

Oxford Professional Education Group (OXPEG)

Retention and Storage for Safeguarding Records Policy

Policy date July 2022

Review Date July 2023

Reference number 80

General Management Principles

According to Data Protection principles, records containing personal information should be:

- adequate, relevant, and not excessive for the purpose(s) for which they are held
- accurate and up to date
- only kept for as long as is necessary
- (Information Commissioner's Office, 2020). The introduction of the General Data Protection Regulation (GDPR) in 2018 does not change the way young persons and/or vulnerable adult's protection records should be stored and retained.

OXPEG:

- identify the reason why we are keeping records about young persons and/or adults (for example, because they relate to child protection concerns)
- assess how long we need to keep the records for
- have a plan for how and when the records will be destroyed.

To keep personal information secure, we:

- compile and label files carefully
- keep files containing sensitive or confidential data secure and allow access on a 'need to know' basis
- keep a log so you can see who has accessed the confidential files, when, and the titles of the files they have used.

When OXPEG create records about young persons and/or adults that take part in our services or activities, we make sure we understand what records we hold, why we need to hold them and who we might share their information with (for example as part of a multi-agency child protection team) (Information Commissioner's Office, 2020).

If we (OXPEG) are keeping records for child protection reasons, we do not necessarily need to get consent from the adults and/or children concerned.

Concerns about children or vulnerable adults safety and wellbeing

If anyone in OXPEG organisation has concerns about a young person or vulnerable adults welfare or safety, it's vital all relevant details are recorded.

This must be done regardless of whether the concerns are shared with the police or children's social care.

Records retention and storage guidelines

We OXPEG Safeguarding Team 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 young person or vulnerable adult who is the subject of the concern
- 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 OXPEG decided not to refer those concerns to a statutory agency (if relevant).

We OXPEG Safeguarding Team Make sure the report is factual.

Any interpretation or inference drawn from what was observed, said or alleged is clearly recorded as such.

The record should always be signed and dated by the person making the report.

We use standard forms for recording concerns. This ensures all the necessary information is collected consistently.

Storage of young person or vulnerable adult protection records

Whether records are electronic or paper-based, they are kept confidential and stored securely. Electronic files are password protected.

- Information about under 19's protection concerns, and referrals are kept in a separate young person protection file for each young person, rather than in one 'concern log'.

The young person protection file is started as soon as we become aware of any concerns.

- If we need to share records (within our own organisation or externally), we make sure they are kept confidential.

We use passwords and encryption when sharing electronic files.

- Where our staff and volunteers use their personal computers to make and store records, we have a clear agreement to ensure the records are being stored securely.

- If the person responsible for managing our child protection records leaves our organisation, we (OXPEG) will make sure we appoint somebody to take over their role and arrange a proper handover.

Retention periods: We keep records for 7 years (This period maybe extended if it matches against the extension criteria).

Recording concerns about adult behaviour

Sometimes concerns might be raised about an adult who works or volunteers with the young persons or vulnerable adult.

This could be because they have:

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

We OXPEG keep clear and comprehensive records of all allegations made against adults working or volunteering with young people of vulnerable adults 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 young people or vulnerable adults.

Keeping these records enables us (OXPEG) to give accurate information if we 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.

Storing records relating to adults

Records relating to concerns about an adult's behaviour should be kept in the person's confidential personnel file (not in a central 'concerns log') and a copy should be given to the individual.

Retention periods: concerns about adults If concerns have been raised about an adult's behaviour around young people or vulnerable adults, the general rule is that you should keep the records in their personnel file either until they reach the age of 65 or for 10 years – whichever is longer.

This applies to volunteers and paid workers.

We (OXPEG) keep records for the same amount of time regardless of whether the allegations were unfounded. However, if we find that allegations are malicious, we destroy the record immediately.

Information is kept for this length of time even if the person stops working or volunteering for our organisation (OXPEG).

In some cases, records should be kept for longer periods.

Exceptions

In some cases, records can be kept for longer periods of time. For example, if:

- the records provide information about a young person'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, we seek legal advice about how long to retain our records.

We check with our insurance company and local safeguarding agency to see if they make any stipulations about retention periods. When records are being kept for longer than the recommended period, files are clearly marked with the reasons for the extension period.

Criminal records checks

We do not store copies of criminal records check certificates unless there is a dispute about the results of the check.

Instead, a confidential record should be kept of:

- the date the check was completed
- the level and type of check (standard/enhanced/barred list check and the relevant workforce)
- the reference number of the certificate
- the decision made about whether the person was employed (with reasons).

If there is a dispute about the results of a check, you may keep a copy of the certificate for no longer than six months.

Destruction of young person or vulnerable adult protection records

When the retention period is finished, confidential records will be incinerated or shredded by the DSL and in the presence of a Director of OXPEG 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 must 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.

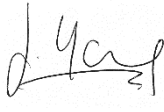
If OXPEG is closed down, we will decide on the ongoing management of records. This includes the review, retention, and disposal of records.

Reviewing your child protection records retention and storage policy.

We (OXPEG) will review our young person and vulnerable adult protection records retention and storage policy annually 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.

If we make changes to our child protection records retention and storage policy, we (OXPEG) will keep a copy of the original version, including a record of the changes you made and why. We (OXPEG) will should clearly mark the old version so it's clear it has been superseded.

Signed: 

Date: July 2022