



SPARKEN HILL
ACADEMY

UK GDPR Records Management Policy

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Records management policy

1 Introduction

- 1.1 Maintaining school records in a systematic and reliable manner is essential to comply with our legal and regulatory requirements, e.g. relating to data protection, tax and employment. It also reduces the costs and risks associated with retaining unnecessary information.
- 1.2 This record management policy has been developed to help staff properly manage the records of Sparken Hill Academy. It sets out:
 - 1.2.1 what records are
 - 1.2.2 how records should be classified and stored
 - 1.2.3 how long different classes of record should be retained
 - 1.2.4 how records should be disposed of

2 Responsibility and application

- 2.1 The DPO is responsible for updating this policy. The SLT is responsible for managing this policy.
- 2.2 This policy applies to all staff, which for these purposes includes employees, temporary and agency workers, other contractors, trainees and volunteers. All staff must be familiar with this policy and comply with its terms.
- 2.3 This policy does not form part of any employee's contract of employment and Sparken Hill Academy may supplement or amend this policy with additional policies and guidelines from time to time. Any new or modified policy will be circulated to staff before being adopted.

3 What are records?

- 3.1 For the purposes of this policy, records are documents, communications and other materials that are written, recorded or otherwise machine readable. Records can exist in different formats including electronic, paper, book, facsimile, film, videotape, audiotape, and other formats available through existing and emerging technologies.
- 3.2 Voicemail, text or instant messages do not constitute records, except those that have been recorded and retained for business or regulatory purposes.
- 3.3 There are two types of records: business records and short-term records.
- 3.4 **Business/education records**
 - 3.4.1 Business/education records are records created or received in the course of Sparken Hill Academy's business that:
 - (a) document a business or education related event or activity
 - (b) demonstrate a business transaction
 - (c) identify individuals who participated in a business or education activity

- (d) support a business or education-related event, activity, or transaction, or
 - (e) are needed for other legal, business, or compliance reasons
- 3.4.2 Business/education records must be properly classified, stored, retained and disposed of in accordance with this policy.

3.5 Short-term records

- 3.5.1 Short-term records are those with no enduring or operational value and which are not considered to be business/education records. These include:
- (a) general Sparken Hill Academy -wide, division-wide or departmental announcements, notices or updates
 - (b) unsolicited vendor bids and/or offers
 - (c) unsolicited CVs
 - (d) routine and general correspondence having only an immediate or short-term value, and
 - (e) personal files, emails or other documents.
- 3.5.2 As a general rule, short-term records should be retained for no longer than 30 days. While they may be captured by routine backup processes, they should not be specifically stored at an off-site storage facility. On occasion, it may be necessary to retain short-term records for longer than 30 days if they are required for a business or educational purpose. However, once the record is no longer needed, it should be destroyed promptly.
- 3.5.3 Short-term records, including any personal files, emails or other documents on Sparken Hill Academy premises or systems, may become business or education records if they are relevant to a legal, educational or business matter of Sparken Hill Academy.

4 Creation of records

- 4.1 The individual or department that authored, created or is the primary custodian of a record is responsible for ensuring it is retained and destroyed in accordance with this policy.
- 4.2 All records and other communications pertaining to Sparken Hill Academy's business are to be appropriately and accurately worded. You must act responsibly, lawfully and professionally when creating records regarding our business or educational activities and/or on our systems.
- 4.3 Sparken Hill Academy prohibits staff from creating records that are misleading, intentionally false, fraudulent, sexually explicit, abusive, offensive, harassing, discriminatory, profane, libellous, defamatory, unethical, or that violate any laws, regulations or internal policies.

5 Classification and mark-up of business records

- 5.1 Some business or educational records require greater levels of protection than others. Business and educational records must be appropriately classified and marked to ensure a level of protection commensurate with their confidentiality, sensitivity or importance to Sparken Hill Academy.

