uniquely identify an individual.

The principles of the GDPR state that personal data shall be:

- a) Processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

With regards to e) above, although our privacy statements draw specific attention to the storage of particular types of personal data, unless stated otherwise in a privacy statement, the school will adhere to the Information Records Management Society Retention Schedule, which is included in Appendix A.

### **Data Protection Officer (DPO)**

The Headteacher will appoint a Data Protection Officer.

As per Article 39 of the GDPR, the DPO must:

- Inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws;
- Monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments, train staff, and conduct internal audits;
- Be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

The DPO keeps a record of those staff who have attended Data Protection training.

The DPO reports to the Headteacher.

The DPO operates independently and will not be dismissed or penalised for implementing the obligations associated with the role of DPO, as set out in the regulations or any guidance.

Adequate resources are provided to enable the DPO to meet their GDPR obligations.

## **Privacy Notices**

The school has a Privacy Notice for the following groups of Data Subject:

- ✓ Pupils
- ✓ School Workforce
- ✓ Contacts
- ✓ Governors
- ✓ Visitors
- ✓ Volunteers
- ✓ Parents

outlining:

- The legal basis on which we collect and process personal data, and what we use the data for;
- The categories of personal data that we collect and process;
- Details of who we share personal data with;
- The length of time that we retain personal data.

The Privacy Notice makes explicit an individual's rights under the GDPR.

The Privacy Notice provides contact details for all enquiries relating to Data Protection in school.

Any documentation where we collect personal data from individuals will contain a reference that clearly signposts the Privacy Notice.

## **Sharing Personal Data**

The School will share personal data with other Data Controllers where required to do so by law, only to the extent required by the relevant law. The School will only do so if there is a legal basis for the data sharing, and will include details of such data sharing in its Privacy Notices.

A Data Processor is an individual or organisation (a third party) who processes personal data on our behalf. Whenever a Data Controller uses a Data Processor, it needs to have a written contract in place, so that both parties understand their obligations, responsibilities and liabilities. The school will only appoint Data Processors who can provide 'sufficient guarantees' that the requirements of the GDPR will be met and the rights of data subjects will be protected.

Where the data sharing is not undertaken on a statutory basis, (for example pupil images for school photographs, passport details with travel companies for students on a foreign school trip), we will ensure that we have either:

- A contractual agreement for the sharing of data with the company concerned demonstrating compliance to GDPR; or
- A copy of an up-to-date privacy statement from the company that satisfactorily demonstrates their compliance to GDPR for the purposes of the data sharing concerned.

As a matter of good practice, our contracts:

- State that nothing within the contract relieves the Data Processor of its own direct responsibilities and liabilities under the GDPR; and
- Reflect any indemnity that has been agreed.

### **Data Breaches**

The DPO will maintain a register of data breaches. The template for recording data breaches is provided in Appendix D.

Where a data breach is likely to result in a risk to the rights and freedoms of individuals (for example if unaddressed the breach is likely to result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage) the DPO will report the breach to the supervisory authority (currently the Information Commissioner's Office) within 72 hours of the breach.

Where a breach is likely to result in a high risk to the rights and freedoms of individuals, the DPO will notify those concerned directly. A 'high risk' means the threshold for notifying individuals is higher than for notifying the relevant supervisory authority.

### **Data Retention**

The school will adhere to statutory guidance relating to the retention of personal data.

The school will adhere to the operational guidance provided by the Information Records Management Society.

The School's Data Retention Schedule is contained in Appendix A.

Data destruction involves the disposal of paper copies of the personal data, and deletion of electronic files from the school system. All staff will ensure that they are not retaining paper records or electronic files containing personal data for longer than the period indicated in the School's Data Retention Schedule.

The School keeps an electronic back up of the computer systems. Back-up data may be retained in a back-up format for a longer period than recommended by the Information Records Management Society. This is unavoidable, given the finite resources of the organisation.

### **Data Protection Impact Assessment (DPIA)**

A Data Protection Impact Assessment will be carried out whenever an individual or group of individuals within the organisation is considering a project that:

- Involves sharing personal data with a company or organisation that is not listed in a Privacy Notice, or for a purpose different to that stated in a Privacy Notice;
- Alters a school system in such a way as to involve a substantial change to the way in which personal data is processed.

This includes sharing data with companies that are not explicitly named in a Privacy Notice (e.g. a travel company who are providing a school trip).

