



**BURTON  
BOROUGH  
SCHOOL**

# Record Management Policy

<b>Policy Reviewer</b>	Rita Barton	<b>Date of Review</b>	October 2021
<b>Date Presented to Governors</b>	1 <sup>st</sup> November 2021	<b>Date of next Review</b>	October 2024

## 1. Introduction

Section 46 of the Freedom of Information Act 2000 requires schools to follow a Code of Practice on managing their records. Under section 7 of the Code of Practice on the Management of Records, it states that:

"Authorities should have in place a records management policy, either as a separate policy or as part of a wider information or knowledge management policy."

Furthermore, schools must ensure that educational records are maintained and disclosed to parents on request, as noted in the Education (Pupil Information) (England) Regulations 2005 (SI 2005/1437) (<http://www.legislation.gov.uk/ukxi/2005/1437/made>). Educational records include information and pupils and former pupils:

- Processed by, or on behalf of, the governing body or a teacher
- Originating from or supplied by local authority employees (for certain schools)  Originating from or supplied by teachers or other employees of the school.

Burton Borough School recognises the necessity for the efficient management of its records to comply with its legal and regulatory obligations, and to contribute to the effective overall management of the school.

## 2. Scope of the Policy

This policy applies to all records that are created, received or maintained by staff of the school in the course of carrying out its functions.

Records are defined as all those documents which facilitate the business carried out by the school and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

Records processed by a teacher solely for the teacher's own use will be excluded from pupils' educational records.

Schools must also keep curricular records on every pupil. Curricular records form a 'subset' of a pupil's educational record. They are a formal record of a pupil's academic achievement, skills, abilities and the progress they make at a school. They must be updated at least once a year.

## 3. Responsibilities

Under the UK Data Protection Act 2018 (DPA 18), schools are responsible for ensuring that the collation, retention, storage and security of all personal information they produce and hold meets the provisions of the DPA 18:

- personal information appearing in a pupil's educational record
- any other information they hold which identifies individuals, including pupils, staff and parents

Burton Borough School is registered as a data controller with the Information Commissioner's Office (ICO).

The school has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Principal of the School. The School Business Manager will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner.

Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the school's records management guidelines.

#### **4. Disclosure of Educational Records**

There are several pieces of legislation under which information may be accessed from public organisations, including schools. These include the DPA 18 and the Freedom of Information Act 2000. Access to a pupil's educational information is most appropriately covered by the right of access under the Pupil Information Regulations.

All information incorporated within a pupil's educational record constitutes personal data under the DPA 18. It is therefore subject to disclosure following a subject access request by the pupil or a parent on their behalf.

Under these Regulations a school's governing body must ensure that a pupil's educational record is made available for parents to see within 15 school days of receipt of the parent's written request. If a parent makes a written request for a copy of the record this must also be provided within 15 school days.

The Regulations describe the material that is exempt from disclosure to parents. This relates to information that the pupil couldn't lawfully be given under the DPA 18. It also relates to information which s/he wouldn't have right of access to under that Act, or by law. This includes material which may cause serious harm to the physical or mental health or condition of the pupil or someone else. A school may not fulfil a parent's request for these records if there is a court order in place which limits a parent's exercise of parental responsibility. This affects the parent's entitlement to receive such information.

#### **5. Transferring records to a pupil's new school**

Principals/Head Teachers at maintained schools must ensure the statutory requirements for the transfer of records between schools are fulfilled, including the completion of the common transfer file (CTF). This is noted in the Education (Pupil Information) (England) Regulations 2005, SI 2005/1437.

If a pupil moves to another school in England, Wales, Scotland or Northern Ireland, the pupil's CTF and educational record must be passed to the new school. Academies are not subject to these regulations, however they are expected to adhere to the following protocols, as a matter of good practice.

The means of transfer to a school outside England must be in line with the arrangements for transfer between schools in England. Information must be transferred within 15 school days of any request from the pupil's new school. The pupil's CTF should be sent to the new school either:

- Through the school to school (s2s) secure file transfer system
- Over a secure network that can only be accessed by the LA, the governing body or a teacher at any school within that LA.

If the new school is unknown, the Department for Education recommends that the school should still complete the CTF and load it onto s2s. Where a CTF has not been received for a new pupil a request can be made to the LA to search for the files on s2s.

Requests to transfer a pupil file outside the EU area because a pupil has moved into that area, must be referred to the Local Authority for further advice.

## **6. Recording Systems**

Information created by the school must be managed against the same standards regardless of the media in which it is stored. This includes areas:

- Pupils
- Staff
- Governors
- Financial
- Premises Manager
- Health & Safety

## **7. Electronic Records**

The legal obligation to properly manage records, including compliance with Data Protection legislation, applies equally to electronic records. The main considerations for the management of electronic records are therefore the same as those for manual records. They include:

- Staff must be able to use and access electronic information effectively.
- Adequate measures must be in place to ensure all information is stored securely and only available to authorised persons.
- A school must be able to demonstrate a record's authenticity by ensuring information cannot be altered when declared a record.
- A system must be in place for disposing of electronic records in line with policy once they are no longer needed.

In addition to the above, sufficient backup/recovery processes must be in place. There must also be a process through which links are created from electronic records to any associated manual records. This is to ensure a full record can be considered when necessary, i.e. when decision making, providing access or considering a record for disposal.

Burton Borough School co-operates with Telford and Wrekin Council by ensuring that sensitive information about staff and pupils is disseminated to the authority by using the council Secure Email System and the DFE s2s system.

### **7. The Safe Disposal of Information Using the Retention Schedule**

Files should be disposed of in line with the Retention Schedule. Burton Borough School will follow the guidance set out in the IRMS schedule.

All personal information should be shredded before disposal for pulping..

Electronic data should be archived on electronic media and 'deleted' appropriately at the end of the retention period.

### **8. Monitoring and Review**

This policy has been reviewed and approved by the Principal and Governors. The Records Management Policy will be reviewed every 3 years.