



Data Protection Policy

Incorporating:

Data Retention Policy and Schedule
Photograph, Digital Images and Video Policy

Policy title	Data Protection Policy Incorporating: Data Retention Policy and Schedule Photograph, Digital Images and Video Policy	Version	v.6
Groups consulted	Trust Central Team School & Cluster Data Protection Leads Judicium Education (former DPO)		
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Data Protection Policy

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1. INTRODUCTION

- 1.1. Red Kite Learning Trust “the Trust” (RKLT) is a Multi-Academy Trust (MAT) comprising of 16 schools in North and West Yorkshire. The Trust’s schools and operational central teams collect and use certain types of personal information about staff, pupils, parents, carers and other individuals such as governors, volunteers, external contractors and visitors. The Trust may be required by law to collect and use certain types of information to comply with statutory obligations related to employment, education and safeguarding. This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and related legislation.
- 1.2. The UK GDPR applies to all computerised data and manual files if they come within the definition of a filing system. Broadly speaking, a filing system is one where the data is structured in some way that it is searchable based on specific criteria.
- 1.3. This policy will be updated as necessary to reflect best practice, or amendments made to data protection legislation, and shall be reviewed every 2 years.

1.a ROLES AND RESPONSIBILITIES

Data Protection Officer (DPO)

HY Education

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Data Controller

Red Kite Learning Trust

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Data Processors

Red Kite Learning Trust Schools

Red Kite Learning Trust Central Operations and Cluster Teams

[Red Kite Learning Trust - Home \(rklt.co.uk\)](https://rklt.co.uk)

2. PERSONAL DATA

“Personal data” is information that identifies an individual and includes information which would identify an individual to the person to whom it is disclosed because of any special knowledge that they have or can obtain¹. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person’s actions or behaviour. A sub-set of personal data is known as “special category personal data”.

The UK GDPR defines special category data as:

- personal data revealing **racial or ethnic origin**;
- personal data revealing **political opinions**;
- personal data revealing **religious or philosophical beliefs**;
- personal data revealing **trade union membership**;
- **genetic data**;
- **biometric data** (where used for identification purposes);
- data concerning **health**;
- data concerning a person’s **sex life**; and
- data concerning a person’s **sexual orientation**

2.1. Special Category information is given special protection, and additional safeguards apply if this information is to be collected and used.

2.2. Personal data relating to criminal offences and convictions also refers to personal information relating to criminal allegations, proceedings, and related security measures. Information relating to criminal convictions shall only be held and processed where there is legal authority to do so.

2.3. The Trust does not intend to seek or hold sensitive personal data about staff or pupils except:

2.3.1. where the Trust has been notified of the information, or

2.3.2. it comes to the Trust’s attention via legitimate means (e.g. a grievance) or

2.3.3. needs to be sought and held in compliance with a legal obligation or as a matter of good practice

2.3.4. Staff or pupils are under no obligation to disclose to the Trust their race or ethnic origin, political or religious beliefs, whether or not they are a trade union member or details of their sexual life (save to the extent that details of marital status and / or parenthood are needed for other purposes, e.g. pension entitlements).

¹ For example, if asked for the number of female employees, and you only have one female employee, this would be personal data if it was possible to obtain a list of employees from the website.

- 2.3.5. it comes to the Trust's attention via legitimate means (e.g. a grievance) or
- 2.3.6. needs to be sought and held in compliance with a legal obligation or as a matter of good practice
- 2.3.7. Staff or pupils are under no obligation to disclose to the Trust their race or ethnic origin, political or religious beliefs, whether or not they are a trade union member or details of their sexual life (save to the extent that details of marital status and / or parenthood are needed for other purposes, e.g. pension entitlements).

3. THE DATA PROTECTION PRINCIPLES

- 3.1. The seven data protection principles as laid down in the UK GDPR are followed at all times:

3.1.1. Lawfulness, fairness and transparency

Personal data shall be processed fairly, lawfully and in a transparent manner, and processing shall not be lawful unless one of the processing conditions can be met;

3.1.2 Purpose limitation

Personal data shall be collected for specific, explicit, and legitimate purposes, and shall not be further processed in a manner incompatible with those purposes;

3.1.3 Data minimisation

Personal data shall be adequate, relevant, and limited to what is necessary for the purpose(s) for which it is being processed;

3.1.4 Accuracy

Personal data shall be accurate and, where necessary, kept up to date;

3.1.5 Storage limitation

Personal data processed for any purpose(s) shall not be kept for longer than is necessary for that purpose / those purposes;

3.1.6 Integrity and confidentiality (security)

Personal data shall be processed in such a way that ensures appropriate security of the data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

3.1.7 Accountability

The Trust as the data controller will adopt the accountability principle, which underpins each of the above. This means data processors in schools and central / cluster teams taking responsibility, ensuring appropriate measures are in place and keeping records to demonstrate data protection compliance.

- 3.2. In addition to this, the Trust is committed to ensuring that at all times, anyone dealing with personal data shall be mindful of the individual's rights under the law (as explained in more detail in paragraphs 7 and 8 below).
- 3.3. The Trust is committed to complying with the principles in 3.1 at all times. This means that the Trust will:
- 3.3.1. inform individuals as to the purpose of collecting any information from them, as and when we ask for it;
 - 3.3.2. be responsible for checking the quality and accuracy of the information;
 - 3.3.3. regularly review the records held to ensure that information is not held longer than is necessary, and that it has been held in accordance with the Trust's Data Retention Policy and Schedule
 - 3.3.4. ensure that when information is authorised for disposal it is done appropriately;
 - 3.3.5 ensure appropriate security measures to safeguard personal information whether it is held in paper files or on computer systems, and follow the relevant security policy requirements at all times;
 - 3.3.6 share personal information with others only when it is necessary and legally appropriate to do so;
 - 3.3.7 set out clear procedures for responding to requests for access to personal information known as subject access requests;
 - 3.3.8 report any breaches of the UK GDPR in accordance with the procedure in paragraph 9 below.

4. CONDITIONS FOR PROCESSING IN THE FIRST DATA PROTECTION PRINCIPLE

- 4.1 The Trust only collects, processes and shares personal data fairly and lawfully and for specified purposes. The Trust must have a specified purpose for processing personal data and special category data as set out in the UK GDPR.
- 4.2 The Trust may only process a data subject's personal data if one of the following fair processing conditions are met: -
- 4.2.1 The individual has given consent that is specific to the particular type of processing activity where one of the lawful conditions has not been met for processing, and that consent is informed, unambiguous and freely given
 - 4.2.2 The processing is necessary for the performance of a contract, to which the individual is a party, or is necessary for the purpose of taking steps with regards to entering into a contract with the individual, at their request.

- 4.2.3 The processing is necessary for the performance of a legal obligation to which the Trust is subject.
- 4.2.4 The processing is necessary to protect the vital interests of the individual or another.
- 4.2.5 The processing is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the Trust.
- 4.2.6 The processing is necessary for a legitimate interest of the Trust or that of a third party, except where this interest is overridden by the rights and freedoms of the individual concerned.

4.3 Before the processing starts for the first time, we will review the purposes of the particular processing activity and select the most appropriate lawful basis for that processing. We will then regularly review those purposes whilst processing continues in order to satisfy ourselves that the processing is necessary for the purpose of the relevant lawful basis (i.e., that there is no other reasonable way to achieve that purpose).

5. USE OF PERSONAL DATA BY THE TRUST

- 5.1. The Trust holds personal data about pupils, staff, parents, carers and other individuals such as governors, volunteers, external contractors and visitors. In each case, the personal data must be treated in accordance with the data protection principles as outlined in paragraph 3.1 above.

Pupils

- 5.2. The personal data held about pupils includes contact details, assessment / examination results, attendance information, characteristics such as ethnic group, special educational needs, any relevant medical information and photographs.
- 5.3. The data is used in order to support the education of the pupils, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the Trust as a whole is doing, together with any other uses normally associated with this provision in a school environment.
- 5.4. The Trust may make use of limited personal data (such as contact details) relating to pupils and their parents or carers for fundraising, marketing or promotional purposes and to maintain relationships with pupils, but only where consent has been provided for this. Where relevant, it must be added to the Trust Privacy Notice for Pupils and Families.
- 5.5. In particular, the Trust may:
 - 5.5.1. transfer information to any association society or club set up for the purpose of maintaining contact with pupils or for fundraising, marketing or promotional purposes relating to the Trust but only where consent has been obtained first;

- 5.5.2. transfer information to another school
 - 5.5.3. make personal data, including sensitive personal data, available to staff for planning curricular or extra-curricular activities;
 - 5.5.4. keep the pupil's previous school informed of his / her academic progress and achievements e.g. sending a copy of the school reports for the pupil's first year at the Trust to their previous school;
 - 5.5.5. use photographs of pupils in accordance with the Trust Photograph, Digital Images and Video Policy and consents.
- 5.6. Any wish to limit or object to any use of personal data should be notified to the Trust's Data Protection Officer (DPO) in writing, which notice will be acknowledged by the Trust in writing. If, in the view of the Data Protection Officer, the objection cannot be maintained, the individual will be given written reasons why the Trust cannot comply with their request.

Staff

- 5.7. The personal data held about staff will include contact details, employment history, and information relating to career progression, information relating to Disclosure and Barring DBS checks, photographs, and performance reviews.
- 5.8. The data is used to comply with legal obligations placed on the Trust in relation to employment, and the education of children in a school environment. The Trust may pass information to other regulatory authorities where appropriate and may use names and photographs of staff in publicity and promotional material. Personal data will also be used when giving references. Staff should note that information about disciplinary action may be kept for longer than the duration of the sanction. Although treated as "spent" once the period of the sanction has expired, the details of the incident may need to be kept for a longer period.
- 5.9. Any wish to limit or object to the uses to which personal data is to be put should be notified to the Trust's Data Protection Officer, who will ensure that this is recorded and adhered to if appropriate. If the Data Protection Officer is of the view that it is not appropriate to limit the use of personal data in the way specified, the individual will be given written reasons why the Trust cannot comply with their request.

Other Individuals

- 5.10. The Trust may hold personal information in relation to other individuals who have contact with the Trust, such as such as governors, volunteers, external contractors and visitors. Such information shall be held only in accordance with the data protection principles and shall not be kept longer than necessary.

6. SECURITY OF PERSONAL DATA

- 6.1. The Trust will take reasonable steps to ensure that members of staff will only have access to personal data where it is necessary for them to carry out their duties. All staff will be made aware of this policy and their duties under the UK GDPR. The Trust will take all reasonable steps to ensure that all personal information is held securely and is not accessible to unauthorised persons.
- 6.2. For further details relating to the security of IT systems, please refer to the associated Trust IT policies and procedures.