The first stage of the Data Protection Impact Assessment is the project leader considering the questions listed in Appendix E (DPIA Part 1).

If the answer to any of the questions in Appendix E is 'yes', the project leader will complete Appendix F (DPIA Part 2).

Reason for version change:	GDPR	Version number:	1.0
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# Management of the School

This section contains retention periods connected to the general management of the school. This covers the work of the Governing Body, the Headteacher and the senior management team, the admissions process and operational administration.

1.1 Governing Body							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
1.1.1	Agendas for Governing Body meetings	There may be data protection issues if the meeting is dealing with confidential issues relating to staff		One copy should be retained with the master set of minutes. All other copies can be disposed of	SECURE DISPOSAL <sup>1</sup>	Yes	CG
1.1.2	Minutes of Governing Body meetings	There may be data protection issues if the meeting is dealing with confidential issues relating to staff				Yes	CG
	Principal Set (signed)			PERMANENT	If the school is unable to store these then they should be offered to the County Archives Service		
	Inspection Copies <sup>2</sup>			Date of meeting + 3 years	If these minutes contain any sensitive, personal information they must be shredded.		
1.1.3	Reports presented to the Governing Body	There may be data protection issues if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports then the reports should be kept permanently	SECURE DISPOSAL or retain with the signed set of the minutes	Yes	CG SM
1.1.4	Meeting papers relating to the annual parents’ meeting held under section 33 of the Education Act 2002	No	Education Act 2002, Section 33	Date of the meeting + a minimum of 6 years	SECURE DISPOSAL	No	CG SM

<sup>1</sup> In this context SECURE DISPOSAL should be taken to mean disposal using confidential waste bins, or if the school has the facility, shredding using a cross cut shredder.

<sup>2</sup> These are the copies which the clerk to the Governor may wish to retain so that requestors can view all the appropriate information without the clerk needing to print off and collate redacted copies of the minutes each time a request is made.

1.1 Governing Body							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
1.1.5	Instruments of Government including Articles of Association	No		PERMANENT	These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.	No	CG
1.1.6	Trusts and Endowments managed by the Governing Body	No		PERMANENT	These should be retained in the school whilst the school is open and then offered to County Archives Service when the school closes.	No	CG
1.1.7	Action plans created and administered by the Governing Body	No		Life of the action plan + 3 years	SECURE DISPOSAL	No	CG
1.1.8	Policy documents created and administered by the Governing Body	No		Life of the policy + 3 years	SECURE DISPOSAL	No	CG
1.1.9	Records relating to complaints dealt with by the Governing Body	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes	SECURE DISPOSAL	Yes	CG
1.1.10	Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002	No	Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002 No 1171	Date of report + 10 years	SECURE DISPOSAL	No	CG
1.1.11	Proposals concerning the change of status of a maintained school including Specialist Status Schools and Academies	No		Date proposal accepted or declined + 3 years	SECURE DISPOSAL	No	CG

Please note that all information about the retention of records concerning the recruitment of Head Teachers can be found in the Human Resources section below.

**1.2 Head Teacher and Senior Management Team**

Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
1.2.1	Log books of activity in the school maintained by the Head Teacher	There may be data protection issues if the log book refers to individual pupils or members of staff		Date of last entry in the book + a minimum of 6 years then review	These could be of permanent historical value and should be offered to the County Archives Service if appropriate	Yes	HT
1.2.2	Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies	There may be data protection issues if the minutes refers to individual pupils or members of staff		Date of the meeting + 3 years then review	SECURE DISPOSAL	Yes	HT
1.2.3	Reports created by the Head Teacher or the Management Team	There may be data protection issues if the report refers to individual pupils or members of staff		Date of the report + a minimum of 3 years then review	SECURE DISPOSAL	Yes	HT
1.2.4	Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the records refer to individual pupils or members of staff		Current academic year + 6 years then review	SECURE DISPOSAL	Yes	HT
1.2.5	Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	There may be data protection issues if the correspondence refers to individual pupils or members of staff		Date of correspondence + 3 years then review	SECURE DISPOSAL	Yes	HT
1.2.6	Professional Development Plans	Yes		Life of the plan + 6 years	SECURE DISPOSAL	Yes	HT
1.2.7	School Development Plans	No		Life of the plan + 3 years	SECURE DISPOSAL	No	HT

