



Child protection records retention and storage guidelines

February 2021

Guiding principles of records management

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 child protection records should be stored and retained.

Marlow Chamber of Commerce will only store records about young people who have had dealings with members of Marlow Chamber when necessary for child protection.

Any records will be kept for the length of time required as below.

Once the time has expired Marlow Chamber will destroy all records as per below.

In order to keep personal information secure Marlow Chamber of Commerce will:

- 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 Marlow Chamber can see who has accessed the confidential files, when, and the titles of the files they have used.

When records are created by Marlow Chamber of Commerce about the young adults and/or adults that take part in our organisational meetings and events we will be transparent about the records we hold (where appropriate), why we require to hold them and we will provide a list with whom we might share their information with.

Concerns about children's safety and wellbeing

If anyone within Marlow Chamber of Commerce has concerns about a child or young person's 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.

Marlow Chamber will keep an accurate, factual record (signed & dated by the person making the report) 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 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).
- Any interpretation or inference drawn from what was observed, said or alleged will be clearly recorded as such.

Storage of child protection records

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

We will ensure:

- Information about child protection concerns and referrals will be kept in a separate child protection file for each child, rather than in one 'concern log'. The child protection file will be started as soon as we become aware of any concerns.
- If there is a need to share records (within the organisation or externally), they will be kept confidential by the use of passwords and encryption when sharing electronic files.
- Where Executive members use personal computers to make and store records we will ensure records are being stored securely.
- If the person responsible for managing child protection records leaves the organisation, they will ensure an appropriate replacement is elected by the committee and will arrange a proper handover.

Retention periods: child protection records

Child protection files will be passed to the relevant authority where necessary.

The file will be kept until the child is 25 (this is seven years after they reach the school leaving age) (Information and Records Management Society (IRMS), 2016). – unless advised otherwise by relevant agencies.



Recording concerns about adult behaviour

If a concern is raised within Marlow Chamber of Commerce about an adult who works or volunteers with young people 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.

Marlow Chamber will 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 young people.

Storing records relating to adults

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

Retention periods: concerns about adults

If concerns have been raised about an adult's behaviour around young people within Marlow Chamber of Commerce, the records will be kept in their personnel file either until they reach the age of 65 or for 10 years – whichever is longer (IRMS, 2016; Department for Education (DfE), 2020). This applies to members and visitors.

Records will be kept for the same amount of time regardless of whether the allegations were unfounded. However, if the allegations are found to be malicious the record will be destroyed immediately.

Information will be kept for this length of time even if the person leaves the organisation.

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 will seek legal advice about how long to retain records.

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

Organisations must keep any records that could be needed by an official inquiry (for example the Independent Inquiry into Child Sexual Abuse (IICSA) (IICSA, 2018)). Inquiries will issue directions for records to be retained and these must be followed.

Criminal records checks

Marlow Chamber will not store copies of criminal records check certificates unless there is a dispute about the results of the check. Instead, a confidential record will 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

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 child protection records

When the retention period finished, confidential records will 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 will be purged.

If not shredded immediately, all confidential records will 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 the organisation is closed down, Marlow Chamber will make arrangements for the ongoing management of records. This includes the review, retention and disposal of records.

Reviewing your child protection records retention and storage policy

Marlow Chamber will 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 will be carried out as part of a wider review of safeguarding policies and procedures.



If changes are made to your child protection records retention and storage policy, a copy of the original version will be retained as is best practice, including a record of the changes you made and why. The old version will be clearly marked so it's clear it has been superseded.

Summary: key points to consider for reviews

Marlow Chamber will continue to consider the following questions when developing and/or reviewing our child protection records retention and storage policy.

- Is our record-keeping in line with data protection principles?
- What records will we retain and for what purpose?
- How will the records be stored and who will have access to them?
- How long should we retain records for?
- Do we need to follow any statutory requirements about the retention of our records?
- What arrangements do we need to review records?
- What arrangements do we need to destroy them?
- Does our insurer stipulate anything about record retention periods?
- Does our regulatory/inspection body (if applicable) set out any minimum expectations about record keeping, retention and destruction?
- Do our local safeguarding agencies provide guidance on record retention and destruction that we are expected to follow?