

1. Governance, Funding and Financial Management of the Academy Trust

Academies are governed by the Academy Trust, which will usually be a company limited by guarantee³. The Academy Trust may also be a charitable trust.

1.1 Governance of the Academy Trust						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
1.1.1	Governance Statement	No		Life of governance statement + 6 years	SECURE DISPOSAL	
1.1.2	Articles of Association	No		Life of the Academy		
1.1.3	Memorandum of Association	No		This can be disposed of once the Academy has been incorporated	SECURE DISPOSAL	
1.1.4	Memorandum of Understanding of Shared Governance among Schools	No	<i>Companies Act 2006 section 355</i>	Life of Memorandum of Understanding + 6 years	SECURE DISPOSAL	
1.1.5	Constitution	No		Life of the Academy		
1.1.6	Special Resolutions to amend the Constitution	No		Life of the Academy		
1.1.7	Written Scheme of Delegation	No	<i>Companies Act 2006 section 355</i>	Life of Written Scheme of Delegation + 10 years	SECURE DISPOSAL	

³ A **company limited by guarantee** does not usually have a share capital or shareholders, but instead has members who act as guarantors. The guarantors give an undertaking to contribute a nominal amount (typically very small) in the event of winding up of the **company**. In the case of an Academy, the guarantors will guarantee the sum of £10 each.

1.1 Governance of the Academy Trust						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
1.1.8	Directors – Appointment	No		Life of appointment + 6 years	SECURE DISPOSAL	
1.1.9	Directors – Disqualification	No	Company Directors Disqualification Act 1986	Date of disqualification + 15 years	SECURE DISPOSAL	
1.1.10	Directors – Termination of Office	No		Date of termination + 6 years	SECURE DISPOSAL	
1.1.11	Annual Report – Trustees Report	No	<i>Companies Act 2006</i> section 355	Date of report + 10 years	SECURE DISPOSAL	
1.1.12	Annual Report and Accounts	No	<i>Companies Act 2006</i> section 355	Date of report + 10 years	SECURE DISPOSAL	
1.1.13	Annual Return	No	<i>Companies Act 2006</i> section 355	Date of report + 10 years	SECURE DISPOSAL	
1.1.14	Appointment of Trustees and Governors and Directors	Yes		Life of appointment + 6 years	SECURE DISPOSAL	
1.1.15	Statement of Trustees Responsibilities	No		Life of appointment + 6 years	SECURE DISPOSAL	
1.1.16	Appointment and removal of Members	No		Life of appointment + 6 years	SECURE DISPOSAL	
1.1.17	Strategic Review	No		Date of the review + 6 years	SECURE DISPOSAL	

1.1 Governance of the Academy Trust

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.1.18	Strategic Plan [also known as School Development Plans]	No		Life of plan + 6 years	SECURE DISPOSAL
1.1.19	Accessibility Plan	There may be if the plan refers to specific pupils	Limitation Act 1980 (Section 2)	Life of plan + 6 years	SECURE DISPOSAL

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Board of Directors				
1.2.1	Board Meeting Minutes	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting	OFFER TO ARCHIVES
1.2.2	Board Decisions	Could be if the decisions refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES
1.2.3	Board Meeting: Annual Schedule of Business	No		Current year	SECURE DISPOSAL
1.2.4	Board Meeting: Procedures for conduct of meeting	No	Limitation Act 1980 (Section 2)	Date procedures superseded + 6 years	SECURE DISPOSAL
	Committees⁴				
1.2.5	Minutes relating to any committees set up by the Board of Directors	Could be if the minutes refer to living individuals		Date of the meeting + a minimum of 10 years	OFFER TO ARCHIVES
	General Members' Meeting				

⁴ The board can establish any committee and determine the constitution, membership and proceedings that will apply.

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.6	Records relating to the management of General Members' Meetings	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meetings ⁵	OFFER TO ARCHIVES
1.2.7	Records relating to the management of the Annual General Meetings ⁶	Could be if the minutes refer to living individuals	Companies Act 2006 section 248	Minutes must be kept for at least 10 years from the date of the meeting ⁷	OFFER TO ARCHIVES
	Governors				
1.2.8	Agendas for Governing Body meetings	May be data protection issues, if the meeting is dealing with confidential issues relating to staff		One copy should be retained with the master set of minutes. All other copies can be disposed of	SECURE DISPOSAL ⁸

⁵ The signed minutes must be kept securely together with the notice and agenda for the meeting and supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

⁶ Not all Academies are required to hold an Annual General Meeting for the Members – the requirement will be stated in the Constitution.

⁷ The signed minutes must be kept securely together with the notice and agenda for the meeting and any supporting documentation provided for consideration at the meeting. Documentation is generally filed in a dedicated minute book, which is usually in the form of a loose-leaf binder to which additional pages can be easily added.

