The Winterton Federation
Records Management Policy

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Implementation date:	Autumn 2026
Review date:	Autumn 2028
Targeted audience:	Staff/governors/contractors/volunteers/agencies and partner organisations
Related documents: All federation policies referred to are available on the federation website: https://thewintertonfederation.co.uk If English is not your first language, and you require assistance/translation, please contact the Junior school office.	Freedom of Information Act 2000; Environmental Information Regulations 2004; Common law duty of confidence; Copyright, Designs and Patents Act 1988; Children Act 2004; Equality Act 2010; Re-use of Public Sector Information Regulations 2005; Limitations Act 1980; Education Act 2010; Education (Pupil Information) Regulations 2008; Data Protection Act 2018; Information Request Policy including the Publication Scheme; Information Security and Confidentiality Policy; Federation's Complaints Policy; Information and Records Management Society (IRMS) Records Management Toolkit for Schools.
Strategic alignment:	

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The Winterton Federation
Records Management Policy

At The Winterton Federation we endeavour to nurture unique individuals in a happy, safe, respectful and inclusive environment, where everyone is inspired to be the best they can be throughout their journey of life.

"Let your light shine so others may see your good deeds|" Matthew 5:1

Introduction

Information is a key asset and schools create, receive and handle vast amounts of it. It is vital that the best use is made of this asset through effective policies and procedures, to inform decision making, improve accountability, and enhance services to pupils. This means having a consistent view on how Information is managed, created, stored, retrieved, retained, disposed of and shared.

There can be significant risks in not managing information appropriately. For example, organisations have been fined for not looking after information adequately or have been criticised for not being able to supply information promptly in response to a Freedom of Information request.

The Winterton Federation recognises that by efficiently managing its records, it is able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the federation schools. This document provides the framework through which this effective management can be achieved and audited.

Purpose

The purpose of this policy is to ensure that the federation's records are managed appropriately. The key objectives are to:

- build an information management culture where records are managed consistently;
- ensure compliance with legislation and standards;
- manage records so that they can properly support the federation's objectives;
- make better use of physical and electronic storage space;
- ensure information is accessible when appropriate and required;
- ensure records are maintained in a safe and secure environment;
- ensure records are kept for no longer than is necessary in accordance with Retention and Disposal standards and disposed of or retained correctly;
- ensure the federation's vital records are identified and protected (i.e. those required to maintain business continuity in the event of a disaster, and without which the federation could not operate);
- make better use of employee time;
- ensure employees receive appropriate training in records management.

Scope

This policy applies to all records held by or on behalf of the federation, where the policy has been adopted by the governing board. This includes information on paper and in electronic formats, including information collected by any CCTV cameras.

The scope of this policy extends to:

- employees, contractors, volunteers, agencies and partner organisations operating on behalf of the federation;
- employees working at home or remotely;
- governors whilst working on federation related business.

Legal Framework

The federation must comply with all relevant statutory UK and European Union legislation, including the following that have links to Records Management (More information can be found in Appendix A):

- Freedom of Information Act 2000;
- Environmental Information Regulations 2004;
- Common law duty of confidence;
- Copyright, Designs and Patents Act 1988;
- Children Act 2004;
- Equality Act 2010;
- Re-use of Public Sector Information Regulations 2005;
- Limitations Act 1980;
- Education Act 2010;
- Education (Pupil Information) Regulations 2008.

Links with other policies and procedures

This policy is supported by other policies, standards and procedures, including:

- Information Request Policy including the Publication Scheme;
- Information Security and Confidentiality Policy;
- Federation's Complaints Policy;
- Information and Records Management Society (IRMS) Records Management Toolkit for Schools.

What is a Record?

It is important, to make a distinction between what is and is not a record. According to the ISO 15489 standard for the management of records, a record is:

> *"Information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business."*

Essentially, it is a record of the federation's business that requires effective management and preservation. Examples of records include:

- correspondence;
- meeting minutes;
- education record.

A non-record, by definition, is an item of information that does not require the same rigour of management as that required for records and is of immediate value only. Non-records will be disposed of once they have served their useful purpose.

