 POLICY NO 172

**STUDENT RECORDS POLICY**

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| Yes | Yes | No | No |

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# STUDENT RECORDS MANAGEMENT POLICY AND PROCEDURES

## Scope of Policy

These guidelines are intended to apply to all formats of student record as far as possible, physical and electronic.

The student record is the core record charting an individual student’s progress through their education; it should accompany the student to every school they attend whilst of statutory school age and should contain information that is accurate, objective and easy to access.

We have a unified system to include admissions, current students and leavers, avoiding duplication of information.

Any previous school records received may be stored in a separate file, which will be referenced in their main student record file.

We use Capita SIMS as our Management Information System (MIS) to hold individual student data and we also hold paper record files separately in College and in Care. All student records are amalgamated when the student leaves NCW.

We operate this policy with reference to relevant legislation and guidance available including - Education (Pupil Information) (England) Regulations 2005, Data Protection Act 1998, General Data Protection Regulation (GDPR) 2018, NASS contract terms and conditions, Schools Records Regulations (1999), Residential Special Schools National Minimum Standards 2015, NHS Code of Practice, School Admissions Code Statutory guidance, Keeping children safe in education -Statutory guidance for schools and colleges March 2015, Working together to safeguard children -A guide to inter-agency working to safeguard and promote the welfare of children March 2015, Education Act 1996, Special Educational Needs and Disability Act 2001.

Students and their parents have a right of access to their educational record under the Education (Pupil Information) (England) Regulations 2005. Under the Data Protection Act 1998 and General Data Protection Regulation (GDPR) 2018 a student, or their nominated representative, has a right to see information held about them. This right exists until the point that the file is destroyed.

All information should be accurately recorded, objective in nature and expressed in a professional manner.

## Responsibilities

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

The retention schedule below specifies where particular staff are responsible for specific personal data areas.

## Student Records

Information that is included on our student records includes, but is not limited to –

* Summary of details / data collection sheets
* Contact details and court orders concerning parents
* SEN data
* Statement/Education and Health Care Plan (EHCP), plus records of support offered in relation to them.
* Consent Forms, including, but not limited to, media, activities and trips **\***
* Annual Reports, Curriculum and Results
* Annual Review reports
* Termly reports
* Any other reports written about the student
* Attendance and absence data **\***
* Conduct data, including Behaviours and Achievements **\***
* Exclusions data (fixed term / permanent)
* Curriculum and timetable data **\***
* Tracking and assessment data, including internal test and external exam results
* Application Form, Previous School Details and Previous School Reference
* Admission form / application form
* Pre-Admission Assessment report
* Student’s record from any previous settings, including the record of transfer
* Contract, Offer Letter, Acceptance and Contract with LA
* Risk Assessments **\***
* General correspondence relating to the student about minor issues **\***
* Accident forms **\***
* Any information relating to a major incident involving the child (either an accident or other incident)
* Any correspondence with parents or outside agencies relating to major issues
* Details of any complaints made by the parents or the student

***\**** *These records may be stored separately to the student record to facilitate early disposal, as they are subject to shorter retention periods.*

*These are referred to specifically in the retention table below.*

## Residential Care records

Individual records will be stored in the residential houses whilst the student is current, and transferred to the central student file when they leave.

In accordance with the DfE Residential special schools National minimum standards (April 2015) Standard 22 – Records:

22.3 Any individual pupil records are kept by the school for a period of 25 years after the date of birth of the child or are passed to the next school and a receipt obtained.

22.4 The school keeps a register showing:

• For each child resident at the school:

• the dates of admission and departure of each child

• who was responsible for their placement in the school

• where they were living/accommodated prior to arriving at the school

• where they are living/accommodated on leaving the school, and

• the placing authority and legal status (if applicable)

• duty rosters recording the identities of the staff and other persons who actually worked at the school or with children from the school, by day and night. These records are retained (by the residential care team) for at least 5 years from the date of the last entry.

## Medical, Child Protection and Safeguarding records

Any relevant medical information will be stored in Surgery whilst the student is current, and transferred to the central student file in a sealed envelope clearly marked as confidential when they leave.

In accordance with our Child Protection Records Protocol (Policy 146), child protection and safeguarding reports or disclosures will be stored in a separate file in the Principal’s office; the main student record will be marked with a red sticker to indicate the presence of such a file.

## Storage of student records

All student records are kept securely at all times.

Paper records will be kept in lockable storage areas with restricted access, and the contents should be secure within the file.

