


Date approved	June 2022	Approved by	Executive Headteacher
Review cycle	1 year	Signature	
Date for review	June 2023	Author	Helen Buckley

1. Scope

1.1 This policy applies to all stakeholders relating to Kingsmead School and Newton's Walk

2. Principles

2.1 Kingsmead and Newton's Walk (The School) values the dignity of every individual member of staff and students and will apply this policy fairly and consistently in line with its core values of RESPECT and SHINE. We will explore reasonable adjustments in applying this procedure to employees with a disability.

3. Retention Schedule

3.1 There are clear file retention dates that must be adhered to throughout this process they are Derby City Council, Record Retention Schedule, May 2013

File Type	Retention Period
General School File	Destroy when the child reaches the age of 25 years.
Child Protection	Destroy after 23 rd birthday of youngest child in family
Looked After Children – this includes young people that are fostered and PFA	Destroy 75 years from date of birth or 15 years from the date of death if the child dies before their 18 th birthday
Children In Need	Destroy 6 years from end of involvement
Children with disabilities	Destroy 23 years after DoB or youngest entrant
Asylum Seekers – if not looked after	Destroy 6 years from end of involvement
Special Educational Needs	Destroy 25 years from date of birth

4. File Set Up

4.1 All students admitted to school will have a school file which most likely be a paper version.

4.2 On admission to school an electronic file will be created for each student during the induction process.

4.3 The paper file received from the school the student came from will be stored at the relevant School

4.4 If there is a Child Protection or safeguarding file in the received documentation, that part must be passed to the Designated Safeguarding Lead for secure storage.

4.5 *If the child moves to another school both the historical paper and electronic file will be transferred*

4.6 All files must be signed in and out from school at any time of it leaving site

5. Storing Information

5.1 Paper files received from the student's previous school will be passed as soon as possible to sites and, where possible, prior to the student starting within that provision. This will provide relevant information to ensure a smooth induction and appropriate work preparation for each student

5.2 It is important that all sites ensure the storage for student information is locked, fire proof cabinet each night and whenever not in use. Personal information is kept in these files and therefore the GDPR 2018 regulations apply.

6. Transition of files between Kingsmead sites:

6.1 No additions will be made to the paper file once a student is admitted to School. All information received will be scanned and uploaded to the electronic file. No separate data, information, or documentation shall be retained by any site.

7. Close of Case

7. 1 When a child leaves school the attendance lead and data manger need to be notified and the school will follow the CME protocols

7.2 All records produced by The School will be manually or electronically archived as per other information outlined in this policy. Any documents produced by other organisations will not be retained and destroyed by The Kingsmead School i.e. medical letters, reports written by other agencies etc.

8. Archiving

8.1 At the end of each year files will be archived. See 3.1 for retention timelines

8.2 It is not uncommon for the school to receive a request for a copy file or chronology after a child has left school, it is therefore essential that a process is followed that allows access to this information and access to files by authorised bodies

9. Electronic Archiving

9.1 All electronic files will be archived immediately after the child's leaving date. They will be backed up in and will be accessible for the duration of the retention periods highlighted above.

10. External Storage:

10.1 At the end of year 12 – the paper school file for each student will be moved to external secure storage for long term archiving. The electronic file with be stored with our IT provider

10.2 This will be reviewed annually and files will be destroyed as per legal expectations

11. Subject Access Request (SAR)

11.1 All subject access requests will be dealt with in line with our data protection policy.

12. SAR from any external agency to include the Local Authority.

12.1 This must be requested in writing on headed paper by the requesting agency.

12.2 All requests will be assessed for relevance and appropriateness prior to information being released. Kingsmead School have the right to decline a file request should it not meet the requirements of Data Protection and/or Confidentiality.

12.3 External Agencies must inform Kingsmead of the name of the person who will view the file in advance of the viewing.

12.4 The person's ID must be checked before passing over the school file.

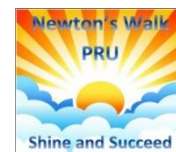
12.5 The named person must sign a confidentiality statement (Appendix 1)

12.6 The document/file can only be viewed within Kingsmead School. Should the external agency require copies of any document then a request can be made and arrangements for collection at a later date.

