

## West Sussex County Council Education and Learning Retention Schedule

### Introduction

The County Council's record retention and disposal schedule for Education and Learning has been developed by the Education and Learning department in collaboration with the Records Management Service. The schedule applies to both hard copy and electronic records.

This retention schedule identifies Education and Learning record types. Each of these record types has then been allocated a retention period based on legislation, business need, best practice, or a combination of these.

The schedule is a vital tool to ensure the council complies with the Data Protection Act 2018 and UK GDPR.

### Why this schedule is important

Education and Learning produce many types of record. It is vital that these are organised in a manner that makes them retrievable and retained for a suitable period of time.

The council has a legal duty not to retain information longer than is necessary, as outlined in the [Principle \(c\): Data minimisation](#) of UK GDPR. It is also important that council resources are not being used to store records and data that are no longer required, whilst also ensuring these are not destroyed or deleted too soon. Having a fully implemented, comprehensive and regularly updated retention schedule enables the council to meet these legislative duties.

A further explanation as to why a retention schedule is important can be found on the Information Commissioner's Office website as part of [Principle \(e\): Storage Limitations](#) of UK GDPR.

### Using the Record Retention and Disposal Schedule

The retention schedule is not based on the current directorates and business units of the council, but rather the overall functions and activities. This means it will remain relevant in the event of future re-structuring or renaming of directorates and business units.

- Definition of terms

Term	Definition
Function	The top-level function within the County Council, e.g. Children's Services
Activity	The activity within the function, e.g. social care
Code	A unique code given to each record type
Record Type	The different types of record used to carry out the activity, e.g. case file
Retention Period	The number of years the record type should be retained before being reviewed for destruction or permanent archive
Retention Period Calculated From	The point at which the retention period begins. This may be the date of birth or the last contact with an individual, the end of a contract, or something else
Statutory Provision / Justification	The reason for the retention period. This is usually based on legislation, business need, best practice or a combination of these
Contains Personal Data?	Yes/No - Does the record type contain any of the following information about an individual: name, address, telephone number, email address or any other information that could identify the individual?
Action	A description of what happens once the retention period is up. This will usually be that the record will be reviewed for destruction or further retention, or appraised for permanent preservation in the County Archives
Additional Notes	Any additional information or caveats relating to the record type, the retention period or the action
Fileplan	List of functions, activities, and record types to form the main reference tool of the retention schedule

- When should information be retained beyond agreed retention schedule?

Information may occasionally be retained beyond the agreed retention period. The 'Retention Period Calculated From' date may begin again if:

- a case has been re-opened;
- a new case activity has occurred;
- it is felt there is an ongoing business or care need to retain the record; or
- an inquiry or police investigation require a record or group of records to be retained

## **Destruction process**

Paper records authorised for destruction are confidentially destroyed. Electronic records are deleted from council systems.

## **What items go into permanent archive?**

When a record has been designated for destruction or deletion it may be randomly selected or appraised by an archivist from the West Sussex Record Office to determine if it holds historical value. If this is the case, it may be retained permanently in the council's corporate archive.

## **Limitations**

Many types of record do not have specified retention periods in law or in official local government guidance. To develop this schedule, departments have reviewed and provided updates for their areas to establish a 'best practice' retention period where there is not one in legislation. Further, a review of the best practices adopted by some other local authorities was conducted during the creation of the schedule.

Deleting information from a system is not always a straightforward matter. Where an IT system does not allow for part-deletion of a record, the Council will consider data protection legislation and guidance from the Information Commissioner's Office (ICO).

## The Retention Schedule

### Education and Learning

#### ED1 Pupil Records

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED1.1	School Pupil Records (educated at school)	25 years	DOB of the pupil	Limitation Act 1980 which allows that a claim can be made against an organisation by a minor for up to 7 years from their 18th birthday (Records Management Toolkit for Schools Version 6.0 2019)	Yes	Retain sample for permanent archive at Record Office, confidentially destroy remaining	
ED1.2	Education otherwise than at school (without disabilities, special educational needs or children who are sick)	25 years	DOB of the pupil	Retention mirrors that of files for pupils tutored at school	Yes	Retain sample for permanent archive at Record Office, confidentially destroy remaining	

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CS14.1	Special Educational Needs Case File	31 years	Date of birth	Education, Health and Care Plan is valid until the individual reaches the age of 25 years – the retention period adds an additional 6 years from the end of the plan in line with the Limitation Act - Information and Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Retain sample for permanent archive at Record Office, confidentially destroy remaining	(Also covered in Children's Retention Schedule CS14.1)
CS6.1	Education Welfare / Pupil Entitlement case file	25 years	Date of birth	18th Birthday + limitation act	Yes	Retain sample for permanent archive at Record Office, confidentially destroy remaining	(Also covered in Children's Retention Schedule CS6.1)