Education Record

The governing board is responsible for ensuring that the federation maintains an Education Record for each pupil. The Education Record is the principal record that charts an individual pupil's progress through the Education System and is managed as set out in this policy, but also as set out in the Pupil Information Regulations 2008 and Information and Records Management Society adapted Records Management Toolkit for Schools. The 'transfer to another school' form is used to transfer a pupil's Education Record when they move to another school. The form is also used to detail the transfer of electronic records. The transfer form is signed by both our federation school and the recipient school.

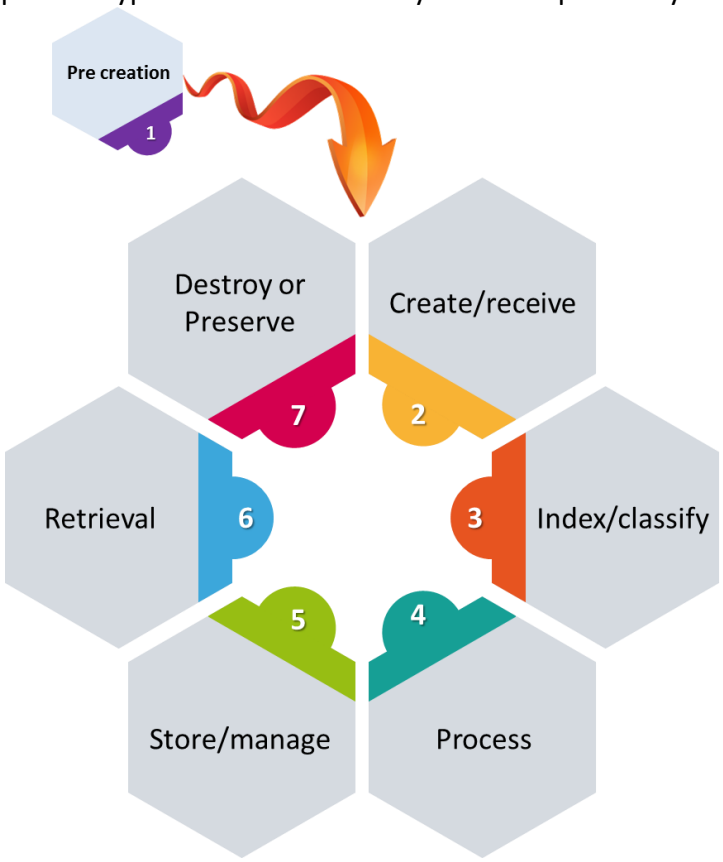
Requests for Information

Good records management enables compliance with requests for information under legislation, most notably the Freedom of Information Act 2000 (FOIA), Environmental Information Regulations 2004 (EIR) and Data Protection Act 2018 (DPA). The production of the federation's Publication Scheme is also dependent on records being properly managed and this again ensures compliance with the FOIA.

The DPA, in principle five, states that information should not be kept for longer than necessary, and principle seven states that information must be kept secure. Correct records management enables compliance.

Records Management Lifecycle

All information goes through a lifecycle, from its creation to its disposal. See below for an example of a typical information lifecycle and explanatory notes:



- **Pre-creation** - deciding what information needs to be captured as a record and how;
- **Create/receive** - information that needs to be kept as a record can enter the federation in many ways. Some is created within; some comes from external sources;
- **Index/classify** - the addition of descriptive information to records to, for example, make them easier to find, manage the different versions, and show the level of protection required and the date on which disposal should be considered;
- **Process** - records may need to be processed at any point (have something done to them) in order to achieve school business aims;
- **Store/manage** - identifying whether records are electronic or physical and how/where they should be stored to preserve integrity and authenticity and so they are secure but can be efficiently accessed by those who need to use them and are authorised to do so. Active records are those requiring frequent access and they should generally be stored electronically in the immediate workplace. Inactive records requiring infrequent access should generally be stored elsewhere in the school or in another location;
- **Retrieval** - the finding of stored records by those who are entitled to search for them;
- **Destroy or Preserve** - if records do not need to be retained permanently, have outlived any business or statutory requirement to retain further and have reached the disposal date they should be destroyed.

