|  |  |
| --- | --- |
|  | Record Retention Policy(including Transfer of Records to School) |
|  | Adopted: 04.09.2019 |

**Policy Statement**

Hanslope Pre-school maintain records, policies and procedures required for the safe and efficient management of the setting and to meet the needs of the children.

We have record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the General Data Protection Regulations (GDPR) (2018) and the Human Rights Act (1998).

This policy and procedure should be read alongside our Privacy Notice, Confidentiality Policy and our procedures for information sharing.

**Procedures**

If a child attends another setting, we establish a regular two-way flow of appropriate information with parents and other providers. Where appropriate we will incorporate comments from other providers, as well as parents or carers into the child’s records.

**Children’s Records (10.6)**

We keep two kinds of records on children attending our setting;

**Developmental records**

* These include observations of children in the setting, photographs, video clips, and samples of their work and summary developmental reports.
* These are kept at the setting and can be freely accessed and contributed to, by staff, the child and the child’s parents.

**Personal Records**

These may include the following

* Personal details – including the child’s registration form and any consent forms.
* Contractual matters – signed day care records, the child’s days and times of attendance.
* A record of the child’s fees, any fee reminders or records of disputes about fees.
* Child’s development, health and well-being – including a summary of the child’s EYFS profile report, a record of discussions about everyday matters about the child’s development, health and well-being with the parent.
* Early years support – including any additional intervention provided by our setting (e.g. support for behaviour, language or development that needs a SEN action plan) and records of any meetings held.
* Welfare and child protection concerns - including records of all welfare and protection concerns, and our resulting action, meetings and telephone conversations about the child, an Educational Health Care Plan and any information regarding a Looked After Child.
* Correspondence and reports – including copies of the child’s 2-Year-Old Progress Check (as applicable), all letters and emails to and from other agencies and any confidential reports from other agencies.
* These confidential records are stored in a lockable cabinet and are kept secure by the Practice Manager.
* We ensure access to children’s files is restricted to those authorised to see them and to make entries in them, this being our Practice Manager, Deputy or designated person for child protection, the child’s keyworker, or other staff as authorised by our Practice Manager.
* We may be required to hand children’s personal files to Ofsted as part of an inspection or investigation process: or to local authority staff conducting an S11 audit, as long as authorisation is seen. We ensure that children’s personal files are not handed over to anyone else to look at.
* Parents have access, in accordance with our Privacy Notice, Confidentiality policy (Client Access to Records), to the files and records of their own children but do not have access to information about any other child.
* Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child’s needs. Our staff induction programme includes an awareness of the importance of confidentiality in the role of the key person.
* We retain children’s records for at least three years after they have left the setting; except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years or 24 years respectively. These are kept in a secure place.
* Retention periods for all records are listed in the tables below.

**Archiving children’s files**

* When a child leaves our Pre-school, we remove all paper documents from the child’s personal file and place them in a robust envelope, with the year that they left.
* We seal the envelope and it is archived and stored in a safe place (i.e. a locked filing cabinet) for three years. After three years it is destroyed.
* If data is kept electronically it is encrypted and stored as above.
* Where there were s47 child protection investigations, we mark the envelope with a star and archive it for 25 years.
* We store financial information according to our finance procedures.

**Other Records**

* We keep a daily record of the names of the children we are caring for, their hours of attendance and the name of the key person.
* Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our confidentiality policy and are required to respect it.

**Provider Records (10.7)**

We keep records and documentation for the purpose of maintaining our business. These include:

* Records pertaining to our registration.
* Landlord/lease documents and other contractual documentation pertaining to amenities, services and goods.
* Financial records pertaining to income and expenditure.
* Risk assessments.
* Employment records of our staff including name, home address and telephone number.
* Names, addresses and telephone numbers of anyone who is regularly in unsupervised contact with the children.

We consider our records as confidential based on the sensitivity of information, such as with employment records. These confidential records are maintained with regard to the framework of the General Data Protection Regulations (2018), further details are given in our Privacy Notice and the Human Rights Act (1998).

This policy and procedure should run alongside our Privacy Notice, Confidentiality - Client Access to Records Policy and Information Sharing.

**Procedures**

* All records are the responsibility of the officers of the management committee who ensure they are kept securely.
* All records are kept in an orderly way in files and filing is kept up to date.
* Financial records are kept up to date for audit purposes.
* We maintain health and safety records; these include risk assessments, details of checks or inspections and guidance, are maintained by our Practice Manager.
* Our Ofsted registration certificate is displayed.
* Our Public Liability insurance certificate is displayed.
* All employment and staff records are kept securely and confidentially in a lockable cabinet .

**We notify Ofsted of any**

* Change to the name and address of our registered provider, or the provider’s contact information.
* Change to the person who is managing our provision.
* Significant event which is likely to affect our suitability to look after children; or
* Other event as detailed in the Statutory Framework for the Early Years Foundation Stage (DfE2014)

**Transfer of Records to School (10.8)**

We recognise that children sometimes move to another early years setting before they go on to school although many will leave our setting to enter a nursery or reception class.