1.3 Admissions Process							
Basic file description		Data Protec- tion Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the rec- ord	Personal Data?	Owner
1.3.1	All records relating to the creation and implementation of the School Admissions’ Policy	No	School Admissions Code Statu- tory guidance for admission authorities, governing bodies, local authori- ties, schools adjudicators and admission ap- peals panels December 2014	Life of the policy + 3 years then re- view	SECURE DISPOSAL	No	SM
1.3.2	Admissions – if the ad- mission is successful	Yes	School Admissions Code Statu- tory guidance for admission authorities, governing bodies, local authori- ties, schools adjudicators and admission ap- peals panels December 2014	Date of admission + 1 year	SECURE DISPOSAL	Yes	SM
1.3.3	Admissions – if the appeal is unsuccessful	Yes	School Admissions Code Statu- tory guidance for admission authorities, governing bodies, local authori- ties, schools adjudicators and admission ap- peals panels December 2014	Resolution of case + 1 year	SECURE DISPOSAL	Yes	SM
1.3.4	Register of Admissions	Yes	School attendance: Departmental advice for maintained schools, academies, inde- pendent schools and local authorities Oc- tober 2014	Every entry in the admission regis- ter must be preserved for a period of three years after the date on which the entry was made. <sup>3</sup>	REVIEW Schools may wish to consider keeping the admission register permanently as often schools receive enquiries from past pupils to confirm the dates they attended the school.	Yes	SM
1.3.5	Admissions – Secondary Schools – Casual	Yes		Current year + 1 year	SECURE DISPOSAL	Yes	N/A
1.3.6	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code Statu- tory guidance for admission authorities, governing bodies, local authori- ties, schools adjudicators and admission ap- peals panels December 2014	Current year + 1 year	SECURE DISPOSAL	Yes	SM

<sup>3</sup> School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014 p6.

**1.3 Admissions Process**

Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
1.3.7	Supplementary Information form including additional information such as religion, medical conditions etc	Yes				Yes	SM
	For successful admissions			This information should be added to the pupil file	SECURE DISPOSAL		
	For unsuccessful admissions			Until appeals process completed	SECURE DISPOSAL		

**1.4 Operational Administration**

Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
1.4.1	General file series	No		Current year + 5 years then REVIEW	SECURE DISPOSAL	No	SM
1.4.2	Records relating to the creation and publication of the school brochure or prospectus	No		Current year + 3 years	STANDARD DISPOSAL	No	HT
1.4.3	Records relating to the creation and distribution of circulars to staff, parents or pupils	No		Current year + 1 year	STANDARD DISPOSAL	No	SM
1.4.4	Newsletters and other items with a short operational use	No		Current year + 1 year	STANDARD DISPOSAL	No	AA
1.4.5	Visitors' Books and Signing in Sheets	Yes		Current year + 6 years then REVIEW	SECURE DISPOSAL	Yes	AA
1.4.6	Records relating to the creation and management of Parent Teacher Associations and/or Old Pupils Associations	No		Current year + 6 years then REVIEW	SECURE DISPOSAL	Yes	SM

## Human Resources

This section deals with all matters of Human Resources management within the school.

2.1 Recruitment							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
2.1.1	All records leading up to the appointment of a new headteacher	Yes		Date of appointment + 6 years	SECURE DISPOSAL	Yes	SM
2.1.2	All records leading up to the appointment of a new member of staff – unsuccessful candidates	Yes		Date of appointment of successful candidate + 6 months	SECURE DISPOSAL	Yes	SM
2.1.3	All records leading up to the appointment of a new member of staff – successful candidate	Yes		All the relevant information should be added to the staff personal file (see below) and all other information retained for 6 months	SECURE DISPOSAL	Yes	SM
2.1.4	Pre-employment vetting information – DBS Checks	No	DBS Update Service Employer Guide June 2014: Keeping children safe in education. July 2015 (Statutory Guidance from Dept. of Education) Sections 73, 74	The school does not have to keep copies of DBS certificates. If the school does so the copy must NOT be retained for more than 6 months		Yes	SM
2.1.5	Proofs of identity collected as part of the process of checking “portable” enhanced DBS disclosure	Yes		Where possible these should be checked and a note kept of what was seen and what has been checked. If it is felt necessary to keep copy documentation then this should be placed on the member of staff’s personal file		Yes	SM
2.1.6	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom <sup>4</sup>	Yes	An employer’s guide to right to work checks [Home Office May 2015]	Where possible these documents should be added to the Staff Personal File [see below], but if they are kept separately then the Home Office requires that the documents are kept for termination of Employment plus not less than two years		Yes	SM

<sup>4</sup> Employers are required to take a “clear copy” of the documents which they are shown as part of this process.