7. DISCLOSURE OF PERSONAL DATA TO THIRD PARTIES

- 7.1. The following list includes the most usual reasons that the Trust will authorise disclosure of personal data to a third party:
- 7.1.1. to give a confidential reference relating to a current or former employee, volunteer or pupil;
 - 7.1.2. for the prevention or detection of crime;
 - 7.1.3. for the assessment of any tax or duty;
 - 7.1.4. where it is necessary to exercise a right or obligation conferred or imposed by law upon the Trust (other than an obligation imposed by contract);
 - 7.1.5. for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings);
 - 7.1.6. for the purpose of obtaining legal advice;
 - 7.1.7. for research, historical and statistical purposes (so long as this neither supports decisions in relation to individuals, nor causes substantial damage or distress);
 - 7.1.8. to publish the results of public examinations or other achievements of pupils of Trust schools;
 - 7.1.9. to disclose details of a pupil's medical condition where it is in the pupil's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips;
 - 7.1.10. to provide information to another educational establishment to which a pupil is transferring;
 - 7.1.11. to provide information to the examination authority as part of the examination process; and
 - 7.1.12. to provide information to the relevant Government Department concerned with national education. At the time of the writing of this policy, the Government

Department concerned with national education is the Department for Education (DfE). The examination authority may also pass information to the DfE.

7.1.13. to provide information in the administration of payroll services and pension scheme administrators.

7.1.14. to provide data to contracted third parties for the provision of required services which enable the operation of key processes and systems within the Trust e.g. cashless catering systems, management information systems, and attainment and progress data tracking systems.

7.2. The DfE uses information about pupils for statistical purposes, to evaluate and develop education policy and to monitor the performance of the nation's education service as a whole. The statistics are used in such a way that individual pupils cannot be identified from them. On occasion the DfE may share the personal data with other government departments or agencies strictly for statistical or research purposes.

7.3. The Trust may receive requests from third parties (i.e. those other than the data subject, and employees of the Trust) to disclose personal data it holds about pupils, their parents or carers, staff or other individuals. This information will not generally be disclosed unless one of the specific exemptions under data protection legislation which allow disclosure applies; or where necessary for the legitimate interests of the individual concerned or the Trust.

7.4. All requests for the disclosure of personal data must be sent to the Data Protection Officer, who will review and decide whether to make the disclosure, ensuring that reasonable steps are taken to verify the identity of that third party before making any disclosure.

8. CONFIDENTIALITY OF PUPIL CONCERNS

8.1. Where a pupil seeks to raise concerns confidentially with a member of staff, and expressly withholds their agreement to their personal data being disclosed to their parents or carer, the Trust will maintain confidentiality. This is unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the Trust believes disclosure will be in the best interests of the pupil or other pupils.

9. SUBJECT ACCESS REQUESTS

- 9.1. Any individual who makes a request to see any personal information held about them by the Trust is making a “**subject access request**” (**SAR**). All information relating to the individual, including that held in electronic or manual files should be considered for disclosure, provided that they constitute a “filing system” (see clause 1.2).
- 9.2. Failure to comply with the right of access under UK GDPR puts both staff and the Trust at potentially significant risk, therefore the Trust takes compliance with this policy very seriously.
- 9.3. An individual has the right to be informed by the Trust or School of the following:
 - 9.3.1. Confirmation that their data is being processed
 - 9.3.2. Access to their personal data
 - 9.3.3. A description of the information that is being processed
 - 9.3.4. The purpose for which the information is being processed
 - 9.3.5. The recipients/class of recipients to whom that information is or may be disclosed
 - 9.3.6. Details of the Trust or School's sources of information obtained
 - 9.3.7. In relation to any personal data processed for the purposes of evaluating matters in relation to the data subject that has constituted or is likely to constitute the sole basis for any decision significantly affecting him or her, to be informed of the logic of the Data Controller's decision making. Such data may include, but is not limited to, performance at work, creditworthiness, reliability and conduct
 - 9.3.8. Other supplementary information
- 9.4. All requests should be sent to the Data Protection Officer within 3 working days of receipt by the Trust data processor receiving the request. All requests must be dealt with in full immediately and at the latest within one calendar month of receipt, unless there are reasonable grounds for extension. Even if an extension of the time limit is permitted, the individual must still be informed within that month of the fact that the request will take longer to process and the reasons for the delay. Failure to comply with a SAR within that period could leave us open to the possibility of being fined by the ICO.
- 9.5. Where a child or young person does not have sufficient understanding to make his or her own request (usually those under the age of 12, or over 12 but with a special educational need which makes understanding their information rights more difficult), a person with parental responsibility can make a request on their behalf. The Data Protection Officer must, however, be satisfied that:

- 9.5.1. the child or young person lacks sufficient understanding; and
- 9.5.2. the request made on behalf of the child or young person is in their interests.
- 9.6. Any individual, including a child or young person with ownership of their own information rights, may appoint another person to request access to their records. In such circumstances the Trust must have written evidence that the individual has authorised the person to make the application and the Data Protection Officer must be confident of the identity of the individual making the request and of the authorisation of the individual to whom the request relates.
- 9.7. Access to records will be refused in instances where an exemption applies, for example, information sharing may place the individual at risk of significant harm or jeopardise police investigations into any alleged offence(s).
- 9.8. Although we encourage individuals to make a request in writing, a SAR can also be made verbally, by post, by email or even using social media where relevant. The Trust may ask for any further information reasonably required to locate the information.
- 9.9. When receiving a SAR the School shall acknowledge the request as soon as possible and inform the requester about the statutory deadline (of one calendar month) to respond to the request. In addition to acknowledging the request, the School may ask for:
 - 9.9.1. proof of ID (if needed)
 - 9.9.2. further clarification about the requested information if it is not clear what information is required
 - 9.9.3. if it is not clear where the information shall be sent, the School must clarify what address/email address to use when sending the requested information; and/or
 - 9.9.4. consent (if requesting third party data)
- 9.10. An individual only has the automatic right to access information about himself or herself, and care needs to be taken not to disclose the personal data of third parties where consent has not been given, or where seeking consent would not be reasonable, and it would not be appropriate to release the information. Particular care must be taken in the case of any complaint or dispute to ensure confidentiality is protected.
- 9.11. Where the data in a record cannot be disclosed in its entirety, a permanent copy should be made and the data redacted. A copy of the full record and the altered record should be retained, with the reason why the information was altered.
- 9.12. The Trust or School may not be able to respond to requests received during or just before school closure periods within the one calendar month response period. This is because the School will be closed and no one will be on site to comply, nor review emails during this period. As a result, it is unlikely that your request will be able to be dealt with during this time. We may not be able to acknowledge your request during this time (i.e., until a time when we receive the request). However, if we can acknowledge the request, we may still not be able to deal with it until the School re-

opens. The School will endeavour to comply with requests as soon as possible and will keep in communication with you as far as possible. If your request is urgent, please provide your request during term times and not during/close to closure periods.

9.13. The school can refuse to comply with a request if the request in certain circumstances. These include:

9.13.1. Where the SAR is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature;

9.13.2. To avoid obstructing an official or legal inquiry, investigation or procedure;

9.13.3. To avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties;

9.13.4. To protect public security;

9.13.5. To protect national security;

9.13.6. To protect the rights and freedoms of others.

9.14. In the event that you have concerns about supplying the information, you must always refer the matter to our DPO, who will make the decision on our behalf.

9.15. In the event that we decide not to comply with the SAR, then the data subject must be informed, without undue delay (and in all cases within one month of receipt of the request), of:

9.15.1. The reasons we are not taking action;

9.15.2. That they have a right to make a complaint to the ICO or another supervisory authority; and

9.15.3. That they are entitled to seek to enforce their right through a judicial remedy.

9.16. If a request is found to be manifestly unfounded or excessive the school can:

9.16.1. request a "reasonable fee" to deal with the request, which is based in the administrative costs of complying with the request; or

9.16.2. refuse to deal with the request.

10. EXEMPTIONS TO ACCESS BY DATA SUBJECTS

10.1. Where a claim to legal professional privilege could be maintained in legal proceedings, the information is likely to be exempt from disclosure unless the privilege is waived.

10.2. There are other exemptions from the right of subject access. If the Trust intend to apply any of these to a request, then the Trust will usually explain which exemption is being applied and why in its response.

11. OTHER RIGHTS OF INDIVIDUALS

11.1. The Trust has an obligation to comply with the rights of individuals under the law and takes these rights seriously. The following section sets out how the Trust will comply with the rights to:

11.1.1. object to processing;

11.1.2. rectification;

11.1.3. erasure; and

11.1.4. data portability.

Right to object to processing

11.2. An individual has the right to object to the processing of their personal data on the grounds of pursuit of a public interest or legitimate interest (grounds 4.5 and 4.6 above) where they do not believe that those grounds are made out.

11.3. Where such an objection is made, it must be sent to the Data Protection Officer within 2 working days of receipt. The Data Protection Officer will assess whether there are compelling legitimate grounds to continue processing which override the interests, rights and freedoms of the individuals, or whether the information is required for the establishment, exercise or defence of legal proceedings.

11.4. The Data Protection Officer shall be responsible for notifying the individual of the outcome of their assessment within 15 of working days of receipt of the objection.

Right to rectification

11.5. An individual has the right to request the rectification of inaccurate data without undue delay. Where any request for rectification is received, it should be sent to the Data Protection Officer within 2 working days of receipt, and where adequate proof of inaccuracy is given, the data shall be amended as soon as reasonably practicable, and the individual notified.

11.6. Where there is a dispute as to the accuracy of the data, the request and reasons for refusal shall be noted alongside the data and communicated to the individual. The individual shall be given the option of [a review under the data protection complaints procedure, or] an appeal direct to the Information Commissioner.

11.7. An individual also has a right to have incomplete information completed by providing the missing data, and any information submitted in this way shall be updated without undue delay.

Right to erasure

11.8. Individuals have a right, in certain circumstances, to have data permanently erased without undue delay. This right arises in the following circumstances:

11.8.1. where the personal data is no longer necessary for the purpose or purposes for which it was collected and processed.

11.8.2. where consent is withdrawn and there is no other legal basis for the processing.

11.8.3. where an objection has been raised under the right to object and found to be legitimate.

11.8.4. where personal data is being unlawfully processed (usually where one of the conditions for processing cannot be met);

11.8.5. where there is a legal obligation on the Trust to delete.

11.9. The Data Protection Officer will decide regarding any application for erasure of personal data and will balance the request against the exemptions provided for in the law. Where a decision is made to erase the data, and this data has been passed to other data controllers, and / or has been made public, reasonable attempts to inform those controllers of the request shall be made.

Right to restrict processing

11.10. In the following circumstances, processing of an individual's personal data may be restricted:

11.10.1. where the accuracy of data has been contested, during the period when the Trust is attempting to verify the accuracy of the data;

11.10.2. where processing has been found to be unlawful, and the individual has asked that there be a restriction on processing rather than erasure;

11.10.3. where data would normally be deleted, but the individual has requested that their information be kept for the purpose of the establishment, exercise or defence of a legal claim;

11.10.4. where there has been an objection made under para 8.2 above, pending the outcome of any decision.

Right to portability

11.11. If an individual wants to send their personal data to another organisation, they have a right to request that the Trust provide their information in a structured, commonly used, and machine-readable format. As this right is limited to situations where the Trust is processing the information based on consent or performance of a contract, the situations in which this right can be exercised will be quite limited. If a request for this is made, it should be forwarded to the Data Protection Officer within 2 working days of receipt, and the Data Protection Officer will review and revert as necessary.

