Elmlea Schools' Trust
Records Management Policy

Document History Record of recent Policy changes

Date	Version	Author/Owner	Change/ rigin of Change e.g. TU request, change in legislation
January 2022	1.0	Cheryl Boyle	EST New Policy adapted from iWest template
November 2023	2.0	Andrea Bizley	Revised in line with One West Template
Trustees 'Committee		Operations	
Statutory/Non-Statutory		Non-Statutory	
Policy Adopted		November 2023	
Review cycle		Annually	
Review date		November 2024	

RECORDS MANAGEMENT POLICY

Contents

1. Introduction

Elmlea Schools' Trust recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and contribute to the effective overall management of the organisation. Records provide evidence for protecting the legal rights and interests of the Trust and provide evidence for demonstrating performance and accountability. The aim of this policy is to provide a framework for managing the Trust's information to enable the Trust to:

- Make informed decisions;
- Be open and transparent;
- Respond appropriately to information requests;
- Protect records;
- Comply with the legislative requirements;
- Effectively work with its partners, and share information as required;
- Demonstrate accountability.

2. Objectives

The objective of this policy if to define a framework for Elmlea Schools' Trust to manage data, information, and records.

3. Definitions

Data - Raw facts and figures that supply the basis for information.

Information - Data which has been collected, organised, ordered and given both meaning and context.

Record - Information created, received, and maintained as evidence and as an asset by an organisation or person, in pursuit of legal obligations, or in the transaction of business.

Confidential Waste - See Appendix 1.

4. Scope

This policy applies to all employees of Elmlea Schools' Trust including contract, agency and temporary staff, volunteers and employees of partner organisations working on behalf of Elmlea Schools' Trust.

All records created, held, and maintained by Elmlea Schools' Trust in the course of its duties are covered by this policy. This is irrespective of the format of the information, including, but not limited to:

- Paper records
- Electronic records (Word Documents, emails, PowerPoints, database, etc.)
- Photographs, videos, etc.
- Electronic storage media (floppy disc, CDs, DVD and memory stick)

Records are defined as all those documents which facilitate the business carried out by the Trust, and which are thereafter retained (for a set period) to provide evidence of its transactions, activities or decisions.

5. Responsibilities

The Trust 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 Executive Headteacher.

The person responsible for records management in the Trust 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 way.

All members of staff and employees are individually responsible for the records they create or hold. Individuals must ensure that records are accurate, maintained securely, and disposed of in accordance with this policy.

6. Creation & Storage

All Trust staff are responsible for creating and maintaining data, information and records in relation to their work, and storing them in a way which ensures that they can be identified and retrieved when required.

Records must be appropriately stored with due regard for efficiency, cost-effectiveness, security, durability, and access. Appropriate procedures and processes are in place to ensure the physical and intellectual security of Trust records. Sensitive/confidential records are stored in a locked cabinet; electronic copies of confidential data are stored on a secure drive with limited access.

Storage conditions and handling processes should be designed to protect records from unauthorised access, loss, destruction, theft, and disaster. This in line with the UK General Data Protection Regulation (UKGDPR) principles of data protection by design, and integrity and confidentiality.

The retention of records for longer than necessary is in breach of the UKGDPR, and the duplication of records should be limited to optimise the use of space for storage purposes and to aid data accuracy.

7. Retention and Disposal

Information held for longer than is necessary carries additional risk and cost, therefore records and information shall only be retained when there is a business or legislative need to do so. Under the UKGDPR and the Data Protection Act 2018 (DPA 2018), personal data processed by an organisation must not be retained for longer than is necessary for its lawful purpose.

The retention of specific documents may be necessary to:

- Fulfil statutory or other regulatory requirements. [1]
- Evidence events/agreements in the case of disputes.
- Meet operational needs.
- Ensure the preservation of documents of historic or other value.
- Evidence child protection matters.

The untimely destruction of documents could cause the Trust:

- Difficulty in defending litigious claims
- Operational problems
- Embarrassment
- Failure to comply with the Freedom of Information or Data Protection laws.

Conversely, the permanent retention of all documents where there is no business need or other legal basis to retain them, poses regulatory and security risks, as well as being a breach of personal data.

Appropriate secure disposal is accordingly implemented at the Trust in accordance with the Trust's retention schedule for the following reasons:

- To comply with Article 5 of the UKGDPR which states that personal data must not be kept in an identifiable form for longer than is necessary

[1] The COVID-19 Public Inquiry issued a Document Preservation Notice on November 2022. The Inquiry will cover all aspects of the country's response to the COVID-19 pandemic and requires organisations to preserve all documents relating to the pandemic and the following recovery period. For more information about the inquiry visit https:covid19.public-inquiry.uk

- To free-up storage space (there is evidence that the de-cluttering of office accommodation can be psychologically beneficial for employees.);
- To reduce the risk of fire (in the case of paper records);
- To lessen the risk of a data breach through data loss or unauthorised access.
- To increase the efficiency of the exercising of data subject rights.