Record Management
The federation has an electronic record keeping system in place, so that records are managed to an agreed set of standards.

Inventory of Records and File Plan
An Inventory of Records and a File Plan is produced to keep a log of what records are held, where, why and how. Also included is information such as:

- whether duplicate copies are kept, why and which is the primary record;
- whether the record is considered 'vital' and where the back-up is kept;
- the retention period that applies.

The inventory is updated when records are created or received and when they are moved to somewhere different or disposed. The reason for movement or disposal is recorded.

If a record is part electronic and part paper how the two will be cross referenced is included.

Record Creation
When records are created or received, so that they can be properly managed the federation considers adding the following information to records:

- a reference number if the record is part of a series of records;
- a front file cover for paper records stating the contents of the file;
- a standard way of naming records;

- page numbering to show the page number and number of pages;
- version control;
- a means of showing that the record contains personal or sensitive information;
- who is permitted to access the record;
- name of creator;
- creation date or receipt date;
- whether the record is classified as 'vital';
- retention period, the date on which disposal and the action that should be taken;
- storage location.

Record maintenance and storage

The record keeping system provides suitable storage with the necessary protection and is kept up to date. This includes:

- ensuring that appropriate physical or electronic storage space is provided;
- monitoring the movement and location of records and keeping an audit trail of movements;
- ensuring that records are filed promptly and correctly as set out in the File Plan and that any records that need to be temporarily moved from the usual storage place are returned as soon as possible;
- controlling access to records;
- ensuring authenticity so that records retain their legal integrity by taking into account the principles of the BS BIP 0008 for Legal Admissibility standard;
- ensuring future access by considering the preservation of digital records, how paper records are printed and the standard of the facilities used to store paper records;
- identifying 'vital' records and applying the appropriate protection.

Security and Access

The record keeping system provides the appropriate level of security for records, whilst ensuring they are accessible when they need to be. This requires controls including:

- procedures to document access to personal or confidential records;
- employees being aware of the types of information they can access for their roles;
- an annual review of who has access to personal and confidential records with amendments to access where necessary;
- employees not accessing or creating personal or confidential records on mobile devices, unless these devices are approved by the Executive Headteacher and are either encrypted or have a secure workspace.

Retention and disposal

The Records Retention Schedule for schools sets out the **minimum time** records should be kept for and the action that should be taken at the end of the retention period. This is based on Local Government Association and Information and Records Management Society (IRMS) guidelines.

Retention periods specify the minimum time a record should be kept and what action should be taken at the end of that period. This is called a review. The retention period will commence from a trigger event (such as the closure of a file).

Reaching the end of the minimum retention period does not always mean the record should be destroyed. In some cases, the record may be retained longer or transferred to permanent archive. Records being retained longer by the federation must be assigned a further review date and this should be updated at each future review.

All records are disposed of in accordance with the School's Records Retention Schedule. Any errors in the scheme or requests for addition should be highlighted to the Local Authority's Information Governance function. Any records being considered for disposal outside of the schedule disposal date must be discussed with the Executive Headteacher prior to destruction.

The disposal of records containing personal information that should no longer be kept is necessary to comply with the Data Protection Act 2018, in that principle five requires that records are only kept for as long as is necessary. It is also required for the efficient management of other records so that the federation can function properly, to keep physical or electronic storage to a minimum and so as not to hinder access to information. The Code of Practice in section 46 of the Freedom of Information Act 2000 recommends how general records should be managed. The code is not a legislative requirement but complying with the FOIA is and not following the Code is likely to result in non-compliance with the FOIA.

The aim of the retention and disposal process is to ensure that:

- the review date at the end of the retention period is captured when creating records or receiving records;
- records reaching the end of the minimum retention period are reviewed and a decision made about whether to dispose of the record or keep it longer;
- the Inventory of Records is kept updated to reflect disposal or further retention decisions taken;
- disposal of records documentation is completed, signed by the Executive Headteacher and retained whenever a record is disposed of. (This may be necessary to provide evidence that a record is no longer held, for example in response to a Freedom of Information request). Destruction Form IG01 is used;
- if records are transferred to official archives for permanent preservation transfer of records documentation is completed, signed by the Executive Headteacher or Deputy and retained. Transfer Form IG02 is used;
- records subject to an outstanding request for information or legal proceedings will not be destroyed until after the request has been answered and/or the legal proceedings are completed;
- destruction will be carried out in accordance with its level of sensitivity and in line with the Information Security and Confidentiality Policy.