12 . DATA PROTECTION IMPACT ASSESSMENTS (DPIAs)

12.1 In order to achieve a privacy by design approach, the School conduct DPIAs for any new high risk technologies or programmes being used by the School which could affect the processing of personal data. The School carries out DPIAs when required by the UK GDPR in the following circumstances:

- 12.1.1 For the use of new technologies (programs, systems or processes) or changing technologies;
- 12.1.2 For the use of automated processing;
- 12.1.3 For large scale processing of special category data; and
- 12.1.4 For large scale, systematic monitoring of a publicly accessible area (through the use of CCTV).

12.2 Our DPIAs contain: -

- 12.2.1 A description of the processing, its purposes and any legitimate interests used
- 12.2.2 Details of what types of data are shared;
- 12.2.3 Steps taken by the third party and the school in order to protect data;
- 12.2.4 An assessment of the necessity and proportionality of the processing in relation to its purpose;
- 12.2.5 An assessment of the risk to individuals; and
- 12.2.6 The risk mitigation measures in place and demonstration of compliance.

13 . BREACH OF ANY REQUIREMENT OF THE GDPR

- 13.1 Any and all breaches of the UK GDPR, including a breach of any of the data protection principles shall be reported as soon as it is discovered, to the Data Protection Officer.
- 13.2 Once notified, the Data Protection Officer shall assess:
 - 13.2.1 the extent of the breach.
 - 13.2.2 the risks to the data subjects as a consequence of the breach.
 - 13.2.3 any security measures in place that will protect the information.
 - 13.2.4 any measures that can be taken immediately to mitigate the risk to the individuals.
- 13.3 Unless the Data Protection Officer concludes that there is unlikely to be any risk to individuals from the breach, it must be notified to the Information Commissioner's Office (ICO) within 72 hours of the breach having come to the attention of the Trust, unless a delay can be justified.
- 13.4 The Information Commissioner shall be told:
 - 13.4.1 details of the breach, including the volume of data at risk, and the number and categories of data subjects;

- 13.4.2 the contact point for any enquiries (which shall usually be the Data Protection Officer);
 - 13.4.3 the likely consequences of the breach;
 - 13.4.4 measures proposed or already taken to address the breach.
- 13.5 If the breach is likely to result in a high risk to the rights and freedoms of the affected individuals, then the Data Protection Officer shall notify data subjects of the breach without undue delay. This is unless the data would be unintelligible to those not authorised to access it, or whether measures have been taken to mitigate any risk to the affected individuals.
- 13.6 Data subjects shall be told:
- 13.6.1 the nature of the breach;
 - 13.6.2 who to contact with any questions;
 - 13.6.3 measures taken to mitigate any risks.
- 13.7 The Data Protection Officer shall then be responsible for instigating an investigation into the breach, including how it happened, and whether it could have been prevented. The Red Kite Learning Trust Board shall review any recommendations for further training or a change in procedure and a decision made about implementation of those recommendations.

14 CONTACT

- 14.1 If anyone has any concerns or questions in relation to this policy, they should contact the Data Protection Officer.



Data Retention Policy

Policy title	Data Retention Policy	Version	v.4
Groups consulted	Trust Central Team School & Cluster Data Protection Leads Judicium Education (former DPO)	Date	11.12.2025
Date approved	Trust Audit & Risk Committee Trust Board		
Review Date	October 2027		

Red Kite Learning Trust

Data Retention Policy

Document Owner and Approval

Red Kite Learning Trust is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with the Trust's policy review schedule.

Detailed Version History Log

Version	Description of Change	Date of Policy Release by RKLT
v.1 & v.2	Initial issue	October 2021
v.3	Updated with statutory references for retention periods and data categories, as detailed in the separate log sheet <i>Trust Data Retention Schedule Record of Additions and Changes v.3 October 2023</i> .	
v.3	Formatting amendments and language alignment with ICO, UK GDPR and Trust terminology.	
v.4	Change to wording in the Introduction – reference to IRMS 'Schools' toolkit Alignment of retention periods with IRMS toolkit Update to Data Protection Officer address and telephone number Update to 'Retention of Safeguarding Records' section to refer to the outcome of the Independent Inquiry into Child Sexual Abuse (IICSA) to state that records are retained for a prolonged period (indefinitely)	December 2025

Data Retention Policy

Introduction

This data retention policy is intended for use by Red Kite Learning Trust and its data processors.

The Trust has a responsibility to maintain its records and record keeping systems.

When doing this, the Trust will take account of the following factors:

- The most efficient and effective way of storing records and information.
- The confidential nature of the records and information stored.
- The security of the record systems used.
- Privacy and disclosure and
- Accessibility of records and record keeping systems.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the Trust's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the Trust from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. The Trust may also vary any parts of this procedure, including any time limits, as appropriate in any case.

Under the guidelines of the Education & Skills Funding Agency (ESFA)

Academies and trusts should follow good practice and retain the following types of records:

- Pupil, staff, building, finance and governance records. A pupil record is defined in section 12 of the [DfE guidance on educational records for England](#)
- Records about the history of the school/academy (if applicable, including the 'school history' from prior to the conversion to an academy). See The National Archives' [research guide on schools](#) for examples.

All records should be retained in line with regulations and retention guidelines. See the [Academy Trust Handbook](#) and the Information and Records Management Society's (IRMS) [Schools toolkit](#) for details.

1. The purpose of the retention guidelines

Under the Freedom of Information Act 2000, academies are required to maintain a retention schedule of data records which they create in the course of their business. The retention schedule sets out the length of time over which the data records need to be retained, and the action which should be taken when it is of no further administrative use. The retention schedule lays down the basis for normal processing under the UK General Data Protection Regulation, Data Protection Act 2018, and the Freedom of Information Act 2000.

Members of individual Academy staff are expected to manage their current recordkeeping systems using the retention schedule and to take account of differing retention periods when creating new recordkeeping systems.

The retention schedule refers to data records, regardless of the media in which they are stored.

2. Benefits of a retention schedule

There are numerous benefits which arise from the use of a complete retention schedule:

- Managing records against the retention schedule is deemed to be “normal processing” under the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 and the Freedom of Information Act 2000. Trust staff should be aware that once a Freedom of Information request is received or a legal hold imposed, then records disposal must be stopped.
- Members of staff can be confident that information has been disposed of safely and at the appropriate time.
- Information which is subject to the UK General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000 legislation will be available when required.
- The Trust is not maintaining and storing information unnecessarily.

3. Maintaining and amending the retention schedule

Where appropriate, the retention schedule should be reviewed and amended to include any new record series created, as well as to remove any obsolete record series.

This retention schedule contains recommended retention periods for the various record series created and maintained by Academies in the course of their business. The schedule refers to all information, regardless of the media in which it is stored.

Some of the retention periods are governed by statute; others are guidelines following best practice. Every effort has been made to ensure that these retention periods are compliant with the requirements of the UK General Data Protection Regulation, Data Protection Act 2018 and the Freedom of Information Act 2000.

Managing record series using these retention guidelines will be deemed to be “normal processing” under the legislation mentioned above. If record series are to be kept for longer or shorter periods than those laid out in this document, the reasons for this need to be documented.

This schedule is sourced from the Information Records Management Service (IRMS) and should be reviewed on a regular basis. Further details about the IRMS membership can be found at <http://www.irms.org.uk/join>

For any questions or advice relating to this policy RKLT schools are directed to the Trust’s DPO Service as provided by HY Education using the following details:

Data Protection Officer (DPO):

HY Education

HY Education Solicitors Limited

Sandbrook House, Sandbrook Way, Rochdale, OL11 1RY

dpo@wearehy.com

0161 543 8884

<https://hyeducation.co.uk>

Destruction of Records

The below Data Retention Schedule lists the many types of records used by the Trust and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.

Where records have been identified for destruction, they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste disposal supplier. All electronic information will be deleted.

The schools in the Trust maintain a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list the following: -

- File reference (or other unique identifier);
- File title/description;
- Number of files;
- Name of the authorising officer;
- Date destroyed or deleted from system; and
- Person(s) who undertook destruction.

Retention of Safeguarding Records

Any allegations made that are found to be malicious must not be part of the personnel records.

For any other allegations made, the School must keep a comprehensive summary of the allegation made, details of how the investigation was looked into and resolved and any decisions reached. This should be kept on the personnel files of the accused.

Any allegations made of sexual abuse should be preserved by the school for the term of an inquiry by the Independent Inquiry into Child Sexual Abuse. All other records (for example, the personnel file of the accused) should be retained until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. In 2022 the Independent Inquiry into Child Sexual Abuse (IICSA) concluded and published their final report, leaving a recommendation that all records relating to child sexual abuse should be retained for a period of 75 years.

The ICO has not currently produced guidance or frameworks regarding retention as recommended by the inquiry. Until this has been produced, records will still be retained for a prolonged period as recommended initially by IISCA in order to fulfil potential legal duties that a school may have in relation to the inquiry or any further guidance.

Archiving

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. A database of the records sent to the archives is maintained by each relevant school and central / cluster team of the Trust. The appropriate staff member, when archiving documents should record in this list the following information: -

- File reference (or other unique identifier);
- File title/description;
- Number of files; and
- Name of the authorising officer.

Transferring Information to Other Media

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as digital media or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

Transferring Information to Another School

The Trust's schools retain the pupil's educational record whilst the child remains at the school. Once a pupil leaves the school, the file should be sent to their next school. The responsibility for retention then shifts onto the next school. The file may be retained for a year following transfer in case any issues arise as a result of the transfer. The school may delay destruction for a further period where there are special factors such as potential litigation.

Secondary schools must retain this file until the pupil turns 25. The same retention periods are in place for child protection information but these records must be kept in a separate file (in line with the Keeping Children Safe in Education guidance).

Responsibility and Monitoring

Data Controllers within the Trust's schools and central / cluster teams have primary and day-to-day responsibility for implementing this policy. The Data Protection Officer, in conjunction with the school is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The Data Protection Officer will consider the suitability and adequacy of this policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records. Management at all levels is responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

Emails

Email accounts are not a case management tool in itself. Generally, emails may need to fall under different retention periods (for example, an email regarding a health and safety report will be subject to a different time frame to an email which forms part of a pupil record). It is important to note that the retention period will depend on the content of the email and staff should file those emails in the relevant areas to avoid the data becoming lost.

Pupil Records

All schools, with the exception of independent schools, are under a duty to maintain a pupil record for each pupil. Early Years will have their own separate record keeping requirements. If a child changes schools, the responsibility for maintaining the pupil record moves to the next school. We retain the file for a year following transfer in case any issues arise as a result of the transfer.

1. Governance, Funding and Financial Management of the Trust

Red Kite Learning Trust schools are governed by the Trust, which is a charitable company limited by guarantee and registered in England and Wales.

