



Hemingford Grey
SCHOOL

Personal Information and Record Keeping Policy

Policy was last reviewed and approved:

July 2017

HEMINGFORD GREY PRIMARY SCHOOL
PERSONAL INFORMATION AND RECORD KEEPING POLICY

1. Introduction

1.1 This Policy complies with the requirements of the Data Protection Act 1998 and is based on three principles:

- to ensure respect for the privacy of the individual;
- to enhance the quality of decisions which affect individuals; (by specifying standards for the management of personal information).
- to facilitate the participation of people who wish to be involved in the making of decisions which affect them.

The School also has a responsibility to maintain its records and record keeping systems. When doing this the School 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 their accessibility.

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 School's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the School 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 School may also vary any parts of this procedure, including any time limits, as appropriate in any case.

1.2 The Policy sets the standards that govern the collection, use, storage, disclosure, or disposal of all personal information on employees held by the Governors. The Policy takes account of the guidance given by The Records Management Society on the retention of personnel records.

1.3 Documents will be held in accordance with the schedule set out in Appendix 1. Under the Freedom of Information Act 2000, schools are required to maintain a retention schedule listing the record series which the school creates in the course of its business. The retention schedule lays down the length of time which the record needs 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 both the Data Protection Act 1998 and the Freedom of Information Act 2000.

2. Obtaining Information

2.1 Information will be obtained fairly and lawfully and will only be processed with the explicit consent of the employee.

2.2 No employee, or other person acting on behalf of the Governing Body, will knowingly mislead or deceive any person about the purpose for which information is being collected.

2.3 Explanations will be available of the purpose for which information is required, either through a note on any form used, or from the person collecting the details.

3. Purposes of Information and Length of Time Retained

3.1 Personal Information will be held only for clearly specified purposes as indicated in Appendix 1, The Retention Schedule.

3.2 The Governing Body will state the purposes for which it holds personal information, and will register with the Data Protection Commissioner all the purposes for which it processes personal data.

- 3.3 The school's Data Protection Index and Register entries will be kept as clear and comprehensive and up to date as possible.
4. Nature of Information
 - 4.1 Every effort will be made to ensure that personal information gathered by the Governing Body is relevant to one of the specified purposes and is adequate, but not excessive, for it. Irrelevant or excessive data will be erased.
 - 4.2 When a need for additional personal information is established, the Governing Body will ensure that the collection of each item of information can be justified.
5. Disclosure of Information
 - 5.1 Personal information will be used only for the purpose for which it was gathered, unless the consent of the people concerned has been obtained to a new or varied use.
 - 5.2 Routine disclosures will be specified on the Data Protection register and in the school's own Data Protection Index of Information and consent will be deemed to have been given to routine disclosures so included.
 - 5.3 In other cases the explicit consent of the data subject will be obtained in writing. Confirmation of consent by telephone is acceptable if a written request has been received which implies the consent of the data subject.
 - 5.4 Personal information will be disclosed only to those who, in the view of the Governing Body, have a demonstrable need to know the information.
 - 5.5 The policy is available to all staff.
 - 5.6 Access to personal information will be refused if the data user is uncertain whether the person requesting access, including another member of staff, is entitled to it.
6. Standards of Data Collection
 - 6.1 Personal records will be accurate and kept up to date and checked on a regular basis. Where necessary the data subject will be asked to confirm that what has been recorded is accurate.
 - 6.2 Information that is obtained from a third party will be marked to indicate its source.
 - 6.3 Information that has not been verified will be marked "Unverified; not to be used for decision".
 - 6.4 Personal information will be kept for as long as is required for the purpose for which it was originally collected. The period of retention will be determined by statutory requirements or specified in the school's procedures.
7. Access to Personal Files
 - 7.1 Staff are entitled to know if the Governing Body holds information about them.
 - 7.2 A person about whom the Governing Body holds information may, at reasonable intervals and without undue cost or delay, have access to his or her personal records.
 - 7.3 Information which would disclose the identity of a third person is exempt from access, unless the consent of the source is available. Nor will information be disclosed that would otherwise infringe upon the privacy of a third party.
 - 7.4 The Governing Body will make all possible information available. However, access to personal information will be restricted where its disclosure could entail harm either to a person on whom the Governing Body hold information or to the Governing Body's guardianship of the interests of the school.