We prepare children for these transitions and involve parents and the receiving setting in this process. We prepare records about a child’s development and learning in the EYFS in our setting; in order to enable smooth transitions, we share appropriate information with the receiving setting or school at transfer.

Confidential records are shared where there have been child protection concerns according to the process required by our Local Safeguarding Children Board.

The procedure guides this process and determines what information we can and cannot share with a receiving school or setting. Prior to transferring information, we establish the lawful basis for doing so (see our Privacy Notice)

**Procedures**

Transfer of development records for a child moving to another early years setting or school

* Using the Early Years Outcome (DfE2013) guidance and assessment of children’s development and learning the key person will prepare a summary of achievements in the seven areas of learning and development.

**This record refers to**

* Any additional language spoken by the child and his or her progress in both languages.
* Any additional needs that have been identified or addressed by the setting.
* Any special needs or disability, whether a CAF was raised in respect of special needs or disability.
* Whether there is an Educational, Health and Care plan, and the name of the lead professional.
* The record contains a summary by the key person and a summary of the parent’s view of the child.
* The document may be accompanied by other evidence such as photos or drawings that the child has made.
* For transfer to school, most local authorities provide an assessment summary format or a transition record for the setting to follow.
* If there have been any welfare or protection concerns a star is placed on the front of the assessment record.
* Parents complete a consent request on admission as to whether they are happy for their child’s records to be passed onto the school, should the school request it.

**Transfer of confidential information**

* The receiving school or setting will need to have a record of any safeguarding or child protection concerns that were raised in the setting and what was done about them.
* A summary of the concerns will be made to send to the receiving setting or school along with the date of the last professional meeting or case conference. Some Local Safeguarding Children Boards will stipulate the forms to be used and provide these.
* Where a CAF has been raised in respect of any welfare concerns the name and contact details of the lead professional will be passed on to the receiving setting or school.
* Where there has been a s47 investigation regarding a child protection concern the name and contact details of the child’s social worker will be passed on to the receiving setting or school – regardless of the outcome of the investigation.
* This information is posted or taken to the school or setting, addressed to the setting or school’s designated person for child protection and marked confidential.
* We do not pass on any other documentation from the child’s personal file to the receiving setting or school.

**Legal framework**

* General Data Protection Regulations (GDPR) (2018)
* Human Rights Act (1998)
* Freedom of Information Act (2000)
* Children Act (1989)

**Further guidance**

* What to do if you are Worried a Child is Being Abused: Advice for practitioners (HM Government2015)
* Information Sharing: Advice for practitioners providing safeguarding services for children, young people, parent and carers (HM Government 2015)

Other useful Pre-school Learning Alliance publications

* Accident Record (2013)
* Accounts Records (2005)
* Safeguarding Children (Ed 2013)
* Recruiting and Managing Employees (2011)
* Financial Management (2010)
* Medication Administration Record (2013)
* Daily Register and Outings
* Managing Risk (2009)
* Complaints Investigation Records (2015)

This policy was adopted by Hanslope Pre-school on 4th September 2019

Date to be reviewed: 4th September 2020

Signed on behalf of the Hanslope Pre-school …………………………………….