Management of electronic and/or email records

The principles that apply to the management of electronic records are generally the same as those for the management of paper records, but how the principles are put into practice may differ. Effective electronic record keeping requires:

- that we may store records via a third party e.g. CPOMS or Arbor. We have full data sharing agreements and follow our retention schedule for this data;
- the rules around the retention and disposal of records in IT systems and email systems are the same as those for other records in that these records, in that these records should be disposed of when they should no longer be kept;
- that audit trails are used to show who has accessed, moved or deleted records in IT systems and these are kept securely;
- that emails can sometimes be records and can be disclosable in response to requests for information. Sometimes other people will have been copied into emails and therefore care is needed to ensure all copies are disposed of when the record should no longer be kept. Sometimes emails should be removed from the email system and stored in another electronic or paper filing system. The File Plan provides rules for employees to follow. If the email has an attachment and the text of the email adds to the record, care needs to be taken to ensure both parts of the record are kept together. Technical advice will be sought on the most appropriate means of retaining electronic copies of emails.

Roles and Responsibilities

The Executive Headteacher and appointed deputy are responsible for the following:

- creating a Records Management process to comply with this policy;
- promoting compliance with this policy;
- investigating non-compliance with this policy;
- making decisions about and approving retention and disposal or transfer to permanent archive.

The Local Authority's Information Governance function is responsible for providing support as set out in the Service's to School Annual Information and IT Security offer.

Audit

Records Management policy, standards and procedures are audited periodically as part of the annual internal audit work plan, to ensure compliance.

Monitoring and Review

This policy and all supporting procedures is reviewed as it is deemed appropriate but no less frequently than every 12 months and re-approved every 2 years.

Appendix A - Standards and Compliance

Data Protection Act 2018
Principles setting out how the council must deal with personal information and the right for individuals to gain access to the personal data that is held about them.

Freedom of Information Act 2000
Public access rights to all information held by a public authority, other than that which is exempt. In addition, the Section 46 Code of Practice gives guidance on good practice in records management.

Environmental Information Regulations 2002
Public access rights to environmental information.

Local Government Act 1972
Section 224 of the Act requires local authorities to make proper arrangements in respect of the records they create.

Public Records Acts of 1958 and 1967
All public bodies have a statutory obligation to keep records in accordance with the Public Records Act. This places the responsibility on government departments and other organisations within the scope of the Act for making arrangements for selecting those of their records, which ought to be permanently preserved, and for keeping them in proper conditions. Parts of this Act have been superseded - particularly by the FOIA.

Limitation Act 1980
Has particular relevance to applying appropriate retention periods. For example, in regard to financial records, the Act "provides that an action to recover any sum recoverable by any enactment shall not be brought after the expiration of six years from the date on which the cause of the action accrued".

Health and Safety at Work Act 1974
Influences how long records relating to Health and Safety incidents should be retained.

Human Rights Act 1998
Particular relevance in relation to an individual's right to privacy.

Information Security Management System requirements: ISO 27001
This is complementary to ISO 17799 and defines the requirements for an Information Security Management System (ISMS). This, effectively, describes the process for creating an ISMS, implementing and managing the governance and controls described in ISO 17799.

Code of practice for Legal Admissibility: BIP 0008
Provides a framework and code of good practice for the implementation and operation of information storage systems, whether or not any information held therein is ever required as evidence in event of a dispute.

Retention Guidelines for Schools - Records Management Society
Guidance for schools on the retention and disposal of records.

Education Act 2011
Sets out educational policy.

Education (Pupil Information) Regulations 2008
Sets out how a pupil's Education Record must be maintained and who it can be disclosed to.