1.1 Governance of the Trust					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.1	Governance Statement	No		Life of governance statement + 6 years. One copy of each iteration may need to be retained for archive purposes	SECURE DISPOSAL
1.1.2	Articles of Association	No		Life of the Academy	
1.1.3	Memorandum of Association	No		This can be disposed of once the Academy has been incorporated	SECURE DISPOSAL
1.1.4	Memorandum of Understanding of Shared Governance amongst schools	No	Companies Act 2006 section 355	Life of Memorandum of Understanding + 6 years	SECURE DISPOSAL
1.1.5	Constitution	No		Date constitution superseded + 10 years. It may be appropriate to retain one copy of each constitution for archival purposes	SECURE DISPOSAL

1.1 Governance of the Trust

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.6	Special Resolutions to amend the Constitution	No		Date constitution superseded + 10 years.	SECURE DISPOSAL It may be appropriate to retain one copy of each constitution for archival purposes
1.1.7	Written Scheme of Delegation	No	Companies Act 2006 section 355	Life of Written Scheme of Delegation + 10 years	SECURE DISPOSAL
1.1.8	Directors – Appointment	No		Life of appointment + 6 years In the event of allegations concerning children + 25 years	SECURE DISPOSAL
1.1.9	Directors – Disqualification	No	Company Directors Disqualification Act 1986	Date of disqualification + 15 years In the event of allegations concerning children + 25 years	SECURE DISPOSAL
1.1.10	Directors – Termination of Office	No		Date of termination + 6 years In the event of allegations concerning children + 25 years	SECURE DISPOSAL
1.1.11	Annual Report – Trustees Report	No	Companies Act 2006 section 355	Date of report + 10 years	SECURE DISPOSAL

1.1 Governance of the Trust

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.12	Annual Report and Accounts	No	Companies Act 2006 section 355	Date of report + 10 years	SECURE DISPOSAL
1.1.13	Annual Reports created under the requirements of the Education (Governors Annual Reports) (England) (Amendment) Regulations 2002	No		Date of report + 10 years	
1.1.14	Annual Return	No	Companies Act 2006 section 355	Date of report + 10 years	SECURE DISPOSAL
1.1.15	Appointment of Trustees and Governors and Directors	Yes	Companies Act 2006 Section 355	Life of appointment + 6 years In the event of allegations concerning children + 25 years	SECURE DISPOSAL
1.1.16	Statement of Trustees' Responsibilities	No		Life of statement + 6 years	SECURE DISPOSAL
1.1.17	Appointment and removal of Members	No		Life of appointment + 6 years	SECURE DISPOSAL
1.1.18	Strategic Review	No		Life of the review or until review superseded + 3 years. If major changes are made to the review then an archive copy of previous review should be retained	SECURE DISPOSAL

1.1 Governance of the Trust

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.19	Strategic Plan [also known as School Development Plans]	No		Life of plan + 3 years. If major changes are made to the plan then an archive copy of previous plans should be retained	SECURE DISPOSAL If major changes are made to the plan then an archive copy of previous plans should be retained
1.1.20	Accessibility Plan	There may be if the plan refers to specific pupils	Limitation Act 1980 (Section 2)	Life of plan + 3 years then review. If major changes are made to the plan then an archive copy of previous policies should be retained	SECURE DISPOSAL

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Board of Directors				
1.2.1	Board Meeting Minutes	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting	OFFER TO ARCHIVES
1.2.2	Board Decisions	Could be if the decisions refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES
1.2.3	Board Meeting: Annual Schedule of Business	No		Current year	SECURE DISPOSAL
1.2.4	Board Meeting: Procedures for conduct of meeting	No	Limitation Act 1980 (Section 2)	Date procedures superseded + 6 years	SECURE DISPOSAL
	Committees¹				
1.2.5	Minutes relating to any committees set up by the Board of Directors	Could be if the minutes refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES

¹ The board can establish any committee and determine the constitution, membership and proceedings that will apply.

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.6	Scheme of Delegation and Terms of Reference for Committees	No		Until superseded or whilst relevant	OFFER TO ARCHIVES Trust may wish to retain these records for reference purposes in case decisions need to be justified
	General Members' Meeting				
1.2.7	Records relating to the management of General Members' Meetings	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting ²	OFFER TO ARCHIVES
1.2.8	Records relating to the management of the Annual General Meeting ³	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 6 years from the date of the meeting ⁴	OFFER TO ARCHIVES

² The signed minutes must be kept securely together with the notice and agenda for the meeting and supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

³ Not all Academies are required to hold an Annual General Meeting for the Members – the requirement will be stated in the Constitution.

⁴ The signed minutes must be kept securely together with the notice and agenda for the meeting and any supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Governors				
1.2.9	Governor personnel files	Yes		Date appointment ceases plus 6 years In the event of allegations concerning children + 25 years	SECURE DISPOSAL
1.2.10	Records relating to DBS checks carried out on clerk and members of the governing body	Yes		Date the DBS Certificate was issued and seen should be on the SCR until a new certificate is produced.	SECURE DISPOSAL
1.2.11	Records relating to the induction programme for new governors	Yes		Date appointment ceases plus 6 years. This should be held in the personnel file	SECURE DISPOSAL
1.2.12	Records relating to the training required and received by Governors	Yes		Date Governor steps down + 6 years. This should be held in the personnel file	
1.2.13	Agendas for Governing Board meetings	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 ⁵

⁵ In this context, SECURE DISPOSAL should be taken to mean disposal using confidential waste bins, or if the Trust has the facility, shredding using a cross-cut shredder.

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.14	Register of attendance at Full Governing Board meetings	Yes		Date of last meeting in the book + 6 years	SECURE DISPOSAL
1.2.15	Policy documents created and administered by the governing body	Yes		Until replaced	SECURE DISPOSAL
1.2.16	Minutes of, and papers considered at, meetings of the Governing Board and its committees	May be data protection issues, if the meeting is dealing with confidential issues relating to staff			
	<ul style="list-style-type: none"> Principal Set (signed) 			Date of meeting +10 years	
	<ul style="list-style-type: none"> Inspection Copies⁶ 			Date of meeting + 10 years	SECURE DISPOSAL

⁶ These are the copies which the clerk to the Governor may wish to retain, so that requestors can view all the relevant information, without the clerk needing to print off and collate redacted copies of the minutes each time a request is made.

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.17	Meetings Schedule	No		Current year	SECURE DISPOSAL
1.2.18	Agendas Additional Copies	No		Date of meeting	STANDARD DISPOSAL
1.2.19	Reports presented to the Governing Board	May be data protection issues, if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 10 years. However, if the minutes refer directly to individual reports, then the reports should be kept for the life of the Academy	SECURE DISPOSAL or retain with the signed set of minutes
1.2.20	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
1.2.21	Trusts and Endowments managed by the Governing Board	Yes		Life of the Trust or Endowment + 6 years	SECURE DISPOSAL

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.22	Records relating to complaints dealt with by the Governing Board	Yes		Date of the resolution of the complaint + a minimum of 3 years then review for further retention in case of contentious disputes If negligence involved: current year +15 If child protection or safeguarding issues are involved: current year +40 If complaint relates to child sexual abuse, then indefinitely	SECURE DISPOSAL

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.23	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
1.2.24	Records relating to Governor Monitoring Visits	Yes		Date of the visit + 3 years	SECURE DISPOSAL

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Statutory Registers⁷				
1.2.25	Register of Directors		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.26	Register of Directors' interests [this is not a statutory register]		Companies Act 2006	Date appointment ceases+ 10 years	SECURE DISPOSAL
1.2.27	Register of Directors' residential addresses		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.28	Register of gifts, hospitality and entertainments		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.29	Register of members		Companies Act 2006	Date Member resigns + 10 years	SECURE DISPOSAL
1.2.30	Register of secretaries		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.31	Register of Trustees' interests		Companies Act 2006	Date appointment ceases+ 10 years	SECURE DISPOSAL
1.2.32	Declaration of Interests Statements [Governors]		Companies Act 2006	Date appointment ceases+ 10 years	SECURE DISPOSAL

⁷ Academies are required by law to keep specific records, collectively known as statutory registers or the statutory books. The registers record information relating to the Trust's operations and structure, such as the current directors. Records should be kept up-to-date to reflect any changes that take place.

1.2 Members', Trust Board and Local Governing Board Meetings

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Agreements and Administration				
1.2.33	Collective workforce agreements and past agreements that could affect present employees			Permanent retention	
1.2.34	Trade union agreements			10 years after ceasing to be effective	SECURE DISPOSAL
1.2.35	Minutes of Trust Senior Management Team meetings			Date of the meeting plus 3 years or as required	SECURE DISPOSAL
1.2.36	Digital recordings of Member, Trustee, and Local Governing Board Meetings for the purpose of drafting meeting minutes			To be retained until the meeting minutes have been agreed and signed by the meeting chairs	SECURE DISPOSAL
1.2.37	Records relating to the training required and received by governors			Date appointment ceases + 6 years	SECURE DISPOSAL
1.2.38	Records relating to the appointment of a clerk to the governing body	Yes		Date on which clerk appointment ceases + 6 years	

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Strategic Finance				
1.3.1	Statement of financial activities for the year	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.2	Financial planning	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.3	Value for money statement	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.4	Records relating to the management of VAT	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.5	Whole of government accounts returns	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.6	Borrowing powers	No		Until superseded+ 6 years	SECURE DISPOSAL
1.3.7	Budget plan	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.8	Charging and remissions policy	No		Date policy superseded + 3 years	SECURE DISPOSAL

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Audit Arrangements				
1.3.9	Audit Committee and appointment of responsible officers	No		Life of the Academy	SECURE DISPOSAL
1.3.10	Independent Auditor's report on regularity	No		Financial year report relates to + 6 years	SECURE DISPOSAL
1.3.11	Independent Auditor's report on financial statements	No		Financial year report relates to + 6 years	SECURE DISPOSAL
	Funding Agreements				
1.3.12	Funding Agreement with Secretary of State and supplemental funding agreements ⁸	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.13	Funding Agreement – Termination of the funding agreement ⁹			Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.14	Funding Records – Capital Grant	No		Date of last payment of funding + 6 years	SECURE DISPOSAL

⁸ Where there is multi-Academy governance.

⁹ Either party may give not less than 7 financial years' written notice to terminate the Agreement, such notice to expire on 31 August. Or, where the Academy has significant financial issues or is insolvent, the Agreement can be terminated by the Secretary of State to take effect on the date of the notice.

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.11	Independent Auditor's report on financial statements	No		Financial year report relates to + 6 years	SECURE DISPOSAL
1.3.15	Funding Records – Earmarked Annual Grant (EAG)	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.16	Funding Records – General Annual Grant (GAG)	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.17	Per pupil funding records	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.18	Exclusions agreement ¹⁰	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.19	Funding records ¹¹	No		Date of last payment of funding + 6 years	SECURE DISPOSAL
1.3.20	Gift Aid and Tax Relief	No		Date of last payment of funding + 6 years	SECURE DISPOSAL

¹⁰ The Academy can enter into an arrangement with a Local Authority (LA), so that payment will flow between the Academy and the LA, in the same way as it would do were the Academy a maintained school.