By Xanthia Collender, Chairperson, on 4th September 2019

|  |  |  |  |
| --- | --- | --- | --- |
| **Children’s Records** | **Retention Period** | **Status** | **Authority** |
| Children’s records including registers, medication records, accident records pertaining to children.Note: children’s learning and development journals are maintained by the setting and handed to the parents when the child leaves.\*If a concern is identified that legal action may be instigated, all relevant information will be retained until the child reaches the age of 25. | Records should be retained for a reasonable period of time afterChildren have left the provision (e.g. three years) or until the next Ofsted Inspection after the child had left the setting (whichever is soonest). | Requirement | EYFE (given legal force by Childcare Act 2006) |
| Until the child reaches 21 - or until the child reaches the age of 25 for child protection records, SEND records and health care plans.Records in relation to Safeguarding concerns will also need to be kept in accordance with the Local safeguarding Children Board’s requirements. | Recommendation | Limitation Act 1980Normal limitation rules (which mean that an individual can claim for negligibility caused personal injury up to three years after, or deliberately caused personal injury up to six years after the event) are postponed until the child reaches 18 years old. |
| Records of any reportable death, injury, diseases or dangerous occurrences.  | Three years from the date of the last entry (or, if the accident involves a child, then until the person reaches the age of 21).The setting will also need to consider whether it is necessary to keep the records for a longer period in light of the circumstances. | Requirement | The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI1995/3163) (as amended) |
| Safeguarding and welfare records (including written summary of information transferred to schools) which resulted in a Child Protection referral or Child in Need referral being made to the local authority. | Until the child reaches the age 25 years, or for Looked After Children 75 years. | Requirement | Limitation Act 1980 |
|  |  |  |  |
| Safeguarding and welfare records (including written summary of information transferred to schools) which resulted in a referral being made to CAF or other early years support services referrals. | Until the child reaches the age 25 years, or for Looked After Children 75 years. | Requirement | Limitation Act 1980 |
| **Personnel Records** | **Retention Period** | **Status** | **Authority** |
| Personnel files and training records (including disciplinary records and working time records) | Six Years after employment ceases | Recommendation | Chartered Institute of Personnel and Development |
| Application forms and interview notes for unsuccessful candidates. | Six months to one year. | Recommendation | Chartered Institute of Personnel and Development |
| DBS information | Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolute necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.We will maintain on employee files references number, the date a check was obtained and who obtained it. | RequirementRequirement | Disclosure and Barring ServiceEYFS (given legal force by Childcare Act 2006) |
| **Pay** | **Retention** | **Status** | **Authority** |
| Wages/Salary records (including overtime, bonuses and expenses). | Six years | Requirement | Taxes Management Act 1970 |
| Statutory Maternity Pay (SMP) records | Three years after the end of the tax year in which the maternity period ends. | Requirement | The Statutory Maternity Pay (General) regulations 1986 (SI 1993/744) as amended |
| Statutory Sick Pay (SSP) records | Six years after employment ceases. | Recommendation | Chartered Institute of Personnel and Development |
| Income Tax and National Insurance returns/records. | At least three years after the end of the tax year to which they relate. | Requirement | The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended |
| Redundancy details, calculations of payments, refunds, notification to secretary of state. | Six years from date of redundancy | Recommendation | Chartered Institute of Personnel and Development |
| National Minimum Wage records. | Three years after the end of the pay reference period following the one that the records cover. | Requirement | National Minimum Wage Act 1998 |
| Pension Scheme and members records.  | Six years (except for records of opt-out which must be kept for four years). | Requirement | The Pension regulator |
| 12 years from the ending of any benefit payable under the policy. | Recommendation | Chartered Institute of Personnel and Development |

|  |  |  |  |
| --- | --- | --- | --- |
| **Health and Safety** | **Retention** | **Status** | **Authority** |
| Records of reportable death, injury, diseases or dangerous occurrence**.**  | Three years from the date of the last entry. | Requirement | The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI1995/3163) (as amended |
| Accident/medical records specified by the Control Substances Hazardous to Health regulations (COSHH) 1999. | 40 years from the date of the last entry. | Requirement | The Control of Substances Hazardous to Health regulations 1999(COSHH) (SI 1999/437 and 2002/2677) |
| Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees. | Permanently. | Recommendation | Chartered Institute of Personnel and Development |
| **Financial Records** | **Retention** | **Status** | **Authority** |
| Accounting Records. | Three years for Private Companies.Six years for Public Limited Companies.Six years for Charities. | Requirement | Section 386 and 388 of the Companies ActCharities Act 2011 section 131 |
| **Administration Records** | **Retention** | **Retention** | **Authority** |
| Complaints records. | At least three tears from the date of the last record. | Requirement | Early Years Foundation Stage Welfare Requirements (given legal force by Childcare Act 2006) |
| Insurances policies.  | Permanently. | Recommendation | Information and Records Management Society |
| Minutes/minutes book | Permanently | Recommendation | Chartered Institute of Personnel and Development |

**The following information is taken from the PSLA publication ‘Financial Management’:**

|  |
| --- |
| **Purchase Invoices and Supplier Documentation** |
| ***Document type*** | **Required retention period** |
| Payments cash book or record of cheque payments | 6 years |
| Purchase ledger | 6 years |
| Invoice – revenue | 6 years |
| Invoice – capital item | 10 years |
| Successful quotations for capital expenditure | Indefinitely |
| Petty cash records | 7 years |
| **Income/monies received** |
| ***Document type*** | **Required retention period** |
| Bank paying-in counterfoils | 6 years |
| Bank statements | 6 years |
| Receipts cash book | 10 years |
| Sales ledger | 10 years |
| Remittance advices | 6 years |
| Bank reconciliations | 6 years |
| Deeds of covenant | 6 years (12 years if dispute over payment) |
| Correspondence re donations | 3 years |
| **Other documents** |
| ***Document type*** | **Required retention period** |
| Fixed asset register, investment ledger, investment certificates | Indefinitely |
| Agreements with suppliers and licensing agreements | Under seal – 12 years after expiry |
| Leases, rental agreements and HPIndemnities and guaranteesLoan agreementsOther contracts and agreements | Other – 6 years after expiry |
| **Payroll Documentation** |  |

|  |  |
| --- | --- |
| Income Tax re employee leaving (P45), notice to employer of tax code changes(P6), certificate of pay tax deducted (P60), notice of tax code change and annual return of taxable pay and tax deducted (P14) | 6 years |
| Retirements and benefits scheme | 7 years |
| Copy pay slips | 2 years |
| Payroll and payroll control account | 7 years |
| **Employee/Personnel Records** |  |
| Medical reports | 40 yearsafter the date of the last entry or end of investigation |
| Accident reports | 3 years after the date of the last entry or end of investigation |
| Expenses records | 6 years plus current year |