2.2 Operational Staff Management							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
2.2.1	Staff Personal File	Yes	Limitation Act 1980 (Section 2)	Termination of Employment + 6 years	SECURE DISPOSAL	Yes	SM
2.2.2	Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL	Yes	SM
2.2.3	Annual appraisal/ assessment records	Yes		Current year + 5 years	SECURE DISPOSAL	Yes	HT

2.3 Management of Disciplinary and Grievance Processes							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record		
2.3.1	Allegation of a child protection nature against a member of staff including where the allegation is unfounded <sup>5</sup>	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	Until the person’s normal retirement age or 10 years from the date of the allegation whichever is the longer then REVIEW. Note allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned	SECURE DISPOSAL These records must be shredded	Yes	HT
2.3.2	Disciplinary Proceedings	Yes				Yes	HT
	oral warning			Date of warning <sup>6</sup> + 6 months	SECURE DISPOSAL [If warnings are placed on personal files then they must be weeded from the file]		
	written warning – level 1			Date of warning + 6 months			
	written warning – level 2			Date of warning + 12 months			
	final warning			Date of warning + 18 months			
case not found			If the incident is child protection related then see above otherwise dispose of at the conclusion of the case	SECURE DISPOSAL			

<sup>5</sup> This review took place as the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention.

<sup>6</sup> Where the warning relates to child protection issues see above. If the disciplinary proceedings relate to a child protection matter please contact your Safeguarding Children Officer for further advice.

2.4 Health and Safety							
Basic file description		Data Protec- tion Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
2.4.1	Health and Safety Policy Statements	No		Life of policy + 3 years	SECURE DISPOSAL	No	BO
2.4.2	Health and Safety Risk Assessments	No		Life of risk assessment + 3 years	SECURE DISPOSAL	No	BO
2.4.3	Records relating to accident/ injury at work	Yes		Date of incident + 12 years In the case of serious accidents a further retention period will need to be applied	SECURE DISPOSAL	Yes	SM
2.4.4	Accident Reporting	Yes	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980			Yes	HT
	Adults			Date of the incident + 6 years	SECURE DISPOSAL		
	Children			DOB of the child + 25 years	SECURE DISPOSAL		
2.4.5	Control of Substances Haz- ardous to Health (COSHH)	No	Control of Substances Hazardous to Health Regulations 2002. SI 2002 No 2677 Regulation 11; Records kept under the 1994 and 1999 Reg- ulations to be kept as if the 2002 Regulations had not been made. Regulation 18(2)	Current year + 40 years	SECURE DISPOSAL	No	BO
2.4.6	Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	No	Control of Asbestos at Work Regulations 2012 SI 1012 No 632 Regulation 19	Last action + 40 years	SECURE DISPOSAL	No	BO
2.4.7	Process of monitoring of areas where employees and persons are likely to have become in contact with radiation	No		Last action + 50 years	SECURE DISPOSAL	No	BO
2.4.8	Fire Precautions log books	No		Current year + 6 years	SECURE DISPOSAL	No	BO

**2.5 Payroll and Pensions**

Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
2.5.1	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	SECURE DISPOSAL	Yes	SM
2.5.2	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SECURE DISPOSAL	Yes	SM

# Financial Management of the School

This section deals with all aspects of the financial management of the school including the administration of school meals.

3.1 Risk Management and Insurance							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
3.1.1	Employer’s Liability Insurance Certificate	No		Closure of the school + 40 years	SECURE DISPOSAL	No	SM

3.2 Asset Management							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
3.2.1	Inventories of furniture and equipment	No		Current year + 6 years	SECURE DISPOSAL	No	SM BO
3.2.2	Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL	Yes	SM