¹¹ Funding agreement which says that the Academy can receive donations and can only charge where the law allows maintained schools to charge [see Charging and Remission Policy].

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.21	Records relating to loans	No		Date of last payment on loan + 6 years if the loan is under £10,000 or date of last payment on loan + 12 years if the loan is over £10,000	SECURE DISPOSAL
	Payroll and Pensions				
1.3.22	Maternity/Paternity/Adoption Leave pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years after tax year they relate to	SECURE DISPOSAL
1.3.23	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes	Regulation 15 Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)	From the end of the year in which the accounts were signed + 15 years	SECURE DISPOSAL
1.3.24	Management of the Teachers' Pension Scheme	Yes		Date of last payment on the pension + 15 years	SECURE DISPOSAL

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.25	Records relating to pension registrations	Yes		Date of last payment on the pension + 15 years	SECURE DISPOSAL
1.3.26	Payroll records	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Date payroll run + 6 years after end of tax year they relate to	SECURE DISPOSAL
1.3.27	Sickness records	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year + 7 years	SECURE DISPOSAL
1.3.28	Statutory Sick Pay	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	End of the tax year they relate to + 7 years	SECURE DISPOSAL
1.3.29	Current bank details	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Until updated plus 3 years	SECURE DISPOSAL
1.3.30	National Insurance (schedule of payments)	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year plus 6 years	SECURE DISPOSAL
1.3.31	Overtime	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year plus 3 years	SECURE DISPOSAL
1.3.32	Part time fee claims	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year + 6 years	SECURE DISPOSAL
1.3.33	Tax forms P6 /P11 / P11D / P35 / P45/ P46 / P48	Yes		Current year + 6 years	SECURE DISPOSAL

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.34	Income tax form P60	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year + 6 years. Employees should keep records for at least 22 months from the end of the tax year they relate to. The tax year runs from 6 April to the following 5 April, so keep paperwork until at least 31 January nearly two years later.	SECURE DISPOSAL
	Risk Management and Insurance				
1.3.35	Insurance policies	No	Taxes Management Act 1970; Income and Corporation Taxes 1988	Date the policy expires + 6 years except Public Liability insurance – day of issue + 40 years	SECURE DISPOSAL
1.3.36	Records relating to the settlement of insurance claims	No		Date claim settled + 6 years	SECURE DISPOSAL
1.3.37	Employer's Liability Insurance Certificate	No		Year of issue+ 40 years Pass to the Local Authority if the school closes	SECURE DISPOSAL

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Endowment Funds and Investments				
1.3.38	Investment policies	No		Life of the investment + 6 years	SECURE DISPOSAL
1.3.39	Management of Endowment Funds	No		Life of the fund + 6 years	
	Accounts and Statements				
1.3.40	Annual accounts	No		Current year + 6 years	STANDARD DISPOSAL
1.3.41	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then review	SECURE DISPOSAL
1.3.42	Student Grant applications	Yes		Current year + 3 years	SECURE DISPOSAL
1.3.43	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

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.44	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.45	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.46	Records relating to the identification and collection of debt	No		Payment or write off of debt+ 6 years	SECURE DISPOSAL
	Contract Management				
1.3.47	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years or end of contract + 12 years, whichever is longer	SECURE DISPOSAL
1.3.48	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years or end of the contract + 6 years, whichever is longer	SECURE DISPOSAL
1.3.49	Records relating to the monitoring of contracts	No		End of the contract or until the final payment has been made, whichever is longer	SECURE DISPOSAL

1.3 Funding and Finance					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Asset Management				
1.3.50	Inventories of furniture and equipment	No		Life of equipment + 6 years. Equipment will have write-down value over several years - the time depending on the type of equipment	SECURE DISPOSAL
1.3.51	Burglary, theft and vandalism report forms	No		Date of insurance settlement+ 6 years	SECURE DISPOSAL
1.3.52	Records relating to the leasing of shared facilities, such as sports centres	No		End of lease+ 6 years	SECURE DISPOSAL
1.3.53	Land and building valuations	No		Date valuation superseded + 6 years	SECURE DISPOSAL
1.3.54	Disposal of assets	No		Date asset disposed of + 6 years	SECURE DISPOSAL
1.3.55	Community school leases for land	No		Date lease expires + 6 years	SECURE DISPOSAL

As a charity, an Academy is not permitted to trade and make a profit. It is, however, possible to set up a subsidiary trading company, which can sell products or services and Gift Aid profits back to the Academy. If the Academy operates a subsidiary company, it is expected that these records will be managed in line with standard business practice.

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.56	Commercial transfer arrangements	No		Date of transfer + 6 years	SECURE DISPOSAL
1.3.57	Transfer of land to the Academy Trust	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
1.3.58	Transfers of freehold land	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
	School Fund				
1.3.59	School Fund – Cheque books	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.60	School Fund – Paying in books	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.61	School Fund – Ledger	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.62	School Fund – Invoices	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.63	School Fund – Receipts	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.64	School Fund – Bank statements	No		Current financial year + 6 years	SECURE DISPOSAL

1.3 Funding and Finance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.65	School Fund – Journey books	No		Current financial year + 6 years	SECURE DISPOSAL
School Meals¹²					
1.3.66	Free school meals registers	Yes		Current financial year + 6 years	SECURE DISPOSAL
1.3.67	School meals registers	Yes		Current financial year + 3 years	SECURE DISPOSAL
1.3.68	School meals summary sheets	No		Current financial year + 6 years	SECURE DISPOSAL
Pupil Premium					
1.3.69	Pupil Premium Fund records	Yes		Date pupil leaves the school + 6 years	SECURE DISPOSAL

¹² Unless it would be unreasonable to do so, school lunches should be provided when they are requested by, or on behalf of, any pupil. A school lunch must be provided free of charge to any pupil entitled to free school lunches.

1.4 Policies, Frameworks and Overarching Requirements

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.4.1	Data Protection Policy, Data Retention Policy and Schedule	No		Life of the policy superseded + 3 years. If major changes are made to the policy then an archive copy of previous policies should be retained	SECURE DISPOSAL
1.4.2	Freedom of Information Policy and Publication Scheme	No		Life of the policy superseded + 3 years. If major changes are made to the policy then an archive copy of previous policies should be retained	SECURE DISPOSAL
1.4.3	Information Security Breach Policy	No		Life of the policy superseded + 3 years. If major changes are made to the policy then an archive copy of previous policies should be retained	SECURE DISPOSAL
1.4.4	Special Educational Needs Policy	No		Life of the policy superseded + 3 years. If major changes are made to the policy then an archive copy of previous policies should be retained	SECURE DISPOSAL

1.4 Policies, Frameworks and Overarching Requirements

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.4.5	Complaints Policy	No		Life of the policy superseded + 3 years. If major changes are made to the policy then an archive copy of previous policies should be retained	SECURE DISPOSAL
1.4.6	Risk and Control Framework	No		Life of framework or framework superseded + 3 years. If major changes are made to the framework then an archive copy of previous policies should be retained	SECURE DISPOSAL
1.4.7	Rules and Bylaws	No		Life of rules or bylaws superseded + 3 years. If major changes are made to the rules or bylaws then an archive copy of previous policies should be retained	SECURE DISPOSAL

1.4 Policies, Frameworks and Overarching Requirements

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.4.8	Home School Agreements ¹³	No		Date agreement revised + 6 years	SECURE DISPOSAL
1.4.9	Equality Information and Objectives (public sector equality duty) Statement for publication	No		Life of statement superseded + 3 years	SECURE DISPOSAL
1.4.10	Privacy Notices	No		Until replaced + 6 years	

¹³ This should be drawn up in consultation with parents and should apply to all pupils.

2. Human Resources

2.1 Recruitment¹⁴

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.1.1	All records leading up to the appointment of a new Head Teacher	Yes		+ 6 years after employment ceases	SECURE DISPOSAL
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 6 months after notifying unsuccessful candidates, unless the school has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained	SECURE DISPOSAL
2.1.3	All records leading up to the appointment of a new member of staff – successful candidate	Yes		All relevant information should be added to the Staff Personal File (see below) and all other information retained in line with that record (6 years after employment ceases)	SECURE DISPOSAL
2.1.4	Pre-employment vetting information – DBS Checks ¹⁵	No	DBS Update Service Employer Guide September 2018 Keeping Children Safe in Education 2024 (Paragraph 283)	DBS certificates should be destroyed as soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) Unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, for no longer than 6 months	SECURE DISPOSAL

¹⁴ Academies do not necessarily have to employ people with qualified teacher status; only the SEN and designated LAC teacher must be qualified.

¹⁵ Academies are bound by the legislation that applies to independent schools NOT maintained schools.

2.1 Recruitment¹⁵

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
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 added to the Staff Personal File	SECURE DISPOSAL
2.1.6	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom ¹⁶	Yes	Employer's guide to right to work checks: 21 June 2024	Where possible, these documents should be added to the Staff Personal File, but if they are kept separately, then the Home Office requires that the documents are kept from termination of employment plus not less than 2 years	SECURE DISPOSAL
2.1.7	Records relating to the employment of overseas teachers	Yes		Where possible, these documents should be added to the Staff Personal File, but if they are kept separately, then the Home Office requires that the documents are kept from termination of employment plus not less than 2 years	SECURE DISPOSAL
2.1.8	Records relating to the TUPE process	Yes		Date last member of staff transfers or leaves the organisation + 6 years	SECURE DISPOSAL
2.1.9	Immigration checks	Yes	Employer's guide to right to work checks: 21 June 2024	2 years after the termination of employment	SECURE DISPOSAL

¹⁶ 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 end of administrative life of the record
2.2.1	Staff Personal File, including employment contract and staff training records	Yes	Limitation Act 1980 (Section 2)	Termination of employment + 6 years Or with training records the length of time required by the professional body	SECURE DISPOSAL
2.2.2	Timesheets	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year + 3 years	SECURE DISPOSAL
2.2.3	Bonus Sheets	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year + 3 years	
2.2.4	Staff Returns	Yes	Taxes Management Act 1970; Income and Corporation Taxes 1988	Current year + 3 years	SECURE DISPOSAL
2.2.5	Annual appraisal/assessment records	Yes		Current year + 3 years	SECURE DISPOSAL
2.2.6	Records relating to the agreement of pay and conditions	No		Date pay and conditions superseded + 6 years	SECURE DISPOSAL
2.2.7	Training needs analysis	No		Current year + 1 year	SECURE DISPOSAL
2.2.8	Change of personal details notifications	Yes		No longer than 6 months after receiving this notification	SECURE DISPOSAL
2.2.9	Emergency contact details	Yes		Destroyed on termination	SECURE DISPOSAL

2.3 Management of Disciplinary and Grievance Processes

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.2.10	Annual leave records	Yes		6 years after the end of tax year they relate to or possibly longer if leave can be carried over from year to year	SECURE DISPOSAL
2.2.11	Consents for the processing of personal and sensitive data	Yes		For as long as the data is being processed and up to 6 years afterwards	SECURE DISPOSAL
2.2.12	Working Time Regulations: Opt-out forms Records of compliance with WTR	Yes		2 years from the date on which they were entered into 2 years after the relevant period	SECURE DISPOSAL
2.2.13	Staff training where it relates to safeguarding or other child related training	Yes	This retention period reflects that the IICSA may wish to see training records as part of an investigation	Date of the training plus 40 years	SECURE DISPOSAL
2.2.14	Professional Development Plans	Yes		6 years from the life of the plan	SECURE DISPOSAL
2.2.15	Temporary and Casual Workers Records relating to hours worked and payments made to workers	Yes		3 years	SECURE DISPOSAL

2.3 Management of Disciplinary and Grievance Processes

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.3.1	All records relating to an allegation, which is child protection in nature, against a member of staff, including where the allegation is unfounded	Yes	“Keeping children safe in education Statutory guidance for schools and colleges September 2024”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children September 2023”	Until the person’s normal retirement age or 10 years from the date of the allegation, whichever is longer, then REVIEW Malicious allegations should be removed, unless specific consent to retain is given by the individual	SECURE DISPOSAL These records must be shredded
2.3.2	Disciplinary Proceedings	Yes	Limitation Act 1980	6 years after employment ceases	
	<ul style="list-style-type: none"> Oral warning 			Date of warning ¹⁸ + 6 months	SECURE DISPOSAL ¹⁹
	<ul style="list-style-type: none"> Written warning – level 1 			Date of warning + 6 months depending on what is set as part of the outcome of the hearing	SECURE DISPOSAL ²⁰
	<ul style="list-style-type: none"> Written warning – level 2 			Date of warning + 12 months depending on what is set as part of the outcome of the hearing	SECURE DISPOSAL ²¹

¹⁸ 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.