5.2 Classification of business/educational records

Business/educational records are classified as:

- 5.2.1 restricted, and/or
- 5.2.2 confidential, or
- 5.2.3 general, or
- 5.2.4 public

- 5.3 It is not possible to list every possible type of record and say how it should be classified. Instead, you should consider the following questions and exercise your judgement.

Does the record include personal data?	See our data protection policy for a definition, but as a general guide this is data which identifies or can be used to identify an individual (the 'data subject'). Records that contain personal data must be classified as restricted and confidential.
Are we under an obligation to store, transmit, or delete the information in the record in a certain manner?	This obligation could be imposed by a regulator or a contractual agreement with a supplier or customer.
What is the commercial or competitive value of this information?	Information that would be valuable to our competitors such as trade secrets, strategic plans, pricing information, or merger and acquisition activity must be classified as confidential.
What is the potential impact if the record is inadvertently disclosed, corrupted, lost or destroyed?	Classify records as either restricted or confidential if inadvertent disclosure or loss etc. would have an adverse impact on: —an individual —our reputation, competitive position, revenue or —any of our customers, agents, suppliers or other partners
Is the record in the public domain?	Provided the record is in the public domain for legitimate reasons, e.g. not as a result of breach of confidence, the record should be classified as public.

See Appendix 1 for examples of how different records may be classified. If in doubt, consult the SLT.

Mark-up of business/educational records

Records classified as restricted or confidential must be marked as 'Restricted' and/or 'Confidential' in one or more of the following ways:

- 5.4.1 in the document header or footer
- 5.4.2 in the subject line of an email and/or the top or bottom of the body of the message

- 5.4.3 by way of a watermark in the Word, Adobe, PDF etc version of the document
- 5.4.4 by way of a stamp on the hard copy
- 5.4.5 on the digital file folder

- 5.5 In certain circumstances, it may be necessary to expand on the mark-up, e.g.:
 - 5.5.1 'Restricted: do not forward, print or copy'
 - 5.5.2 'Restricted: encryption required'
 - 5.5.3 'Restricted: legal professional privilege'

- 5.6 The mark-up should be displayed on the front page and each subsequent page of the record.

6 Retention of business/educational records

- 6.1 Business/educational records must be retained as long as required by relevant laws and regulations and in accordance with Sparken Hill Academy's needs.

6.2 Retention periods

- 6.2.1 Our record retention schedule sets out how long records will normally be held and when the record will be destroyed. We periodically review and update the schedule with additional record types.
- 6.2.2 Records should not be disposed of or destroyed before the relevant retention period expires.
- 6.2.3 Records should not, however, be kept longer than the relevant retention period unless the retention period for that particular record has been suspended, as described at section 10 below.
- 6.2.4 Where more than one retention period applies to a record, it should be retained in accordance with the longest retention period.
- 6.2.5 If a record type is not listed in the record retention schedule and is not a short-term record (see 3.5 above), contact the SLT for guidance.

6.3 Retention: drafts and duplicates

Draft or duplicate copies of business/education records should be retained only while they are needed for valid reasons and never longer than the applicable retention period in the record retention schedule.

6.4 Retention: format

Most business records can be retained exclusively in electronic form and hard copies do not usually need to be retained. Hard copies may need to be kept of education records.

- 6.4.1 Contracts and other legally binding records can be retained exclusively in electronic form, so long as the electronic record:

- 6.4.1.1 accurately reflects the original, and
- 6.4.1.2 is in a form that is capable of being retained and accurately reproduced for later reference throughout the required retention period
- 6.4.2 You should check with the SLT before retaining contracts or other binding records solely in electronic form.