Electronic records will have appropriate security.

SIMS is password protected and usage is permission-based for different roles in the College.

Current and leaver student records will be maintained, in accordance with the retention schedule outlined below, in secure storage with limited access.

Our alumni database, ncw-connect from ToucanTech, will be maintained with basic details (names, date of birth, attendance dates) of all known previous students’ for reference. Additional contact details may also be stored with their consent.

## Access to records

Our Data Protection Policy 63 states that ‘We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.’

To ensure this happens, and to ensure we have an audit trail of student records movement, the following procedures are in place for access to student records, including assessment student files:

* If staff need to access a student file this must be done via one of the student records admin team who will retrieve the file from the student records room and ensure that it is signed out.
* Student files will only be issued out for one day and must be signed back in with admin at the end of the same school day (by 4.30pm). If they are needed for longer they must be returned at the end of the day and taken out again the next morning, unless special permission is granted by the Principal.
* Student files should not be taken off site for any reason without the Principal’s permission, which must be logged with the admin team so that file locations are known, and auditable, at all times
* Copies of assessment student files are provided separately to care staff – these can be kept in the residential houses overnight whilst required for the assessment, but must be kept securely and confidentially with the other student files in the House. They must be signed back in with admin staff once the student’s assessment is complete.

## Transferring records to a student’s new school

We will comply with the statutory requirements for the transfer of records between schools, including the completion of a common transfer file (CTF). (Education (Pupil Information) (England) Regulations 2005, SI 2005/1437).

If a student moves to another school in England, Wales, Scotland or Northern Ireland, the student’s common transfer file (CTF) and educational record will be passed to the new school within 15 school days of any request from the student’s new school.

The student’s CTF will normally be sent to the new school through the DfE’s school to school (s2s) secure file transfer system, or encrypted / over a secure network if that is not possible. If the new school is unknown, the Department for Education recommends that the school should still complete the CTF and load it onto s2s.

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

The student record should not be weeded before transfer to the new school unless any records with a short retention period have been kept longer than required.

We do not need to keep copies of any transferred records unless there is an on-going legal action when the student leaves the school. Custody of, and responsibility for, the student records passes to the new school.

We will keep a student details summary sheet for the student whose record has been transferred (full legal and ‘known as’ names, date of birth, dates of attendance and last known address and contact details) plus a record of the transfer date and recipient.

Files should not be sent by post unless absolutely necessary. If files are sent by post, they should be sent by registered post with an accompanying list of the files. The receiving school should sign a copy of the list to say that they have received the files and return that to us. Where appropriate, records can be delivered by hand with signed confirmation for tracking and auditing purposes.

Electronic documents that relate to the student file also need to be transferred, or, if duplicated in a master paper file, destroyed.

Receipts will be kept with the retained student details summary sheet.

The school that the student attends until statutory school leaving age is responsible for retaining the whole student record until the student reaches the age of 25 years. (See the retention schedule below for further information)

## Retention Guidelines (see retention schedule for student records below)

NCW will comply with data protection and GDPR requirements for the retention of personal information.

We have adopted the retention schedule recommended in the Records Management Toolkit for Schools, Version 5 – February 2016, provided by the Information Records Management Society (IRMS). We have adjusted and added to some of those recommendations to account for our requirements [noted in square brackets].

Some of the recommended retention periods have a statutory basis; others are general practice in other schools around the country.

Our National Association of Special Schools (NASS) National Schools Contract – 2013 for [Specialist Schools and Colleges Contract v2.5](https://www.nasschools.org.uk/wp-content/uploads/sites/9/2014/08/Specialist-Schools-and-Colleges-Contract-v2.5.doc) (for the placement of learners and young people with high needs in day and residential schools and colleges) section 8. Records, Information and Data Protection, sub-section 8.1 states that ‘The Provider will maintain formal procedures/systems for the keeping of accurate records that fully comply with the relevant Records Regulations and/ or relevant National Minimum Care Standards and for a minimum of 10 years, or longer if the Authority specifically requests so in writing.’

Having a retention schedule standardises our “normal processing” under the Data Protection Act 1998 and GDPR, encourages safe disposal of information at the appropriate time and ensures the College is not maintaining and storing information unnecessarily.

Information that has shorter retention dates will be separated from the central student record at the date of leaving as part of student leaver processing.

All logs, registers, records and files should be marked with a destruction date once they are no longer in use.