3.3 Accounts and Statements including Budget Management							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
3.3.1	Annual Accounts	No		Current year + 6 years	STANDARD DISPOSAL	Yes	SM
3.3.2	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then REVIEW	SECURE DISPOSAL	Yes	SM
3.3.3	Student Grant applications	Yes		Current year + 3 years	SECURE DISPOSAL	Yes	SM
3.3.4	All records relating to the creation and management of budgets including the Annual Budget statement and background papers	No		Life of the budget + 3 years	SECURE DISPOSAL	Yes	SM
3.3.5	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL	Yes	AA
3.3.6	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL	Yes	SM
3.3.7	Records relating to the identification and collection of debt	No		Current financial year + 6 years	SECURE DISPOSAL	Yes	SM

3.4 Contract Management							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
3.4.1	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years	SECURE DISPOSAL	Yes	SM
3.4.2	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years	SECURE DISPOSAL	Yes	SM
3.4.3	Records relating to the monitoring of contracts	No		Current year + 2 years	SECURE DISPOSAL	Yes	SM

3.5 School Fund							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
3.5.1	School Fund - Cheque books	No		Current year + 6 years	SECURE DISPOSAL	No	AA SM
3.5.2	School Fund - Paying in books	No		Current year + 6 years	SECURE DISPOSAL	No	AA SM
3.5.3	School Fund – Ledger	No		Current year + 6 years	SECURE DISPOSAL	Yes	SM
3.5.4	School Fund – Invoices	No		Current year + 6 years	SECURE DISPOSAL	Yes	AA SM
3.5.5	School Fund – Receipts	No		Current year + 6 years	SECURE DISPOSAL	Yes	AA SM
3.5.6	School Fund - Bank statements	No		Current year + 6 years	SECURE DISPOSAL	Yes	SM
3.5.7	School Fund – Journey Books	No		Current year + 6 years	SECURE DISPOSAL	Yes	AA

3.6 School Meals Management							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
3.6.1	Free School Meals Registers	Yes		Current year + 6 years	SECURE DISPOSAL	Yes	AA
3.6.2	School Meals Registers	Yes		Current year + 3 years	SECURE DISPOSAL	Yes	AA
3.6.3	School Meals Summary Sheets	No		Current year + 3 years	SECURE DISPOSAL	No	AA

## Property Management

This section covers the management of buildings and property.

4.1 Property Management							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
4.1.1	Title deeds of properties belonging to the school	No		PERMANENT These should follow the property unless the property has been registered with the Land Registry		No	SM
4.1.2	Plans of property belong to the school	No		These should be retained whilst the building belongs to the school and should be passed onto any new owners if the building is leased or sold.		No	BO
4.1.3	Leases of property leased by or to the school	No		Expiry of lease + 6 years	SECURE DISPOSAL	Yes	SM
4.1.4	Records relating to the letting of school premises	No		Current financial year + 6 years	SECURE DISPOSAL	Yes	SM

4.2 Maintenance							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
4.2.1	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	SECURE DISPOSAL	Yes	BO
4.2.2	All records relating to the maintenance of the school carried out by school employees including maintenance log books	No		Current year + 6 years	SECURE DISPOSAL	Yes	BO

# Pupil Management

This section includes all records which are created during the time a pupil spends at the school. For information about accident reporting see under Health and Safety above.

5.1 Pupil’s Educational Record							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
5.1.1	Pupil’s Educational Record required by The Education (Pupil Information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437			Yes	HT
	Primary			Retain whilst the child remains at the primary school	The file should follow the pupil when he/she leaves the primary school. This will include: <ul style="list-style-type: none"> <li>to another primary school</li> <li>to a secondary school</li> <li>to a pupil referral unit</li> </ul> If the pupil dies whilst at primary school the file should be returned to the Local Authority to be retained for the statutory retention period. If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be returned to the Local Authority to be retained for the statutory retention period. Primary Schools do not ordinarily have sufficient storage space to store records for pupils who have not transferred in the normal way. It makes more sense to transfer the record to the Local Authority as it is more likely that the pupil will request the record from the Local Authority		
	Secondary		Limitation Act 1980 (Section 2)	Date of Birth of the pupil + 25 years	SECURE DISPOSAL		
5.1.2	Examination Results – Pupil Copies	Yes				Yes	HT
	Public			This information should be added to the pupil file	All uncollected certificates should be returned to the examination board.		
	Internal			This information should be added to the pupil file			

5.1 Pupil’s Educational Record							
Basic file description		Data Protec- tion Issues	Statutory Provisions	Retention Period [Opera- tional]	Action at the end of the administrative life of the record	Personal Data?	Owner
This review took place as the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention							
5.1.3	Child Protection information held on pupil file	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	If any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file.	SECURE DISPOSAL – these records MUST be shredded	Yes	CPLT
5.1.4	Child protection information held in separate files	Yes	“Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015”	DOB of the child + 25 years then review. This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the Local Authority Social Services record	SECURE DISPOSAL – these records MUST be shredded	Yes	CPLT

Retention periods relating to allegations made against adults can be found in the Human Resources section of this retention schedule.