¹⁹ If warnings are placed on personal files, then they must be weeded from the file.

²⁰ If warnings are placed on personal files, then they must be weeded from the file.

²¹ If warnings are placed on personal files, then they must be weeded from the file.

	<ul style="list-style-type: none"> Final warning 			Date of warning + 15 months depending on what is set as part of the outcome of the hearing	SECURE DISPOSAL ²²
	<ul style="list-style-type: none"> Case not found 			If the incident is child protection related, then see above; otherwise, dispose of at the conclusion of the case	SECURE DISPOSAL

²² If warnings are placed on personal files, then they must be weeded from the file.

2.4 Health and Safety					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.4.1	Health and Safety policy statements	No		Life of policy + 3 years	SECURE DISPOSAL
2.4.2	Health and Safety risk assessments	No		Life of risk assessment + 3 years	SECURE DISPOSAL
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
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	The official Accident Book must be retained for 3 years after the last entry in the book. The book may be in paper or electronic format. Do not keep completed entries in the book. They must be removed and kept in a locked location. The incident reporting form may be retained as below	

2.4 Health and Safety

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<ul style="list-style-type: none"> Adults 		Social Security (Claims and Payments) Regulations 1979; Social Security Administration Act 1992; Limitation Act 1980	<p>Date of last entry in the accident book + 3 years.</p> <p>DPO advises: <i>The accident book should be retained for 3 years after the last entry in the book. If there is a possibility of a negligence allegation then date of incident +15 years or date of settlement + 6 years</i></p>	SECURE DISPOSAL
	<ul style="list-style-type: none"> Children 		Social Security (Claims and Payments) Regulations 1979; Social Security Administration Act 1992; Limitation Act 1980	<p>Date of birth of the child + 25 years.</p> <p>DPO advises: <i>The official guidance states that this data should be kept for 3 years from the date of entry in the book but we advise keeping until 21 (3 years from when they turn 18) as this covers the limitation period of making a claim once the child turns 18.</i></p>	SECURE DISPOSAL
2.4.5	Control of Substances Hazardous to Health (COSHH)	No		<p>COSHH sheets should be kept whilst the substance is in use + 6 years</p> <p>COSHH policy documents should be kept until the policy is superseded + 6 years</p>	SECURE DISPOSAL
2.4.6	Records relating to any reportable death, injury, disease or dangerous occurrence (RIDDOR)	Yes	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 SI 2013 No 1471 Regulation 12(2)	Date of incident + 3 years provided that all records relating to the incident are held on personnel file.	SECURE DISPOSAL

2.4 Health and Safety

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.4.7	Process of monitoring of areas where employees and persons are likely to have come into contact with:				
	<ul style="list-style-type: none"> Asbestos 	Yes	Control of Substances Hazardous to Health Regulations (COSHH); Control of Asbestos at Work Regulations 2012 SI 1012 No 632 Regulation 19	Last action + 40 years	SECURE DISPOSAL
	<ul style="list-style-type: none"> Lead 	Yes	Control of Substances Hazardous to Health Regulations (COSHH)	Last action + 40 years	SECURE DISPOSAL
	<ul style="list-style-type: none"> Radiation 	Yes	The Ionising Radiations Regulation 2017	2 years from the date on which the examination was made and that the record includes the condition of the equipment at the time of the examination. To keep the records made and maintained or a copy of these records until the person to whom the record relates has or would have attained the age of 75 years but in any event for at least 30 years from when the record was made	SECURE DISPOSAL

2.4 Health and Safety

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
2.4.8	Process of monitoring of areas where employees and persons are likely to have come into contact with radiation	No		Last action + 50 years	SECURE DISPOSAL
2.4.9	Fire precautions log books	No		Current year + 6 years	SECURE DISPOSAL
2.4.10	Fire risk assessments	No unless containing Personal Emergency Evacuation plans	Fire Service Order 2005	Life of the risk assessment + 3 years	SECURE DISPOSAL
2.4.11	Incident reports	Yes		Current year + 20 years	SECURE DISPOSAL
2.4.12	Health and Safety consultations	Yes		Permanent storage	
2.4.13	Records of tests and examinations of control systems and protection equipment under COSHH	No		5 years from the date on which the record was made	SECURE DISPOSAL
2.4.14	Health and safety file to show current state of building including all alterations (wiring, plumbing, building works etc) and to be passed on in the case of change of ownership)	No		Pass to new owner on sale or transfer of building	Pass to new owner on sale or transfer of building
2.4.15	Medicine Administration Forms	Yes		Date of medicine administration + 7 years	SECURE DISPOSAL

3. Management of the Academy

3.1 Admissions					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.1.1	All records relating to the creation and implementation of the School Admissions Policy	No	School Admissions Code 2021 Mandatory requirements and statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels	Life of the policy + 7 years then REVIEW	SECURE DISPOSAL
3.1.2	Admissions – if the appeal is unsuccessful	Yes	School Admission Appeals Code, October 2022 Mandatory requirements and statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels	Resolution of case + 1 year	SECURE DISPOSAL
3.1.3	Register of admissions	Yes	School Admissions Code 2021 Section 36, 2024 Statutory Guidance Mandatory requirements and statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels	Every entry in the admission register must be preserved for a period of 6 years after the date on which the entry was made	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.

3.1 Admissions

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.1.4	Proofs of address supplied by parents as part of the admissions process	Yes	School Admissions Code 2021 Statutory Guidance for admission authorities, governing bodies, local authorities, schools' adjudicators and admission appeals panels	Current year + 1 year	SECURE DISPOSAL
3.1.5	Supplementary information form, including additional information such as religion and medical conditions	Yes			
	<ul style="list-style-type: none"> For successful admissions 		School Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels	This information should be added to the pupil file	SECURE DISPOSAL
	<ul style="list-style-type: none"> For unsuccessful admissions 			Until appeals process completed	SECURE DISPOSAL

3.2 Head Teacher and Senior Management Team					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.2.1	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
3.2.2	Minutes of Senior Management Team meetings and 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
3.2.3	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
3.2.4	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 + 3 years then REVIEW	SECURE DISPOSAL
3.2.5	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		Current year + 3 years then REVIEW	SECURE DISPOSAL

3.3 Operational Administration					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.3.1	Management of complaints	Yes	Report of the Independent Inquiry into Child Sexual Abuse	Date complaint resolved + 3 years. If the complaint relates to negligence or safeguarding then date the complaint resolved + 15 years. If the complaint relates to child sexual abuse then the complaint resolved + 75 years	SECURE DISPOSAL
3.3.2	Records relating to the management of contracts with external providers	No		Date of last payment on contract + 6 years or end of contract + 6 years, whichever is longer	SECURE DISPOSAL
3.3.3	Records relating to the management of software licences	No		Date licence expires + 6 years	SECURE DISPOSAL
3.3.4	General file series	No		Current year + 5 years then REVIEW	SECURE DISPOSAL
3.3.5	Records relating to the creation and publication of the school brochure or prospectus	No		Current year + 3 years. Schools should consider archiving one copy for historical reasons	STANDARD DISPOSAL

3.3 Operational Administration					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.3.6	Records relating to the creation and distribution of circulars to staff, parents or pupils	No		Current year + 1 year	STANDARD DISPOSAL
3.3.7	Newsletters and other items with a short operational use	No		Current year + 1 year	STANDARD DISPOSAL
3.3.8	Visitors' books and signing in sheets	Yes		Academic Year + 1 year [Trust and Schools may decide to archive one copy]	SECURE DISPOSAL
3.3.9	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
3.3.10	Email correspondence	Yes		Staff to manage the destruction of the content of e-mails in line with the data categories in the Trust Retention Schedule but a time-frame of 2-5 years is recommended for all emails, except for records relating to areas where a longer retention period is required, i.e. management of contracts with external suppliers.	SECURE DISPOSAL / DELETION
3.3.11	Consents relating to school activities (e.g. consent to be sent circulars or mailings)	Yes		Evidence of consent will be retained whilst the pupil attends the school, or until withdrawn, whichever is shorter.	