## Safe destruction of the student record

Student records will be retained, or disposed of securely, in line with the retention schedule below. All records containing personal information should be made either unreadable or unreconstructable.

Paper records should be shredded using a cross-cutting shredder or added to confidential shredding bags/boxes for confidential disposal by our certified confidential waste disposal company.

A record will be kept of records destroyed and we will maintain a reference list of former students’ basic details after the file destruction date (full legal and ‘known as’ names, date of birth, dates of attendance, last known address and contact details, plus the file destruction date). This record can be kept on, and be reported from, our alumni database ncw-connect. We will also keep this as a Leavers Record Summary report in our student archive.

##  Related Policies

Data Protection Policy 63

Child Protection Records Protocol, Policy 146

Safeguarding Children and Young People, Policy 12

## Student Record Retention Guidelines

This retention schedule is based on the **irma Information Management Toolkit for Schools (Version 5 . 01 February 2016)**, adapted for our circumstances where required, and those adaptations noted in [square brackets]

Wherever a record date is mentioned, the timescale for destroying the record will be from the end of that academic year;

e.g. attendance record date + 3 years; records from 2015-2016 will be destroyed in summer 2019.

### 12.1 School Admissions and Enquiries

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.1.1 | Admissions – if the application [or appeal] is successful[Including supplementary information such as medical conditions etc.] | School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014. | ~~Date of admission + 1 year~~[NCW – added to main student record][NCW- keep tribunal documents - Resolution of case + 1 year] | SECURE DISPOSAL | Data and Office Manager / Student Records administrator |
| 12.1.2 | Admissions – if the [application or] appeal is unsuccessful[Including supplementary information such as medical conditions etc.] | School Admissions Code Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels December 2014.[NCW - legitimate interest in knowing that an applicant has applied previously] | ~~Resolution of case + 1 year~~[NCW – keep record for 10 years] | SECURE DISPOSAL | Data and Office Manager / Student Records administrator |
| 12.1.3 | Register of Admissions | School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014 | Attendance record date + 3 years | [NCW - Check that attendance dates are recorded on the leavers file to enable us to answer enquiries from past students to confirm the dates they attended the school. Admissions register can then be securely disposed of] | Data and Office Manager / Attendance Officer |
| 12.1.4 | [Enquiries, Registrations & Admissions data] | [Legitimate business interest to analyse successful marketing strategies; contact may be made as early as pre-school and student potentially may not apply until 6th form] | [15 years] | [SECURE DISPOSAL] | Data and Office Manager / Marketing Manager |

### 12.2 Contracts

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| 12.2.1 | All records relating to the management ofcontracts under signature [NCW - (Individual Placement Agreement (IPA)] | LimitationAct 1980[NCW - NASS School Contract Ts&Cs] | ~~Last payment on the contract + 6 years~~[NCW – leave date + 10 years]  | SECURE DISPOSAL | Assistant Principal: Business and Finance / Student contracts administrator |