- 7.5 The means of access to personal information will normally be by physical access to the file. Requests for access will be met within 40 days of receipt of sufficient information to process the request.
- 7.6 The Governing Body will establish a scale of fees for access to information. Where the nature of the information or other circumstances warrant it, the Governing Body will waive the fee.
- 7.7 The Governing Body will verify the identity of people requesting access to the School's records, but will require only the minimum information compatible with protection for the data subject.
8. Standards of Security
- 8.1 The School will determine and maintain an appropriate level of security for its premises, equipment, network, programs, data and documentation, and will ensure that access to them is restricted to appropriate staff.
- 8.2 Ease of access to premises or information will be related to the sensitivity of the information processed or stored.
- 8.3 Appropriate back-up procedures will be maintained.
9. Training
- 9.1 All new and existing employees who handle personal information will receive training on data protection procedures, which includes information about the standards the school expects its employees to observe in the use of personal information.
10. Recording Information
- 10.1 Nothing in this Policy is intended to limit the right of members of staff to record all the information needed to achieve stated and agreed objectives. Any relevant facts or observation may and should be recorded.
- 10.2 Employees will make every effort to ensure that the information they record is accurate.
- 10.3 Where possible, the information recorded will be restricted to the factual.
- 10.4 Employees, whose responsibilities require them to record their opinions and impressions, will do so by recording their observations, followed by the conclusions they have drawn.
- 10.5 No employee will be held personally liable for action taken against the School by a data subject as a result of information recorded by that employee if the employee has followed the school's policy.
11. References
- 11.1 The Governing Body shall request open references and shall provide open references except where an employee has specifically requested that a closed reference be supplied.
- 11.2 Referees will be advised that the Governing Body has an open policy on references.
- 11.3 The Governing Body will comply with guidance on references in Keeping Children Safe in Education DfES September 2016

DATA PROTECTION

This policy complies with the terms of the Data Protection Act 1998 and the Freedom of Information Act 2000. Data will be stored and processed to allow for the efficient operation of the School. The School's Data Protection Policy outlines its duties and obligations under the Data Protection Act.

RETENTION SCHEDULE

When managing records, the School will adhere to standard retention times listed in the attached retention schedule and will be monitored by the Office Manager. The Office Manager will look at the Single Central Register monthly to review.

DESTRUCTION OF RECORDS

Where records have been identified for destruction they will be disposed of by the school's appointed shredding company.

The School maintains a database of records which have been destroyed and who authorised their destruction. This record is kept in the front of the Single Central Register. When destroying documents, the Office Manager will record this on the list.

ARCHIVING

Where records have been identified as being worthy of preservation over the longer term, arrangements will be made to transfer the records to the archives. A database of the records sent to the archives is maintained by office staff. When archiving documents, office staff will keep a list of documents held in the archive.

RESPONSIBILITY AND MONITORING

The Office Manager has primary and day-to-day responsibility for implementing this Policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it.

The Resources Committee will monitor the effectiveness and review the implementation of this Policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

APPENDIX 1

Retention of Documents on Personnel Files

This schedule lists the principal documents held on an employee's file. The list is not, however, exhaustive and other documents relating to employment may be held. Personnel files will be held for the length of employment + 7 years at which time they will be shredded. Documents relating to child protection may be held indefinitely. In this case the employee will be advised that this is the case. All of the documents held on the employee's file are held for the purpose of managing the employment relationship.

RETENTION SCHEDULE

FILE DESCRIPTION	RETENTION PERIOD
Employment Records	
Job applications and interview records of unsuccessful candidates	Six 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
Written particulars of employment, contracts of employment and changes to terms and conditions	6 years after employment ceases
Right to work documentation	2 years after employment ceases

Two Original References	6 years after employment ceases
Confirmation of pre-employment medical check clearance	6 years after employment ceases
Copies of qualifications certificates relevant to employment	6 years after employment ceases
Performance Management Information - mandatory for teachers	6 years after employment ceases
Medical Certificates and sickness absence record	6 years after employment ceases
DBS checks and disclosures of criminal records forms	Six months
Immigration checks	Two years after the termination of employment
Personnel and training records	While employment continues and up to six years after employment ceases
Annual leave records	Six years or possibly longer if leave can be carried over from year to year
Payroll and wage records for companies	Six years from the financial year-end in which payments were made
Collective workforce agreements and past agreements that could affect present employees	Permanently
Current bank details	No longer than necessary
Consents for the processing of personal and sensitive data	For as long as the data is being processed and up to 6 years afterwards
Any reportable accident, death or injury in connection with work	For at least three years from the date the report was made
Payroll	6 years after end of tax year they relate to
Maternity/Adoption/Paternity Leave records	3 years after end of tax year they relate to
Parental leave records	5 years from birth/adoption of the child (18 years if the child is disabled)
Statutory Sick Pay	3 years after the end of the tax year they relate to
Working Time Regulations: Opt out forms	Two years from the date on which they were entered into
Records of compliance with WTR	Two years after the relevant period
Retirement benefits schemes – notifiable events (for example, relating to incapacity)	6 years from the end of the scheme year in which the event took place
Health and safety consultations	Permanently
Pension records	12 years
Personnel records	6 years after employment ceases
Disciplinary and training records	6 years after employment ceases
Trade union agreements	10 years after ceasing to be effective
Other Records	