3.3.12	Referral forms	Yes		While the referral is current	
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3.4 Academy Status

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
3.4.1	All records relating to the conversion of schools to Academy status	No	Companies Act 2006 Section 355	For the life of the organisation	Consult local archives before disposal

4. 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 end of administrative life of the record
4.1.1	Title deeds of properties belonging to the school	No		These should follow the property, unless the property has been registered with the Land Registry	
4.1.2	Plans of property belonging 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	
4.1.3	Leases of property leased by or to the school	No		Expiry of lease + 6 years	SECURE DISPOSAL
4.1.4	Records relating to the letting of school premises	No		Current financial year + 6 years	SECURE DISPOSAL
4.1.5	Business continuity and disaster recovery plans	No		These are dynamic documents which should be kept up to date	SECURE DISPOSAL
4.1.6	On-site CCTV recordings	Yes		DPO advises: 1 calendar month	SECURE DISPOSAL

4.2 Maintenance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
4.2.1	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years This may vary on the type of maintenance. Records relating to rewiring, major alterations etc must be retained in the health and safety file whilst the building belongs to the school and must be passed onto any new owners if the building is leased or sold	SECURE DISPOSAL
4.2.2	All records relating to the maintenance of the school carried out by school employees, including maintenance log books	No		Life of equipment + 6 years Alterations to wiring and major modifications must be entered in to the health and safety file	SECURE DISPOSAL

4.3 Fleet Management

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
4.3.1	The process of acquisition and disposal of vehicles through lease or purchase, e.g., contracts/leases, quotes, approvals	No	Limitation Act 1980 (Section 2)	Disposal of the vehicle + 6 years	SECURE DISPOSAL
4.3.2	The process of managing allocation and maintenance of vehicles, e.g., lists of who was driving the vehicles and when, maintenance	No	Limitation Act 1980 (Section 2)	Disposal of the vehicle + 6 years	SECURE DISPOSAL
4.3.3	Service logs and vehicle logs	No	Limitation Act 1980 (Section 2)	Life of the vehicle, then either to be retained for 6 years by school or to be returned to lease company	SECURE DISPOSAL
4.3.4	GPS tracking data relating to the vehicles	N	Limitation Act 1980 (Section 2)	Current year + 12 months	SECURE DISPOSAL

5. 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 end of administrative life of the record
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		
	<ul style="list-style-type: none"> Primary 			Retain whilst the child remains at the primary school – schools may retain for one additional year in case of any transfer enquiries (see Trust Data Retention Policy v.3)	<p>The file should follow the pupil when they leave the primary school. This will include:</p> <ul style="list-style-type: none"> To another primary school To a secondary school To a pupil referral unit <p>If the pupil dies whilst at primary school, the file should be returned to the LA to be retained for the statutory retention period.</p> <p>If the pupil transfers to an independent school, transfers to home schooling or leaves the country, the file should be returned to the LA 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 LA, as it is more likely that the pupil will request the record from the LA</p>

5.1 Pupil's Educational Record

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<ul style="list-style-type: none"> Secondary 		Limitation Act 1980 (Section 2)	Date of birth of the pupil + 25 years	SECURE DISPOSAL
5.1.2	Records relating to the management of exclusions	Yes		Date of birth of the pupil involved + 25 years	SECURE DISPOSAL
5.1.3	Management of examination registrations	Yes		The examination board will usually mandate how long these records need to be retained	
5.1.4	Examination results – pupil copies	Yes			
	<ul style="list-style-type: none"> Public 			This information should be added to the pupil file. DPO advises: 1-3 years from the date the results are released.	All uncollected certificates should be returned to the examination board
	<ul style="list-style-type: none"> Internal 			This information should be added to the pupil file Date of visit + 15 years	

5.1 Pupil's Educational Record					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.1.5	Child protection information held on pupil file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges September 2024"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children July 2018"	If any records relating to child protection issues are placed on the hardcopy 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
5.1.6	Child protection information held in separate files	Yes	"Keeping children safe in education Statutory guidance for schools and colleges September 2024"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children July 2018"	<p>Date of birth of the child + 25 years then REVIEW</p> <p>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 LA Social Services record</p> <p>If aspects of the record relate to child sexual abuse, then these records should be retained indefinitely</p>	SECURE DISPOSAL – these records MUST be shredded

Retention periods relating to allegations made against adults can be found in the Management of Disciplinary and Grievance Processes section of this retention schedule.

5.2 Attendance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.2.1	Attendance registers	Yes	Working together to improve school attendance, Section 36, 2024 Statutory guidance	Every entry in the attendance register must be preserved for a period of 6 years after the date on which the entry was made	SECURE DISPOSAL 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
5.2.2	Correspondence relating to authorised or unauthorised absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL
5.2.3	Family Liaison Officers and Home School Liaison Assistants:				
	<ul style="list-style-type: none"> Day Books 	Yes		Current year + 2 years then review	SECURE DISPOSAL
	<ul style="list-style-type: none"> 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	SECURE DISPOSAL

5.2 Attendance

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	<ul style="list-style-type: none"> Referrals Forms 	Yes		While the referral is current	SECURE DISPOSAL
	<ul style="list-style-type: none"> Contact Data Sheets 	Yes		Current year then review, if contact is no longer active then destroy	SECURE DISPOSAL
	<ul style="list-style-type: none"> Contact Database Entries 	Yes		Current year then review, if contact is no longer active then destroy	SECURE DISPOSAL
	<ul style="list-style-type: none"> Group Registers 	Yes	Limitation Act 1980	Current year + 2 years	SECURE DISPOSAL

5.3 Special Educational Needs

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
5.3.1	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2) Children and Family's Act 2014; Special Educational Needs and Disability Act 2001	Date of birth of the pupil + 31 years (Education, Health and Care Plan is valid until the individual reaches the age of 25 years – the retention period adds an additional 6 years from the end of the plan).	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 in order 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 – this should be documented
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 then 6 years after legal action ended
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 then 6 years after legal action ended

5.3 Special Educational Needs

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
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 then 6 years after legal action ended

6. Curriculum Management

6.1 Statistics and Management Information

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
6.1.1	Curriculum returns	No		Current year + 3 years	SECURE DISPOSAL
6.1.2	Examination results (School copy)	Yes		Current year + 6 years	SECURE DISPOSAL
	SATs records –	Yes			
	<ul style="list-style-type: none"> Results 			<p>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</p> <p>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</p>	SECURE DISPOSAL
	<ul style="list-style-type: none"> 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
6.1.4	Value added and contextual data	Yes		Current year + 6 years	SECURE DISPOSAL
6.1.5	Self-evaluation forms	Yes			SECURE DISPOSAL
	<ul style="list-style-type: none"> External Moderation 	Yes		Until superseded	
	<ul style="list-style-type: none"> Internal Moderation 	Yes		Academic year plus one academic year	

6.2 Implementation of Curriculum

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
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
6.2.2	Timetable	No		Academic 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
6.2.3	Class record books	No		Academic 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
6.2.4	Mark books	No		Academic year + 1 year Any pages of exercise books containing personal information should be removed and shredded, including the front cover.	It may be appropriate to review these records at the end of each year and allocate a further retention period, or, SECURE DISPOSAL
6.2.5	Record of homework set	No		Academic 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

6.2 Implementation of Curriculum

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
6.2.6	Pupils' work	No		Where possible, 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

7. Extracurricular Activities

7.1 Educational Visits outside the Classroom

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.1.1	Records created by schools in order to obtain approval to run an educational visit outside the classroom – Primary schools	No	Limitation Act 1980 Outdoor Education Advisers' Panel National Guidance website http://oeapng.info specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practice".	Date of visit + 15 years	SECURE DISPOSAL
7.1.2	Records created by schools in order to obtain approval to run an educational visit outside the classroom – Secondary Schools	No	Limitation Act 1980 Outdoor Education Advisers' Panel National Guidance website http://oeapng.info specifically Section 3 – "Legal Framework and Employer Systems" and Section 4 – "Good Practice".	Date of visit + 15 years	SECURE DISPOSAL

7.1 Educational Visits outside the Classroom

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.1.3	Parental consent forms for school trips where there has been no major incident	Yes		<p>Conclusion of the trip or end of the academic year (subject to a risk assessment carried out by the School)</p> <p>Although the consent forms could be retained for date of birth + 25 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</p>	SECURE DISPOSAL
7.1.4	Parental permission slips for school trips – where there has been a major incident	Yes	Limitation Act 1980 (Section 2)	<p>Date of birth of the pupil involved in the incident + 25 years or 15 years after the incident, whichever is longer</p> <p>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</p>	SECURE DISPOSAL

7.1 Educational Visits outside the Classroom					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.1.5	Records relating to residential trips	Yes	Limitation Act 1980	Date of birth of youngest pupil involved + 25 years or if there is a major incident then date of incident + 15 years, whichever is longer	SECURE DISPOSAL

7.2 Walking Bus					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
7.2.1	Walking bus registers	Yes		<p>Date of register + 3 years.</p> <p>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</p>	<p>SECURE DISPOSAL</p> <p>[If these records are retained electronically any back up copies should be destroyed at the same time]</p>

8. Central Government and Local Authority (LA)

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

8.1 Local Authority					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
8.1.1	Secondary transfer sheets (Primary)	Yes		Current year + 2 years	SECURE DISPOSAL
8.1.2	Attendance returns	Yes		Current year + 1 year	SECURE DISPOSAL
8.1.3	School census returns	No		Current year + 5 years	SECURE DISPOSAL
8.1.4	Circulars and other information sent from Local Authority	No		Operational use	SECURE DISPOSAL

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

Glossary

Admissions Policy

Academies are their own admission authority. Each individual school's admissions policy must comply with the mandatory requirements of the current School Admissions Code and must be reviewed and adopted annually, irrespective of any changes. A formal consultation for a period of at least six weeks between 1 October and 31 January must be carried out where any changes to arrangements are required. Admissions related information must be uploaded to the Trust websites.

Accessibility Plan

A plan or strategy must be put into place, setting out how disabled pupils can participate in the curriculum and associated services, thereby maximising access to both the physical environment and written information provided to pupils.

Annual Report and Accounts

It is a condition of the funding agreement that Academy accounts must be produced for the 12-month accounting period ending on 31 August. The Annual Report and Accounts must be filed with Companies House by 31 May and should include the following elements:

Reports:

- A Trustees' report;
- A governance statement;
- A statement on regularity, propriety and compliance;
- A statement of Trustees' responsibilities;
- An independent auditor's report on the financial statements; and
- An independent auditor's report on regularity.
- Financial statements:
 - A statement of financial activities;
 - A balance sheet;
 - A cash-flow statement; and
- Notes which expand on the statements, including a note on the Trust's accounting policies.

Annual Return

Every Academy must file a completed annual return at Companies House each year.

Articles of Association

The Articles of Association prescribe the internal management, decision-making and running of the Trust as well as its liability. The DfE has model documentation which schools are expected to adopt.

Annual Report –Trustees’/Directors’ Report

The Directors of the Academy are responsible for the preparation of a Directors’ report which supports the financial statements. The report fulfils the requirements for a Directors’ report, as set out in ss. 415–419 CA 2006, as well as a Trustees’ report under charity law, as set out in the Charities’ SORP. The main objective is to supplement financial information with such further information as necessary for a full appreciation of the company’s activities. The report describes what the Academy is trying to do and how it is going about it, demonstrates whether and how the Academy has achieved its objectives during the year, and explains its plans for the future.

Charging and Remissions Policy

An Academy is treated in the same way as a maintained school in respect of charging, particularly in relation to, charges, regulations about information about charges and school hours, voluntary contributions, recovery of sums as civil debt, interpretation regarding charges, and the obligation to enter pupils for public examinations. The terms also place an obligation on an Academy to have a Charging and Remissions policy.

The Education Act 1996 provides that parents and pupils cannot be charged for any activity, unless there is a policy in place. Charges per pupil cannot exceed the actual costs incurred, so that no extra cost can be charged to cover pupils who cannot afford the activity or in order to make a profit. Charges for activities taking place during the normal school day can only be on the basis of voluntary contributions and pupils will be treated no differently whether they pay the contribution or not.

Directors – Appointment

The method of appointment will depend on the category of Director and the terms of the Articles. However, there must be at least two parent governors and no more than a third of Directors – including the Head Teacher – can be Academy staff. Directors are generally appointed for a term of 4 years.

Directors – Disqualification

The Company Directors' Disqualification Act 1986 grants the court power to make an order disqualifying a person from promoting, forming or taking part in the management of a company without the leave of the court. There are numerous grounds for disqualification and the model articles set out specific instances which will be regarded as disqualification.