5.2 Attendance							
Basic file description		Data Protec- tion Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
5.2.1	Attendance Registers	Yes	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	Every entry in the attendance register must be preserved for a period of three years after the date on which the entry was made.	SECURE DISPOSAL	Yes	AA
5.2.2	Correspondence relating to authorized absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL	Yes	AA

5.3 Special Educational Needs							
Basic file description		Data Protec- tion Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
5.3.1	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2)	Date of Birth of the pupil + 25 years	REVIEW NOTE: This retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a “failure to provide a sufficient education” case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period and this should be documented.	Yes	SEN
5.3.2	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold	Yes	SEN
5.3.3	Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold	Yes	SEN
5.3.4	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold	Yes	SEN

# Curriculum Management

6.1 Statistics and Management Information							
Basic file description		Data Protec- tion Issues	Statutory Pro- visions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
6.1.1	Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL	Yes	DM
6.1.2	Examination Results (Schools Copy)	Yes		Current year + 6 years	SECURE DISPOSAL	Yes	DM
	SATS records – Results			The SATS results should be recorded on the pupil’s educational file and will therefore be retained until the pupil reaches the age of 25 years. The school may wish to keep a composite record of all the whole year SATs results. These could be kept for current year + 6 years to allow suitable comparison	SECURE DISPOSAL		
	Examination Papers			The examination papers should be kept until any appeals/validation process is complete	SECURE DISPOSAL		
6.1.3	Published Admission Number (PAN) Reports	Yes		Current year + 6 years	SECURE DISPOSAL	No	SM
6.1.4	Value Added and Con- textual Data	Yes		Current year + 6 years	SECURE DISPOSAL	Yes	DM
6.1.5	Self Evaluation Forms	Yes		Current year + 6 years	SECURE DISPOSAL	Yes	HT

6.2 Implementation of Curriculum							
Basic file description		Data Protec- tion Issues	Statutory Pro- visions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
6.2.1	Schemes of Work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a further retention period or SECURE DISPOSAL	No	CM
6.2.2	Timetable	No		Current year + 1 year		Yes	CM
6.2.3	Class Record Books	No		Current year + 1 year		Yes	CM
6.2.4	Mark Books	No		Current year + 1 year		Yes	CM
6.2.5	Record of homework set	No		Current year + 1 year		Yes	CM
6.2.6	Pupils’ Work	No		Where possible pupils’ work should be returned to the pupil at the end of the academic year if this is not the school’s policy then current year + 1 year	SECURE DISPOSAL	Yes	CM

## Extra Curricular Activities

7.1 Educational Visits outside the Classroom							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
7.1.1	Records created by schools to obtain approval to run an Educational Visit outside the Classroom – Primary Schools	No	Outdoor Education Advisers’ Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 - “Legal Framework and Employer Systems” and Section 4 - “Good Practice”.	Date of visit + 14 years	SECURE DISPOSAL	Yes	EVC
7.1.2	Records created by schools to obtain approval to run an Educational Visit outside the Classroom – Secondary Schools	No	Outdoor Education Advisers’ Panel National Guidance website <a href="http://oeapng.info">http://oeapng.info</a> specifically Section 3 - “Legal Framework and Employer Systems” and Section 4 - “Good Practice”.	Date of visit + 10 years	SECURE DISPOSAL	Yes	EVC
7.1.3	Parental consent forms for school trips where there has been no major incident	Yes		Conclusion of the trip	Although the consent forms could be retained for DOB + 22 years, the requirement for them being needed is low and most schools do not have the storage capacity to retain every single consent form issued by the school for this period of time.	Yes	AA
7.1.4	Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980 (Section 2)	DOB of the pupil involved in the incident + 25 years The permission slips for all the pupils on the trip need to be retained to show that the rules had been followed for all pupils		Yes	EVC