### 12.3 Student’s Educational Record

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.3.1.1 | Secondary - Student’s Educational Record[any previous school records received will be treated in the same way as our own school records, with the same retention periods applied] | The Education (Pupil Information)(England) Regulations 2005 SI 2005 No. 1437Limitation Act 1980(Section 2) [Advice note on child protection record keeping from Carolyn Eyre, Independent Safeguarding Consultant, Oct 2018<https://www.carolyneyre.com/>][NCW retention period covers DOB + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)] | Leavers of statutory school age - paper records passed to subsequent school and receipt obtained[Date of Birth of the student + 30 years] [Looked after child - leave date of the student + 75 years] | SECURE DISPOSAL | Data and Office Manager / Student Records administrator |
| 12.3.1.2 | [Special Schools] | [National Association of Special Schools (NASS) National Schools Contract – 2013 for [Specialist Schools and Colleges Contract v2.5](https://www.nasschools.org.uk/wp-content/uploads/sites/9/2014/08/Specialist-Schools-and-Colleges-Contract-v2.5.doc) (for the placement of learners and young people with high needs in day and residential schools and colleges) Section 8. Records, Information and Data Protection; sub-section 8.1] | [The Provider will maintain formal procedures/ systems for the keeping of accurate records that fully comply with the relevant Records Regulations and/ or relevant National Minimum Care Standards and for a **minimum of 10 years,** or longer if the Authority specifically requests so in writing.] | SECURE DISPOSAL | Data and Office Manager / Student Records administrator |
| 12.3.2 | [\*Conduct Data, including behaviours and achievements] | [Relates to student data deletion category available in SIMS] | [student leave date + 3 years] | [Secure Disposal] | Data and Office Manager / Student Records administrator |
| 12.3.3 | [\*Exclusions Data] | [NCW - covers + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)][Relates to student data deletion category available in SIMS] | [Date of Birth of the student + 30 years] | [Secure Disposal] | Data and Office Manager / Student Records administrator |
| 12.3.4 | [\*Curriculum] | [Relates to student data deletion category available in SIMS] | [student leave date + 3 years] | [Secure Disposal] | Data and Office Manager |
| 12.3.5 | [\*Performance (includes progress and tracking data)] | [Relates to student data deletion category available in SIMS] | [student leave date + 3 years][ILS task sheets – student leave date + 1 year] | [Secure Disposal] | Data and Office Manager |
| 12.3.6 | [\*Consent Forms(e.g. media, activities and trips)] |  | [student leave date + 3 years, unless they relate to consents that continue to be active after leaving in which case they will be retained in the main student record] | [Secure Disposal] | Data and Office Manager / Student Records administrator |
| 12.3.7 | [\*General correspondence relating to the student about minor issues] |  | [leave date + 3 years] |  | Data and Office Manager / Student Records administrator |
| 12.3.8 | Examinations |
| 12.3.8.1 | Internal Exam results |  | Kept in teacher’s file until the end of the course. |  | Teaching Staff |
| 12.3.8.2 | Public Exam results | JCQ General Regulations for Approved Centres | External - Exam results kept in student file to same retention periods. The Centre will retain all unclaimed certificates under secure conditions for a minimum of 12 months from the date of issue; NCW will retain certificates as long as practicable beyond 12 months and will endeavour to make all reasonable efforts to arrange safe handover to candidates until the time when that candidate’s record is destroyed under the School Record Retention Guideline.  A record is kept by Examination Officer of date and method of issuing of certificates – this may be destroyed at the time when that candidate’s record is destroyed under the School Record Retention Guideline.  | Secure disposal | Exams Officer |
| 12.3.8.3 | Public exam entries, applications for special consideration, enquiries after results, appeals | JCQ General Regulations for Approved Centres | Kept by Examination Officer until after the awarding body’s final deadline for appeals, or if appealed, until notification and acceptance of a final outcome.  Thereafter kept for a minimum of 24 months for reference. | Secure disposal |  |
| 12.3.8.4 | Access Arrangements | Treated as SEN data | Date of Birth of the student + 30 years | Secure Disposal |  |
| 12.3.8.5 | Public Examination Papers | JCQ General Regulations for Approved Centres | The examination papers should be kept until any appeals/ validation process is complete | SECURE DISPOSAL | Exams Officer |
| 12.3.8.6 | Public exam returned Coursework | JCQ General Regulations for Approved Centres | To be kept in secure store until after the awarding body’s final deadline for appeals, or if appealed, until notification and acceptance of a final outcome.  Thereafter, providing there is no outstanding dispute between NCW and a candidate, teachers are asked to notify candidates of the options available to them as follows and obtain written consent to record candidate’s wishes. | Option 1 - Work to be returned to candidate;Option 2 - Work to be retained for teaching and learning purposes (with written consent from candidate about whether they may be identified or work anonymised);Option 3 - Work to be securely destroyed |  |

### 12.4 Child Protection and Safeguarding

It is recommended that all records relating to child abuse be retained until the Independent Inquiry on Child Sexual Abuse is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.4.1 | Child protection information held in separate files | “Keeping children safe in education Statutory guidance for schools and colleges March 2015”; “Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015” [Advice note on child protection record keeping from Carolyn Eyre, Independent Safeguarding Consultant, Oct 2018<https://www.carolyneyre.com/>][NCW retention period covers DOB + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)] | [Date of Birth of the student + 30 years] then review; this retention period is on the understanding that the principal copy of this information will be found on the Local Authority Social Services record – this should be checked before SECURE DISPOSAL.[Any referred case / social care or other agency involvement - leave date + 35 years][Looked after child - leave date + 75 years] | SECURE DISPOSAL – these records MUST be shredded internally and then added to our confidential waste disposal. | Designated Safeguarding Lead / Principal |
| 12.4.2 | [Risk Assessments] |  | [NCW – individual student’s latest risk assessment will be kept in their child protection files to the same timescales.Generic trip and activity risk assessments will be destroyed one year after they have taken place.] |  | All staff |
| 12.4.3 | [Counselling records] | British Association for Counsellors and Psychotherapists (BACP) Guidelines | In the absence of a superseding requirement, psychologists may consider retaining full records until seven years after the last date of service delivery for adults or until three years after a minor reaches the age of majority, whichever is later." | [Secure Disposal] | Counsellor |