7 Destruction of records

- 7.1 Records must be destroyed at the end of the relevant retention period, unless the retention period has been suspended under section 8.
- 7.2 See Appendix 1 for guidance on the method of destruction required for different classes of records.
- 7.3 As a general rule, short-term records should be retained for no longer than 30 days. While they may be captured by routine backup processes, they should not be specifically stored at an off-site storage facility. On occasion, it may be necessary to retain short-term records for longer than 30 days. However, once the record is no longer needed, it should be destroyed promptly.
- 7.4 Periodically, you should determine whether you have records in your control that should be discarded or destroyed pursuant to this policy.
- 7.5 If you have questions or concerns about retaining any records beyond the scheduled retention periods, you should contact the SLT before disposing of the records in question.

8 Suspending the destruction date

- 8.1 If a claim, audit, investigation, subpoena or litigation has been asserted or filed by or against Sparken Hill Academy , or is reasonably foreseeable, we have an obligation to retain:
 - 8.1.1 all relevant records, including those that otherwise would be scheduled for destruction under the records retention schedule, and
 - 8.1.1 records that otherwise could have been disposed of as short-term records
- 8.2 On learning of an actual or reasonably anticipated legal action, the SLT will notify relevant staff to suspend disposal and destruction of applicable records. This is known as a 'litigation hold'.
- 8.3 You must carefully and diligently comply with any litigation hold notices. In particular, you must not alter, dispose of, discard or destroy any records that

are subject to litigation hold. You must also continue to retain any and all such records until the SLT issues a notice indicating that the litigation hold has been lifted and that the retention and disposal of such records should resume in accordance with Sparken Hill Academy 's retention schedule.

9 Failure to comply

- 9.1 Sparken Hill Academy takes compliance with this policy very seriously. Failure to comply puts both staff and Sparken Hill Academy at risk. The importance of this policy means that failure to comply with any requirement may lead to disciplinary action, which may result in dismissal.
- 9.2 Staff with any questions or concerns about anything in this policy should contact the SLT.

10 Monitoring and review

The SLT has overall responsibility for this policy. They will monitor compliance with this policy regularly to make sure it is being adhered to.

Appendix 1

Classification mark-up and storage examples

Record classification	Examples	How should the record be marked-up?	Security and destruction
Restricted	Personal and special categories of personal data, e.g. HR records. Records containing customer information that is regulated by law, e.g. creditcard details.	'Restricted' or, as required: 'Restricted: do not forward, print or copy' 'Restricted: encryption required' 'Restricted: do not forward, print, or copy' 'Restricted: named recipients only' NB: Records that contain personal data must be classified as 'Restricted and confidential'.	Storage Secure in locked file cabinet, desk drawer or office. Do not leave unattended on monitor or desk when not in active use. Encryption or password protection required for storage on portable devices. Destruction Paper records should be shredded and digital records should be deleted from all sources.

Record classification	Examples	How should the record be marked-up?	Security and destruction
Confidential	Trade secrets and records containing non-public and/or proprietary Sparken Hill Academy information. Personal information that is not otherwise classified as restricted, ie does not constitute personal data, e.g. anonymised data	'Confidential' or, as required: 'Confidential: do not forward, print or copy' 'Confidential: encryption required' 'Confidential: do not forward, print, or copy' 'Confidential: named recipients only'	Storage Secure in locked file cabinet, desk drawer or office. Do not leave unattended on monitor or desk when not in active use. Encryption or password protection required for storage on portable devices. Destruction Paper records should be shredded and digital records should be deleted from all sources.
General business records	Records containing non confidential business information, e.g. —business processes —marketing materials —routine correspondence	No specific requirements but, as required, you should consider: 'Internal use only' 'Do not transfer outside Sparken Hill Academy'	Storage No specific requirements. Destruction Place paper records in recycling bin. Delete electronic records and backup copies.
Public	Records containing publicly available information, unless that information contains data that is classified at a higher level (e.g. personal data). —press release —published accounts/financial results —public website pages —annual report Low Business Impact if disclosed.	No specific requirements	Storage No specific requirements. Destruction Place paper records in recycling bin. Delete electronic records and backup copies.