7.2 Walking Bus							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
7.2.1	Walking Bus Registers	Yes		Date of register + 3 years This takes into account the fact that if there is an incident requiring an accident report the register will be submitted with the accident report and kept for the period of time required for accident reporting	SECURE DISPOSAL [If these records are retained electronically any back up copies should be destroyed at the same time]	Yes	HT

7.3 Family Liaison Officers and Home School Liaison Assistants							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
7.3.1	Day Books	Yes		Current year + 2 years then review		Yes	HT
7.3.2	Reports for outside agencies - where the report has been included on the case file created by the outside agency	Yes		Whilst child is attending school and then destroy		Yes	HT
7.3.3	Referral forms	Yes		While the referral is current		Yes	HT
7.3.4	Contact data sheets	Yes		Current year then review, if contact is no longer active then destroy		Yes	HT
7.3.5	Contact database entries	Yes		Current year then review, if contact is no longer active then destroy		Yes	HT
7.3.6	Group Registers	Yes		Current year + 2 years		Yes	HT

# Central Government and Local Authority

This section covers records created in the course of interaction between the school and the local authority.

<b>8.1 Local Authority</b>							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
8.1.1	Secondary Transfer Sheets (Primary)	Yes		Current year + 2 years	SECURE DISPOSAL	Yes	AA
8.1.2	Attendance Returns	Yes		Current year + 1 year	SECURE DISPOSAL	Yes	DM
8.1.3	School Census Returns	No		Current year + 5 years	SECURE DISPOSAL	Yes	SM
8.1.4	Circulars and other information sent from the Local Authority	No		Operational use	SECURE DISPOSAL	Yes	SM

<b>8.2 Central Government</b>							
Basic file description		Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at the end of the administrative life of the record	Personal Data?	Owner
8.2.1	OFSTED reports and papers	No		Life of the report then REVIEW	SECURE DISPOSAL	Yes	HT
8.2.2	Returns made to central government	No		Current year + 6 years	SECURE DISPOSAL	Yes	SM
8.2.3	Circulars and other information sent from central government	No		Operational use	SECURE DISPOSAL	Yes	SM

This section lists those personnel who have been assigned a role within this document.

Role	Name of Personnel	Location
Headteacher (HT)	D Evans	St Wilfrid's Primary School
Learning Mentor (LM)		
School Office Manager (SM)	S Hinchliffe	St Wilfrid's Primary School
SENCO (SEN)	C Goodchild	St Wilfrid's Primary School
Data Protection Officer (DPO)	L Graham	St Maries Catholic High School
Curriculum Manager (CM)	D Evans	St Wilfrid's Primary School
Child Protection Lead (CPLT)	D Evans	St Wilfrid's Primary School
Educational Visits Coordinator (EVC)	D Evans	St Wilfrid's Primary School
Clerk to Governors (CG)	V Coomer	
Admin Assistant (AA)	A Clack	St Wilfrid's Primary School
Buildings Officer (BO)	T Elliott	St Wilfrid's Primary School
Data Manager (DM)	D Evans	St Wilfrid's Primary School

Our contracts include the following compulsory details:

1. The subject matter and duration of the processing;
2. The nature and purpose of the processing;
3. The type of personal data and categories of data subject; and
4. The obligations and rights of the Data Controller.

Our contracts include the following compulsory terms:

- a. The Processor must only act on the written instructions of the Controller (unless required by law to act without such instructions);
- b. The Processor must ensure that people processing the data are subject to a duty of confidence;
- c. The Processor must take appropriate measures to ensure the security of processing;
- d. The Processor must only engage a sub-processor with the prior consent of the Data Controller and a written contract;
- e. The Processor must assist the Data Controller in providing subject access and allowing data subjects to exercise their rights under the GDPR;
- f. The Processor must assist the Data Controller in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments;
- g. The Processor must delete or return all personal data to the Controller as requested at the end of the contract; and
- h. The Processor must submit to audits and inspections, provide the Controller with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the Controller immediately if it is asked to do something infringing the GDPR or other data protection law of the EU or a member state.

As a matter of good practice, our contracts:

- i. State that nothing within the contract relieves the Processor of its own direct responsibilities and liabilities under the GDPR; and
- ii. Reflect any indemnity that has been agreed.

<b>Details of the Data Protection Breach</b>	
Date of incident:	
Please describe the incident in as much detail as possible.	
What measures did the school have in place to prevent an incident of this nature occurring?	
Please provide extracts of any policies & procedures the school has in place that you consider to be relevant to this incident, and explain which of these were in existence at the time this incident occurred. Please provide the dates on which they were implemented.	