### 12.5 Attendance

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.5.1 | Attendance Registers | School attendance: Departmental advice for maintained schools, academies, independent schools and local authoritiesOctober 2014.[Relates to student data deletion category available in SIMS] | Every entry in the attendance register must be preserved for a period of three years after the date on which the entry was made.[NCW – individual student’s records will be kept until they leave, and then deleted/disposed of three years after that date] | SECURE DISPOSAL | Data and Office Manager / Attendance Officer |
| 12.5.2 | Correspondence relating to authorized absence | Education Act 1996 Section 7 | Date of Leaving + 3 years | SECURE DISPOSAL | Data and Office Manager / Attendance Officer |

### 12.6 Special Educational Needs (SEN)

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.6.1 | Special Educational Needs files, reviews and Individual Education Plans | Limitation Act 1980(Section 2) [NCW retention period covers DOB + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)][Relates to student data deletion category available in SIMS] | Date of Birth of the student + 30 years  |  | SENCo |
| 12.6.2 | Statement/Education, Health and Care Plan (EHCP) maintained under section 234 of the Education Act 1990 and any amendments made to the statement/EHCP | Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1[NCW retention period covers DOB + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)] | Date of Birth of the student + 30 years  | SECURE DISPOSAL unless the document is subject to a legal hold | SENCo |
| 12.6.3 | Advice and information provided to parents regarding educational needs | Special Educational Needs and Disability Act 2001 Section 2[NCW retention period covers DOB + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)] | Date of Birth of the student + 30 years  | SECURE DISPOSAL unless the document is subject to a legal hold | SENCo |
| 12.6.4 | Accessibility Strategy | Special Educational Needs and Disability Act 2001 Section 14[NCW retention period covers DOB + 25 years recommendation and minimum 10 years after their leave date (NASS School Contract)] | Date of Birth of the student + 30 years  | SECURE DISPOSAL unless the document is subject to a legal hold | SENCo |

### 12.7 Residential Care Records

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.7.1 | [Duty rosters recording the identities of the staff and other persons who actually worked at the school or with children from the school, by day and night.] | DfE Residential special schools National minimum standards (April 2015) Standard 22 – Records | Retained for at least 5 years from the date of the last entry | SECURE DISPOSAL | Head of Care / Residential care teams |
| 12.7.2 | [Keyworker notes,Weekly summary sheets,Visit sheets] |  | Retained for at least 5 years from the date of the last entry | SECURE DISPOSAL | Head of Care / Residential care teams |
| 12.7.3 | [Medical Records] | [Information Governance Alliance – Records Management Code of Practice, Appendix 3, <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>Children’s records including…school nursing] | [Date of Birth of the student + 30 years]

|  |  |
| --- | --- |
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*Review prior to destruction to take into account any serious incident retentions*All copies of medical letters and appointments will be securely disposed of by surgery when a student leaves – they are all copies of GP/Hospital records.Daily student medical notes will remain in the SIMS record until the destruction date.SIMS Person Output report (containing medical notes) will be stored securely in leavers file until destruction date. | [Secure Disposal] | Data and Office Manager / Student Records administrator, with Nurse |

### 12.8 Statistics and Management Information

| Basic file description | Statutory Provisions / Rationale | Retention Period [Operational] | Action at the end of the administrative life of the record | Responsibility |
| --- | --- | --- | --- | --- |
| 12.8.1 | Curriculum returns |  | Current year + 3 years | SECURE DISPOSAL | SLT / Data Manager |
| 12.8.2 | Examination Results |  | Current year + 6 years | SECURE DISPOSAL | SLT / Data Manager |
| 12.8.3 | Published Admission Number (PAN) Reports |  | Current year + 6 years | SECURE DISPOSAL | SLT / Data Manager |
| 12.8.4 | Value Added and Contextual Data |  | Current year + 6 years | SECURE DISPOSAL | SLT / Data Manager |
| 12.8.5 | Self-Evaluation Forms |  | Current year + 6 years | SECURE DISPOSAL | SLT / Data Manager |