



# Child protection records retention and storage policy – Safeguarding

**Approved by:**

Elizabeth Compton

**Date:** August 2024

**Last reviewed on:**

September 2024

**Next review due by:**

August 2026



### Concerns about children's safety and wellbeing

If any member of staff has concerns about a child or young person's welfare or safety, it is vital all relevant details are recorded. This should be done regardless of whether the concerns are shared with the police or children's social care.

#### **Keep an accurate record of:**

- the date and time of the incident/disclosure
- the date and time of the report
- the name and role of the person to whom the concern was originally reported and their contact details
- the name and role of the person making the report (if this is different to the above) and their contact details
- the names of all parties who were involved in the incident, including any witnesses
- the name, age and any other relevant information about the child who is the subject of the concern (including information about their parents or carers and any siblings) what was said or done and by whom
- any action taken to look into the matter
- any further action taken (such as a referral being made)
- the reasons why the organisation decided not to refer those concerns to a statutory agency (if relevant).

Make sure the report is factual. Any interpretation or inference drawn from what was observed, said or alleged should be clearly reported as such. The record should always be signed and dated by the person making the report.

### Storage of child protection records

Whether your child protection records are electronic or paper-based, they should be kept confidential and stored securely. Electronic files should be password protected and stored on computers with protection against hackers and viruses.

- Information about child protection concerns and referrals should be kept in a separate child protection file for each child, rather than in one 'concern log'. The child protection file should be started as soon as you become aware of any concerns.
- It is good practice to keep child protection files separate from a child's general records. You should mark the general record to indicate that there is a separate child protection file.
- If you need to share records (within your own organisation or externally), make sure they are kept confidential. Use passwords and encryption when sharing electronic files.
- If your staff and volunteers use their personal computers to make and store records, you need a clear agreement to ensure the records are being stored securely.
- If the person responsible for managing your child protection records leaves your organisation, make sure you appoint somebody to take over their role and arrange a proper handover.



### Children and Young People Records

- **Student Records.**

- The student record is the primary means of charting an individual student's progress through the Education System and should accompany the pupil through every stage and every school attended:
- Student records are to be accurate, objective, and accessible.
- Historical records relating to students who have left school education are to be retained from DOB + 25 years.

### Child Protection Records.

- A Child Protection or Safeguarding File is separate to the School Student/Educational Record. All child protection records are sensitive and confidential so should be kept in a secure (locked at all times) filing cabinet, or protected electronic storage, separate from other education records and only accessible to staff who are involved in the safeguarding process of the child.
- Electronic Child Protection Records should be password protected with access strictly controlled in the same way as paper records

### Special Educational Needs and Disability (SEND) Records.

- SEND records are retained from DOB of the student plus 25 years and disposed of securely unless subject to a legal hold. Where necessary SEND records may be chosen to be kept for a longer period by the school to defend itself in a "failure to provide a sufficient education" case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period and this should be documented.
- SEND files (including advice and information provided to parents), reviews and Individual Education Plans (IEP) are normally transferred to the receiving school – the receiving school is then responsible for normal processing of these records

### Recording concerns about adult behaviour

Sometimes concerns might be raised about an adult who works or volunteers with children. This could be because they have:

- behaved in a way that has harmed, or may have harmed, a child
- committed a criminal offence against, or related to, a child
- behaved in a way that indicated they are unsuitable to work with young people.

You should keep clear and comprehensive records of all allegations made against adults working or volunteering with children, including:

- what the allegations were
- how the allegations were followed up
- how things were resolved
- any action taken
- decisions reached about the person's suitability to work with children.

Keeping these records will enable you to give accurate information if you are ever asked for it. For example:



- in response to future requests for a reference
- if a future employer asks for clarification about information disclosed as part of a vetting and barring check
- if allegations resurface after a period of time.

### Retention periods: concerns about adults

If concerns have been raised about an adult's behaviour around children, the general rule is that you should keep the records in their personnel file at least until they reach their normal retirement age or for 10 years – whichever is longer (IRMS, 2019; Department for Education, 2022). This applies to volunteers and paid staff.

For example:

- if someone is 60 when the investigation into the allegation is concluded, keep the records until their 70th birthday
- if someone is 30 when the investigation into the allegation is concluded, keep the records until they are aged 65.

You should keep records for the same amount of time regardless of whether the allegations were unfounded. However, if you find that allegations are malicious you should destroy the record immediately.

Information should be retained even if the person stops working or volunteering for the organisation.

### Exceptions

There are some situations where records need a longer retention period. For example, if:

- the records provide information about a child's personal history, which they might want to access at a later date
- the records have been maintained for the purposes of research the information in the records is relevant to legal action that has been started but not finished
- the records have been archived for historical purposes (for example if the records are relevant to legal proceedings involving the organisation).

Where there are legal proceedings it is best to seek legal advice about how long to retain your records.

Some records are subject to statutory requirements and have a specific retention period. This includes records relating to:

- children who have been 'looked after' by the local authority
- adopted children
- registered foster carers
- residential children's homes.

You should check the legislation to see which rules apply to your organisation. You should also check whether your insurance company, regulating body or local safeguarding agencies make any stipulations about retention periods.



When records are being kept for longer than the recommended period, files should be clearly marked with the reasons for the extension period.

#### **Destruction of child protection records**

When the retention period is finished, confidential records should be incinerated or shredded in the presence of a member of the organisation or entrusted to a firm specialising in the destruction of confidential material. At the same time any electronic versions of the record must be purged.

If not shredded immediately, all confidential records should be held in a secured plastic bag, labelled as confidential and locked in a cupboard or other secure place; or placed in a confidential waste bin.

#### **Reviewing child protection records retention and storage policy**

We review our child protection records retention and storage policy regularly to make sure it is effective and continues to comply with current legislation and guidance. This is carried out as part of a wider review of safeguarding policies and procedures.

Any changes to our child protection records retention and storage policy are recorded and we retain a copy of the original version, including a record of the changes made and why.