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
CS5.1	Education Psychology case file	50 years	Date of birth	Business need - allows for child to access file later in life	Yes	Retain sample for permanent archive at Record Office, confidentially destroy remaining	(Also covered in Children's Retention Schedule CS5.1)
ED1.3	Student Grant applications	3 years	Current year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure Destruction	
ED1.4	Pupil Premium Fund records	6 years	Date pupil leaves the provision	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure Destruction	

**ED2 Admissions**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED2.1	School Admission Records	Admission + 1 year	Date of admission	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure Destruction	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED2.2	Admission Appeal Records (Unsuccessful)	Resolution of case + 1 year	Resolution of case	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure Destruction	

### **ED3 Supplies**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED3.1	Records relating to purchasing school supplies	7 Years	Date of purchase	Limitation Act 1980	No	Secure Destruction	

### **ED4 Attendance Records**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED4.1	Attendance Registers	3 years	After the date on which the entry was made.	Records Management Toolkit for Schools Version 6.0 (2019) - School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014	Yes	Secure Destruction	

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED4.2	Correspondence relating to any absence (authorised or unauthorised)	2 years	Current academic year	Records Management Toolkit for Schools Version 6.0 (2019) - Education Act 1996 Section 7	Yes	Secure Destruction	

**ED5 Headteacher and Senior Management Team**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED5.1	Logbooks of activity in the school maintained by the Head Teacher	6 Years	Last entry in book	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Pass to Record Office for potential permanent preservation	-
ED5.2	Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies	3 years	Date of meeting	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	-



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ED5.3	Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities which do not fall under any other category	6 years	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	
ED5.4	School development plans	3 years	Life of the plan	Records Management Toolkit for Schools Version 6.0 (2019)	No	Review for destruction	

### **ED6 Operational Administration**

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
ED6.1	Records relating to the creation and publication of the school brochure or prospectus	3 years	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	No	Destruction - Pass one copy to Record Office for potential permanent preservation	
ED6.2	Records relating to the creation and distribution of circulars to staff, parents or pupils	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	No	Destruction	
ED6.3	School Privacy Notice which is sent to parents as part of GDPR compliance	6 years	When superseded	Records Management Toolkit for Schools Version 6.0 (2019)	No	Destruction	
ED6.4	Newsletters and other items with a short operational use	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	No	Destruction (school may wish to retain one copy)	
ED6.5	Visitor management systems (including electronic systems, visitors books and signing-in sheets)	6 years	Last entry in visitor book / log	Records Management Toolkit for Schools Version 6.0 (2019) + best practice in case of claims by parents or pupils about various actions	Yes	Destruction	

**ED7 School Finance Administration**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED7.1	Cheque books	6 years	Current year	Standard financial record retention period	No	Secure destruction	
ED7.2	Paying-in books	6 years	Current year	Standard financial record retention period	No	Secure destruction	-
ED7.3	Ledger	6 years	Current year	Standard financial record retention period	No	Secure destruction	-
ED7.4	Invoices	6 years	Current year	Standard financial record retention period	No	Secure destruction	-
ED7.5	Receipts	6 years	Current year	Standard financial record retention period	No	Secure destruction	-
ED7.6	Bank statements	6 years	Current year	Standard financial record retention period	No	Secure destruction	-
ED7.7	Journey books	6 years	Current year	Standard financial record retention period	No	Secure destruction	-

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**ED8 School Meals Management**

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
ED8.1	Free school meals registers (where the register is used as a basis for funding)	6 years	Current year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	-
ED8.2	School meals registers	3 years	Current year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	-
ED8.3	School meals summary sheets	3 years	Current year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	-

**ED9 Governors**

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
ED9.1	Records relating to the election of parent and staff governors not appointed by the governors	6 months	Date of election	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Consult Record Office before disposal	Election date will be recorded in FGB meeting minutes
ED9.2	Instruments of government	For the life of the school or until reconstitution occurs	Date of making	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Consult Record Office before disposal	

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ED9.3	Records relating to the appointment of co-opted governors	As the decision is recorded in the minutes, records relating to the appointment such as application and references, can be destroyed once the co-opted governor has finished their term of office (except where there have been allegations concerning children). In this case retain for 25 years.	Date of appointment	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Local secure destruction	
ED9.4	Records relating to the election of chair and vice chair	0 years	Once recorded in minutes	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Consult Record Office before disposal	Once the decision has been recorded in the minutes, the records relating to the election can be destroyed
ED9.5	Records relating to DBS checks carried out on clerk and members of the governing body	Date of DBS check + 6 months	Date appointed	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	

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ED9.6	Records relating to removal or suspension of a governor	Suspension - until period ends. Removal - for staff and parents 5 years as cannot become a governor anywhere for that period. For other categories the period prescribed by their appointing body.		Best practice	Yes	Secure destruction	
ED9.7	Minutes - principal set (signed)	6 Years	Date of approval meeting	Best practice	Yes	Pass to Record Office for permanent preservation	
ED9.8	Reports made to the governors' meeting which are referred to in the minutes	6 Years	Date of meeting	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Pass to Record Office for permanent preservation with minutes	
ED9.9	FGB Agendas	6 Years	Date of meeting	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Pass to Record Office for permanent preservation with minutes	Stored with minutes