7.1. Retention Schedule

In line with all relevant legislative requirements, including the UKGDPR and DPA 2018, Elmlea Schools' Trust will keep some forms of information for longer than others. Information will not be kept indefinitely unless there are specific requirements.

The Trust maintains records in line with [the schedule included in the Information and Records Management Toolkit for Academies, which is found here https://irms.org.uk/page/AcademiesToolkit.

Definition of Retention Periods

Defining a retention period will be determined on one of three factors:

- Statutory requirements
- Codes of Practice and guidance published by professional bodies
- In the absence of the above, the retention period will be deteremineed by the needs of the council

Defining the retention period based the Trusts needs must be approved by the relevant members of the senior leadership team.

Reviewing Retention Periods

Most retention periods will remain static and will relate to legal requirements to retain data. However, retention periods based on codes of practice and guidance published by professional bodies may vary. Any changes to known retention periods should be raised with the Data Protection lead and where necessary the DPO.

The Policy and Retention schedule should be reviewed annuallu or where any other cause requires its immediate correction.

When a record reaches the end of its retention period in most cases it will be deleted or destroyed.

Appropriate safeguards must be put in place to ensure that wherever personal data is used beyond its original period of retention it is done so legally and in compliance with DPA 2018 and guidance from the Information Commissioner's Office (ICO).

7.2. Disposal

The Trust will use an accredited confidential waste disposal provider. Information on what should be deemed as confidential waste is detailed in Appendix 1.

Wherever practicable and appropriately secure, disposal methods should encourage recycling.

Electronic files are securely overwritten, in accordance with government guidance, and other media is shredded, incinerated, or otherwise disintegrated for data.

The disposal of Trust data, in either paper or electronic form, is conducted in a way that makes reconstruction highly unlikely. Once data has been deleted, it is deemed to be a permanent deletion, irrespective of whether it could technically be reconstructed from a back-up.

Under no circumstances should paper documents containing personal data or confidential information be simply binned or deposited in refuse tips. To do so could result in the unauthorised disclosure of such information to third parties and render the Trust liable to enforcement action by the Information Commissioner's Office.

If records are accidentally destroyed or discovered, this should be reported as a data breach to the Director of Finance and Operations, in line with the Data Breach Policy.

A destruction log is kept of all data that is disposed of. The log includes the document type (e.g. Personal data), date of destruction, method and who authorised the destruction.

Protective Marking

Protective markings may be written upon documentation where it is used in physical forms. In general, the classification of documentation will relate more specifically to the handling and access that is permitted to that data. Confidential data related to employment purposes for example should only be accessible by HR staff or direct line managers for specific reasons.

Information deemed to be financially sensitive, or business sensitive may for the purposes of request made under the Freedom of Information Act be exempt and, in any case, should be handled with more caution than general data.

8. Monitoring and Compliance

This policy is reviewed annually.

Compliance with this policy shall be monitored through a review process undertaken by the person with overall responsibility for records management within the Trust. This will be achieved by an annual survey to check if records are stored securely and can be accessed appropriately.

Should it be found that this policy has not been complied with, or if an intentional breach of the policy has taken place, Elmlea Schools' Trust, in consultation with senior management and our Data Protection Officer, shall have full authority to take the immediate steps considered necessary, including disciplinary action.

9. Relationship with Existing Policies

This policy has been drawn up within the context of:

- Data Protection Policy
- Data Breach Policy
- Information Security Policy
- EST Code of Conduct for All Adults

10. Approval

This policy was approved by the Board of Trustees on

Appendix 1 - What is Confidential Waste?

(1) Any record* which details personal information

What is personal information?

- Relates to and identifies a living person
- Could help someone identify a person when used with other information
- Is an expression of opinion about an individual
- Indicates our intentions towards an individual

Such as: Name, Address, Date of Birth, Email, Phone numbers, Location data, IP addresses

(2) Any record* which details special categories of personal data

What are special categories of personal data?

- Racial and/or Ethnic Origin
- Political Opinions
- Religious Beliefs (or other beliefs of a similar nature)
- Trade Union membership
- Biometric Information e.g. Photos
- Mental or Physical Health condition
- Sexual life and Orientation

- Criminal Records are afforded similar protections to special category data and are similarly sensitive

Such as: Safeguarding, Accident/First Aid, Equalities information, Legal records

(3) Any record* which details business/commercially sensitive information

What is business/commercially sensitive information?

- Information which Elmlea Schools' Trust would be affected by any loss of, or unauthorised access to.

Such as: Contracts, opinions on service delivery, tender information.

If you have any doubt, then please treat the information as Confidential

** A Record can be in many formats – e.g. Paper, Post-it notes, Disks, CDs, Tapes, Posters, Emails, etc.*