Directors – Termination of Office

Generally, Directors are appointed for a fixed term of office, which in the model articles is set at 4 years. A Director may resign by giving written notice to the clerk at any time, although the articles provide that this will only be valid if there are at least three Directors remaining in office when the notice of resignation is to take effect. The Companies Act 2006 provides that a “company may by ordinary resolution at a meeting remove a director before the expiration of his period of office, notwithstanding anything in any agreement between it and him”. This very wide provision is slightly tempered by the model articles, which state that Directors can generally be removed from office by the person or persons who appointed them. This means that where Directors are appointed by the members they can be removed from office, following a member resolution, by written notice to the clerk. Elected Directors cannot be removed in this way.

Funding Agreement with the Secretary of State

The Funding Agreement is effectively the contract by which the Academy agrees to provide educational services in exchange for funding provided by the DfE. There are model versions of the Funding Agreement, but these have been updated over time to reflect changes in policy and legislation. The DfE does not expect schools to deviate from the model documents.

Funding Records – Capital Grant

Specific prior written agreement by the Secretary of State must be obtained prior to incurring any capital expenditure on which capital grant payments are sought. Capital expenditure may include costs for building new premises or for substantially refurbishing existing premises.

Funding Records – Earmarked Annual Grant (EAG)

The EAG may be paid for either recurrent expenditure or capital expenditure for such specific purposes as have been agreed between the Secretary of State and the Academy. EAG may only be spent in accordance with the terms, conditions and scope of the grant, which are set out in the relevant funding letter.

Funding Records – General Annual Grant (GAG)

The GAG will be paid to cover the normal running costs of the Academy, such as salary and administration costs. The funding is equivalent to that which would be received by a maintained school with similar characteristics, together with an additional element for functions which would be carried out by the LA if the Academy were a maintained school.

General Members' Meetings

Meetings of the members are known as General Meetings. Apart from any specific requirement to call an Annual General Meeting, the Articles contain no specific obligations with regard to holding General Meetings. This means that it is feasible for long periods of time to pass without any meetings being held, since all resolutions are passed using the written resolution method! Members' meetings are closely regulated and the Companies Act 2006 has a whole chapter (Part 13, Chapter 3) dedicated to the requirements. This can be contrasted with Board Meetings, which have very little in the way of formal requirements.

Governance Statement

Academies are recipients of public funding and so must prepare a Governance Statement – this is a requirement by HM Treasury for all public bodies. It must be signed by the Chair and Accounting Officer on behalf of the board.

Memorandum of Association

Document confirming the three 'subscribers' who wish to form the Academy and become its members. The memorandum has no ongoing significance once an Academy has been incorporated.

Rules and Bylaws

The Directors are entitled to make "such rules or bylaws as they may deem necessary or expedient or convenient for the proper conduct and management of the Academy" in connection with matters that are "commonly the subject matter of company rules", such as in connection with meetings or members.

Special Educational Needs

The Academies Act 2010 provides that academies must have regard to the SEN Code of Practice. Published by the DfE, the Code of Practice includes adoption of a policy on SEN which sets out the approach to meeting pupils' special educational needs whether with or without a statement.

Strategic Review

Academies are now required to produce a strategic report, which must contain a fair review of the Academy's business as well as a description of the principal risks and uncertainties it faces. It will specifically include the following: achievements and performance; financial review; plans for future periods; and funds held as a custodian trustee on behalf of others. The Directors must include a clear statement that they are approving the strategic report in their capacity as Company Directors.

Written Scheme of Delegation

The Trust Board can delegate any power or function to an individual Director, a committee, the principal or any other holder of an executive office. That person must report to the board when that authority has been exercised and any action taken, or decision made.



Photograph, Digital Images & Video Policy

Policy title	Photograph, Digital Images and Video Policy	Version	v.4
Groups consulted	Data Protection Leads and Business and Operations Managers Marketing and Communications Manager		
Approved	December 2025 Trust Audit & Risk Committee Trust Board		
Review Date	December 2027		

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Introduction

The Trust is obliged to comply with the General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 when it takes or publishes digital images or video of its pupils. The Trust will always act in the best interest of its pupils and will take parental preferences into account.

Consent

The Trust's Data Protection Policy gives children and young people rights over their own data when they are considered to have adequate capacity to understand. Most children and young people will reach this level of understanding at age 12. For this reason, for most pupils in a Secondary Academy, it will normally be up to the individual child to decide whether digital images/video of themselves are taken and used by the Trust.

In the circumstance where the Academy considers the child does not have the capacity to make such a decision, the Academy will take the following action: seek the consent of the child, parent/carer, Designated Safeguarding Leader and SENCO.

To these arrangements, a Secondary Academy will capture the consent of the pupil at the age of 11 as they start in Year 7 to last through until they are 16 years of age and store within its MIS, the Academy will also capture the consent and wishes of the parent/carer and store within its Management Information System (MIS). Consent will be recaptured at the start of Year 12 for existing students and also for students new to the Academy.

In Trust Primary Academies, full consent will be with the parents/carers and stored within its MIS.

In Trust All Through Academies full consent will be with the parents and carers up to Year 7. From Year 8 the Academy will recapture the consent of the pupil and will also capture the wishes of the parent/carer. Consent will be recaptured at the start of Year 12 for existing students who commence Post 16 provision within one of the Trust's Secondary Academies that have a Post 16 provision.

Parents can express their preference to provide or withhold consent for digital images of their child to be taken or published via the MIS parent portal or application as per the Trust's Safeguarding Policy. Where no preferences are expressed, it will be taken that the parent has not provided their consent and therefore digital images will not be taken or used. The digital image taken specifically to hold on the Academy MIS is required for safeguarding purposes.

Usage

During a pupil's time at one of the Trust's Academies they may have their digital image, or a video taken. This may be just to record an event, or it may be that the Academy are proud of the event and want to promote it through various platforms. The following are instances of when, where and how this could involve the pupil:

- in the classroom when the pupil is taking part in an activity or demonstration

and used for internal purposes.

- whilst the pupil child is on an Academy trip and posted on Academy authorised social media
- for parents and the community to see activities the Academy has been involved in.
- at a sports fixture and posted on Academy authorised social media so parents can see the result.
- a personal accolade where the pupil has won an award, so a specific press release may be written about the pupil's achievement and put on the Academy website as well as being sent to the local media with the pupil's named photograph.
- a large event like sports day, drama production, concert, charity event, leavers ball or awards evening where many photographs are taken, named and unnamed and are posted on Academy authorised social media and the Academy website and local media.

Note that 'Academy authorised social media' is only inclusive of the Academy official Facebook and/or Instagram accounts.

The above are all typical examples but are not exclusive as there may be many other situations and events where digital images/videos are taken relevant to Academy.

The typical external local media platforms used are local news websites and social media, local radio, and regional and national newspapers on occasion.

Ordinarily the following rules will apply to digital images in Trust Academies:

Digital Images for Academy Use

- The Academy will take digital images for its own use. Usually these will be unnamed digital images and will generally be for internal Academy use but may also include digital images for publication, such as pictures for the prospectus/marketing materials, or to show as slides at an event for parents. Unnamed digital images may also be used on display boards which can be seen by visitors to the Academy.
- Images and films of pupils will not be taken unless prior consent has been established. When using digital images consent will be based on the consent established in this policy given by the pupil and/or parent/carer as applicable.
- Where a parent/carer has declined consent upon entering the Academy in year 7, consent will be recaptured at the age of 12 from the child. A discussion will take place with the parent/carer, Designated Safeguarding Leader and/or SLT when there is a difference of view.

Media Use

- The Academy will consider the interests of its pupils when deciding whether to allow external organisations to take/use digital images or to film.
- When the press is allowed to be present in Academy or at Academy events, this will be on the condition that they observe this policy. Upon doing so, they may

publish named or unnamed digital images where consent has been established.

- Where media entities are allowed to be present at a particular event the Academy will make sure that pupils and their parents or carers are informed of the media presence. If no objection is received, then the Academy will assume that unnamed and named digital images may be published according to the consent established in this policy.
- All third-party media entities are provided with this policy. Where Trust Academies provide an image to a third-party media entity, it is based on consent outlined in this policy. Where an image has not been provided and if the media entity wants to publish named digital images then they must obtain specific consent from those pupils with capacity to consent or the parents of those without capacity. The Academy will require the media entity to check with the Academy before publication so that the Academy can check that any objections have been considered.

Family Photographs at Academy Events

- It shall be at the discretion of each of the Academies within the Trust whether digital images may be taken at an Academy event.
- Family and friends taking digital images for the family album will not be covered by the Trust's Data Protection Policy.
- Where the Academy decides to allow such photography, the family and friends will be asked not to publish any images showing children other than their own on the internet.

Individual and Class Photographs

- When schools invite third party photographers to take individual and class photographs which are available for parents to purchase, parents must first be asked to provide additional consent before photographs are taken
- Consents will be treated in line with our Trust's Data Protection Policy
- This consent is in addition to the photo consents listed below
- The documented agreement made between the Academy and the third party should detail the security measures used to ensure that parents only have access to the image of their own child

Appendix 1



Photograph/Video Policy - September 2025

Parent/Pupil Consent

Within the Academy's Management Information System (MIS) consent for digital images and filming will be captured by the parent/carers/pupil (if pupil is aged above 12 years) will recorded and kept.

In line with Red Kite Learning Trust's Safeguarding Policy, on a pupil's entry an RKLT Academy, all parents/carers are asked to give their consent for the Academy to take and use their child's photographs, digital images, and video in the following ways:

1. **Photographs, digital images & recordings to use in school** – 'I give permission for my child's photograph and recordings to be used in school communal areas for display purposes, e.g. in the school's reception area. See policies on website for further details': – include link to school website
2. **Photographs, digital images & recordings to use on school learning platforms** – 'I give permission for my child's photograph and recordings to be used on school learning platforms e.g. Purple Mash, Showbie, Apple Classroom, Target Tracker, Tapestry and Arbor. See policies on website for further details': - include link to school website
3. **Photos, digital images & recordings to use out of school** – 'I give permission for my child's photograph and recordings to be used on the school or Trust website, DVD's, Classlist, local press, and any printed publications that the school or Trust may produce such as the weekly newsletter or prospectus. See policies on website for further details': - include link to school website
4. **Photos, digital images & recordings to use on school social media** – 'I give permission for my child's photograph and recordings to be used on the school's or Trust's official social media accounts, e.g. Facebook and Instagram'

This consent is considered valid for the entire period that the child attends each school unless there is a change in the child's circumstances where consent could be an issue, e.g., divorce of parents, custody issues, etc.

Parents/carers may withdraw permission, in writing, at any time. Consent must be given by all interested parties for it to be deemed valid.

Pupils' full names will not be published alongside their image by the school and vice versa. E-mail and postal addresses of students will not be published.

Often, the press wishes to publish full names for members of teams. In these cases, the member of staff supervising will ensure that appropriate permission is sought. Before posting pupil work on the Internet, the member of staff responsible must check that permission has been given for work to be displayed.