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ED9.10	Scheme of delegation and terms of reference for committees	Until superseded or whilst relevant		Best practice	No	Pass to Record Office for permanent preservation with minutes	
ED9.11	Register of business interests	Until superseded (annually) and then date appointment ceases + 6 years	Date of declaration	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	
ED9.12	Records relating to governor declaration against disqualification criteria	Until term of office ends	Date of appointment/election + 6 years	Best practice	Yes	Secure destruction	
ED9.13	Policy documents created and administered by the governing body	Until superseded	Date of approval	Best practice	No	Pass to Record Office for permanent preservation	
ED9.14	Records relating to Governor Monitoring Visits	3 years	Date of visit	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Local destruction	
ED9.15	Records relating to complaints made to and investigated by the governing body or head teacher (through agreed complaints procedure)	6 years	Resolution of case	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED9.16	Records relating to complaints made to and investigated by the governing body or head teacher (If negligence involved)	15 years	Resolution of case	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	
ED9.17	Records relating to complaints made to and investigated by the governing body or head teacher (If child protection or safeguarding issues are involved)	40 years	Resolution of case	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	

**ED10 Staff**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED10.1	Staff personnel file	6 years	End of employment	Limitation Act 1980 (Section 2)	Yes	Secure destruction	Unless the member of staff is part of any police enquiry or other disciplinary investigation. If this is the case then the file will need to be retained until enquiries are complete



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ED10.2	Annual appraisal / assessment records	6 years	Date of appraisal / assessment	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	
ED10.3	Staff training records - not relating to children (e.g. first aid, health and safety etc.)	6 years	End of employment	Limitation Act 1980 (Section 2) - mirrors personnel file and should be kept with that file	Yes	Secure destruction	
ED10.4	Staff training records - relating to children (e.g. safeguarding or other child related training)	40 years	Date of training	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	This retention period reflects that the police or other body may wish to see training records as part of an investigation

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
ED10.5	Records relating to any allegation of a child protection nature against a member of staff	Until the person's normal retirement age or 10 years from the date of the allegation (whichever is the longer)	Date of allegation	Records Management Toolkit for Schools Version 6.0 (2019) - Keeping children safe in education Statutory guidance for schools and colleges September 2018; Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children 2018	Yes	Review before destruction	Allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned UNLESS the member of staff is part of any case which falls under the terms of reference of IICSA. If this is the case then the file will need to be retained until IICSA enquiries are complete
ED10.6	Disciplinary proceedings - oral warning	6 months	Date of warning	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Destruction (if placed on personnel file they must be weeded from file)	

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ED10.7	Disciplinary proceedings - written level 1	6 months	Date of warning	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Destruction (if placed on personnel file they must be weeded from file)	
ED10.8	Disciplinary proceedings - written level 2	1 year	Date of warning	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Destruction (if placed on personnel file they must be weeded from file)	
ED10.9	Disciplinary proceedings - final warning	18 months	Date of warning	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Destruction (if placed on personnel file they must be weeded from file)	
ED10.10	Disciplinary proceedings - case not found (not related to child protection)	0 years	Conclusion of case	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	
ED10.11	Disciplinary proceedings - case not found (related to child protection)	40 years	Conclusion of case	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure destruction	

**ED11 Implementation of Curriculum**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED11.1	Schemes of work	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	No	Review for destruction	
ED11.2	Timetable	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	No	Review for destruction	
ED11.3	Class record books	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	
ED11.4	Mark books	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	
ED11.5	Record of homework set	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	
ED11.6	Pupil's work	1 year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	Where possible, the pupil's work should be returned to the pupil at the end of the academic year.

### **ED12 School Trips**

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
ED12.1	Parental consent forms for school trips where there has been no major incident	Retain until end of academic year	End of current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Review for destruction	The school may wish to complete a risk assessment to assess whether the forms are likely to be required and could make a decision to dispose of the consent forms at the end of the trip (or at the end of the academic year). This is a pragmatic approach and if in doubt the school should seek legal advice
ED12.2	Parental permission slips for school trips – where there has been a major incident	25 years	Date of birth of the pupil involved in the incident	Records Management Toolkit for Schools Version 6.0 (2019) - Limitation Act 1980 (Section 2)	Yes	Review for destruction	The permission slips for all the pupils on the trip need to be retained to show that the rules had been followed for all pupils

**ED13 Local Authority Records**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
ED13.1	Secondary Transfer Sheets (primary)	2 years	Current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure Destruction	
ED13.2	School census returns	5 years	Current academic year	Records Management Toolkit for Schools Version 6.0 (2019)	Yes	Secure Destruction	