12.7 For the purpose of a SAR; under no circumstances would a paper or electronic file be released.

12.8 Any documents required can be copied free of charge. Any copied paperwork released must be signed for (Appendix 2).

Appendix 1



Confidentiality Statement

This is an agreement between The Kingsmead School and Newton's Walk and _____
(external agency) dated _____.

This agreement outlines the need to ensure student and family confidentiality remains of the utmost importance and meets the expectations of the Data Protection Act 2018.

The Kingsmead and Newton's Walk School will handle any requests for access to personal data courteously, promptly and appropriately, making sure that either the data subject or authorised representative has the proper right to access under the 2018 Data Protection Act.

The Kingsmead School and Newton's Walk School and any other agency accessing personal information on any of our students will agree to:

- ❖ Acknowledge the rights of individuals to whom personal data relates and make sure that they can use these rights in accordance with the 2018 Act.
- ❖ Make sure that the collecting and using of personal data is carried out in a way that recognises the Fair Processing Code, which means that personal data is obtained fairly and lawfully.
- ❖ Only obtain and process personal data as specified in its notification.
- ❖ Collect and process personal data on a **need to know** basis making sure that it is accurate, not excessive and is disposed of at a time appropriate to its purpose.
- ❖ Make sure that for all personal data it takes the correct security measures – both technically and organisationally – to protect against loss, damage or misuse
- ❖ Make sure that the movement of personal data is carried out in a lawful way, both inside and outside of the Kingsmead and Newton's Walk School and that suitable safeguards are in place at all times.

Confidentiality

During sensitive lessons and discussions, you may learn of personal information about a student, it is important that you keep this information confidential except for the reasons below:

- where there is a child protection concern
- where there is risk of significant harm or threat to life
- where a student needs urgent medical treatment
- where potential or actual serious crime is involved
- where safeguarding national security is involved e.g. terrorism.

If you have concerns regarding a student, you must raise these in accordance with The Kingsmead and Newton's Walk Schools Safeguarding Policy and fulfil your duty to safeguard students at all times.

By signing this agreement, you are agreeing to the above terms and conditions.

Name: _____ Date: _____

Signature: _____



Removal of documentation by authorised personnel

You have requested copy documents from a student's file for an authorised activity.

We reiterate the need to ensure student and family confidentiality remains of the utmost importance and meets the expectations of the Data Protection Act 1998.

We ask that for any personal information given to you for authorised reasons only, you sign below to evidence that you will agree to:

- Acknowledge the rights of individuals to whom personal data relates and make sure that they can use these rights in accordance with the GDPR Act 2018.
- Make sure that the collecting and using of personal data is carried out in a way that recognises the Fair Processing Code, which means that personal data is obtained fairly and lawfully.
- Only obtain and process personal data as specified in its notification.
- Collect and process personal data on a **need to know** basis making sure that it is accurate, not excessive and is disposed of at a time appropriate to its purpose.
- Make sure that for all personal data it takes the correct security measures – both technically and organisationally – to protect against loss, damage or misuse
- Make sure that the movement of personal data is carried out in a lawful way, both inside and outside of the Kingsmead and Newton's Walk School and that suitable safeguards are in place at all times.

Confidentiality

On gaining information about one of our students you may learn of personal information about them, it is important that you keep this information confidential except for the below reasons:

- where there is a child protection concern
- where there is risk of significant harm or threat to life
- where a student needs urgent medical treatment
- where potential or actual serious crime is involved
- where safeguarding national security is involved eg terrorism.

If you have concerns regarding a child you will raise these in accordance with The Kingsmead and Newton's Walk Schools Safeguarding Policy and fulfil your duty to safeguard students at all times.

Name of personnel: _____

Name of Agency/Department: _____

Signature: _____

Date: _____