⁸ In this context, SECURE DISPOSAL should be taken to mean disposal using confidential waste bins, or if the school has the facility, shredding using a cross-cut shredder.

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.9	Minutes of, and papers considered at, meetings of the Governing Body and its committees	May be data protection issues, if the meeting is dealing with confidential issues relating to staff			
	Principal Set (signed)			Life of Academy	
	Inspection Copies ⁹			Date of meeting + 3 years	SECURE DISPOSAL
1.2.10	Reports presented to the Governing Body	May be data protection issues, if the report deals with confidential issues relating to staff		Reports should be kept for a minimum of 6 years. However, if the minutes refer directly to individual reports, then the reports should be kept for the life of the Academy	SECURE DISPOSAL or retain with the signed set of minutes

⁹ These are the copies which the clerk to the Governor may wish to retain, so that requestors can view all the relevant information, without the clerk needing to print off and collate redacted copies of the minutes each time a request is made.

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.2.11	Meeting papers relating to the annual parents' meeting held under Section 33 of the Education Act 2002	No	Education Act 2002, Section 33	Date of the meeting + a minimum of 6 years	SECURE DISPOSAL
1.2.12	Trusts and Endowments managed by the Governing Body	No		PERMANENT	
1.2.13	Records relating to complaints dealt with by the Governing Body	Yes		Date of the resolution of the complaint + a minimum of 6 years then review for further retention in case of contentious disputes	SECURE DISPOSAL
1.2.14	Annual Reports created under the requirements of the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002	No	Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002 No 1171	Date of report + 10 years	SECURE DISPOSAL

1.2 Board of Directors, Members Meetings and Governing Body					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Statutory Registers ¹⁰				
1.2.15	Register of Directors		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.16	Register of Directors' interests [this is not a statutory register]			Life of the Academy + 6 years	SECURE DISPOSAL
1.2.17	Register of Directors' residential addresses		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.18	Register of gifts, hospitality and entertainments		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.19	Register of members		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.20	Register of secretaries		Companies Act 2006	Life of the Academy + 6 years	SECURE DISPOSAL
1.2.21	Register of Trustees interests			Life of the Academy + 6 years	SECURE DISPOSAL
1.2.22	Declaration of Interests Statements [Governors] [this is not a statutory register]			Life of the Academy + 6 years	SECURE DISPOSAL

¹⁰ Academies are required by law to keep specific records, collectively known as statutory registers or the statutory books. The registers record information relating to the Academy's operations and structure, such as the current directors. Records should be kept up-to-date to reflect any changes that take place.

1.3 Funding and Finance					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
	Strategic Finance				
1.3.1	Statement of financial activities for the year	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.2	Financial planning	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.3	Value for money statement	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.4	Records relating to the management of VAT	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.5	Whole of government accounts returns	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.6	Borrowing powers	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.7	Budget plan	No		Current financial year + 6 years	SECURE DISPOSAL
1.3.8	Charging and remissions policy	No		Date policy superseded + 3 years	SECURE DISPOSAL
	Audit Arrangements				
1.3.9	Audit Committee and appointment of responsible officers	No		Life of the Academy	SECURE DISPOSAL
1.3.10	Independent Auditor's report on regularity	No		Financial year report relates to + 6 years	SECURE DISPOSAL
1.3.11	Independent Auditor's report on financial statements	No		Financial year report relates to + 6 years	SECURE DISPOSAL

1.3 Funding and Finance						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
	Funding Agreements					
1.3.12	Funding Agreement with Secretary of State and supplemental funding agreements ¹¹	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.13	Funding Agreement – Termination of the funding agreement ¹²			Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.14	Funding Records – Capital Grant	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.15	Funding Records – Earmarked Annual Grant (EAG)	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.16	Funding Records – General Annual Grant (GAG)	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.17	Per pupil funding records	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.18	Exclusions agreement ¹³	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	

¹¹ Where there is multi-Academy governance.

¹² Either party may give not less than 7 financial years' written notice to terminate the Agreement, such notice to expire on 31 August. Or, where the Academy has significant financial issues or is insolvent, the Agreement can be terminated by the Secretary of State to take effect on the date of the notice.

¹³ The Academy can enter into an arrangement with a Local Authority (LA), so that payment will flow between the Academy and the LA, in the same way as it would do were the Academy a maintained school.

1.3 Funding and Finance						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
1.3.19	Funding records ¹⁴	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.20	Gift Aid and Tax Relief	No		Date of last payment of funding + 6 years	SECURE DISPOSAL	
1.3.21	Records relating to loans	No		Date of last payment on loan + 6 years if the loan is under £10,000 or date of last payment on loan + 12 years if the loan is over £10,000	SECURE DISPOSAL	
	Payroll and Pensions					
1.3.22	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	SECURE DISPOSAL	

¹⁴ Funding agreement which says that the Academy can receive donations and can only charge where the law allows maintained schools to charge [see Charging and Remission Policy].