<b>Personal data placed at risk</b>	
What personal data has been placed at risk?	
How many individuals were affected?	
Are the affected individuals aware that the incident has occurred?	
Has the data placed at risk now been recovered? If so please provide details of how and when.	
What steps has the school taken to prevent a recurrence of this incident?	

<b>Training and Guidance</b>	
Does the school provide its staff with training on the requirements of Data Protection legislation? If so, please provide any extracts relevant to this incident.	
Please confirm if training is mandatory for all staff. Had the staff members involved in this incident received training and if so when?	
Does the school provide any detailed guidance to staff on the handling of personal data in relation to the incident you are reporting? If so, please provide any extracts relevant to this incident here.	

<b>Previous contact with the Information Commissioner's Office (ICO)</b>	
Have you reported any previous incidents to the ICO in the last two years?	
If the answer to the above question is yes, please provide brief details, including the date that it was reported and the ICO reference number.	

<b>Miscellaneous</b>	
Have you notified any other data protection authorities about this incident?	
If the answer to the above question is yes, please provide details.	
Have you informed the police about this incident?	
If the answer to the above question is yes, please provide details.	
Have you informed any other regulatory authorities about this incident?	
If the answer to the above question is yes, please provide details.	
Has there been any media coverage about this incident?	
If the answer to the above question is yes, please provide details.	

These questions will help you to decide whether a more detailed Data Protection Impact Assessment is necessary.

If the answer to any of the following questions is 'yes' then you **must** complete the Data Protection Impact Assessment Part 2 outlined in Appendix F, and lodge the completed Part 2 form with the Data Protection Officer.

Brief outline of the project	
Name of the person completing this form:	
Date:	

1. Will the project involve the collection of new personal data about individuals?
2. Will the project compel individuals to provide personal data about themselves?
3. Will personal data about individuals be disclosed to organisations or people who have not previously had routine access to the data? This includes different departments and other schools (including Teaching Schools).
4. Will you be using personal data about individuals for a purpose it was not originally collected for?
5. Does the project involve you using new technology which might be perceived as being privacy intrusive?
6. Will the project result in you making decisions or taking action against individuals in ways which can have a significant impact on them?
7. Is the personal data of a kind particularly likely to raise privacy concerns or expectations? For example employees' records or pupils' educational records.
8. Will the project require you to contact individuals in ways which they may find intrusive?

If you answered 'yes' to any of the questions in Appendix E, then you must complete the table below.

If you are unsure of the process, you must speak to the Data Protection Officer.

<b>Step one: Identify the need for a DPIA</b>
Explain what the project aims to achieve. What are the benefits to the School, to individuals and to other parties?
Summarise why the need for a DPIA was identified.

<b>Step two: Describe the information flows</b>
Summarise how personal data will be collected, used, stored, secured and deleted during the project.
Summarise which employees/departments/external organisations will have access to personal data during the project that would not usually be able to access the personal data.

<b>Step three: Identify the privacy and related risks</b>					
Identify the key privacy risks and the associated compliance and corporate risks.					
<b>Privacy issue</b>	<b>Risk to individuals / Compliance Risk<sup>7</sup></b>	<b>Consultation / Actions to be taken</b>	<b>Detail Privacy Solutions identified</b>	<b>Evaluate Privacy Solutions</b> Is the final impact on individuals a justified, compliant and proportionate response to the aims of the project?	<b>Detail Approved Solution</b>

<sup>7</sup> The following are possible risks to individuals that should be considered:

- Information being shared inappropriately through inadequate disclosure controls.
- Information being used for a new purpose without the individual’s knowledge.
- New surveillance methods creating an unjustified intrusion on privacy.
- Intrusive measures being taken against individuals as a result of collecting the information.
- The sharing or merging of data sets can allow organisations to collect a much wider set of information than individuals might expect.
- Enabling identifiers to be linked to anonymised data may mean it is no longer safely anonymised.

<b>Step four: Integrate the DPIA outcomes into the project plan</b>		
Detail who is responsible for integrating the DPIA outcomes back into the project plan.		
<b>Action to be taken</b>	<b>Responsibility</b>	<b>Date for completion</b>

<b>Step eight: Post project review</b>
Detail the results of the post project review.