1.3 Funding and Finance						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
1.3.23	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes	Regulation 15 Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)	From the end of the year in which the accounts were signed for a minimum of 6 years	SECURE DISPOSAL	
1.3.24	Management of the Teachers' Pension Scheme	Yes		Date of last payment on the pension + 6 years	SECURE DISPOSAL	
1.3.25	Records relating to pension registrations	Yes		Date of last payment on the pension + 6 years	SECURE DISPOSAL	
1.3.26	Payroll records	Yes		Date payroll run + 6 years	SECURE DISPOSAL	
	Risk Management and Insurance					
1.3.27	Insurance policies	No		Date the policy expires + 6 years	SECURE DISPOSAL	
1.3.28	Records relating to the settlement of insurance claims	No		Date claim settled + 6 years	SECURE DISPOSAL	
1.3.29	Employer's Liability Insurance Certificate	No		Closure of the school + 40 years	SECURE DISPOSAL	
	Endowment Funds and Investments					
1.3.30	Investment policies	No		Life of the investment + 6 years	SECURE DISPOSAL	

1.3 Funding and Finance						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
1.3.31	Management of Endowment Funds	No		Life of the fund + 6 years		
	Accounts and Statements					
1.3.32	Annual accounts	No		Current year + 6 years	STANDARD DISPOSAL	
1.3.33	Loans and grants managed by the school	No		Date of last payment on the loan + 12 years then REVIEW	SECURE DISPOSAL	
1.3.34	Student Grant applications	Yes		Current year + 3 years	SECURE DISPOSAL	
1.3.35	All records relating to the creation and management of budgets, including the Annual Budget statement and background papers	No		Life of the budget + 3 years	SECURE DISPOSAL	
1.3.36	Invoices, receipts, order books and requisitions, delivery notices	No		Current financial year + 6 years	SECURE DISPOSAL	
1.3.37	Records relating to the collection and banking of monies	No		Current financial year + 6 years	SECURE DISPOSAL	

1.3 Funding and Finance					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.38	Records relating to the identification and collection of debt	No		Current financial year + 6 years	SECURE DISPOSAL
	Contract Management				
1.3.39	All records relating to the management of contracts under seal	No	Limitation Act 1980	Last payment on the contract + 12 years	SECURE DISPOSAL
1.3.40	All records relating to the management of contracts under signature	No	Limitation Act 1980	Last payment on the contract + 6 years	SECURE DISPOSAL
1.3.41	Records relating to the monitoring of contracts	No		Current year + 2 years	SECURE DISPOSAL
	Asset Management				
1.3.42	Inventories of furniture and equipment	No		Current year + 6 years	SECURE DISPOSAL
1.3.43	Burglary, theft and vandalism report forms	No		Current year + 6 years	SECURE DISPOSAL
1.3.44	Records relating to the leasing of shared facilities, such as sports centres	No		Current year + 6 years	SECURE DISPOSAL
1.3.45	Land and building valuations	No		Date valuation superseded + 6 years	SECURE DISPOSAL

1.3 Funding and Finance					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.46	Disposal of assets	No		Date asset disposed of + 6 years	SECURE DISPOSAL
1.3.47	Community School leases for land	No		Date lease expires + 6 years	SECURE DISPOSAL
1.3.48	Commercial transfer arrangements	No		Date of transfer + 6 years	SECURE DISPOSAL
1.3.49	Transfer of land to the Academy Trust	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
1.3.50	Transfers of freehold land	No		Life of land ownership then transfer to new owner	SECURE DISPOSAL
	School Fund				
1.3.51	School Fund – Cheque books	No		Current year + 6 years	SECURE DISPOSAL
1.3.52	School Fund – Paying in books	No		Current year + 6 years	SECURE DISPOSAL
1.3.53	School Fund – Ledger	No		Current year + 6 years	SECURE DISPOSAL
1.3.54	School Fund – Invoices	No		Current year + 6 years	SECURE DISPOSAL
1.3.55	School Fund – Receipts	No		Current year + 6 years	SECURE DISPOSAL
1.3.56	School Fund – Bank statements	No		Current year + 6 years	SECURE DISPOSAL

1.3 Funding and Finance					
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.3.57	School Fund – Journey books	No		Current year + 6 years	SECURE DISPOSAL
1.3.58	School Meals ¹⁵ Free school meals registers	Yes		Current year + 6 years	SECURE DISPOSAL
1.3.59	School meals registers	Yes		Current year + 3 years	SECURE DISPOSAL
1.3.60	School meals summary sheets	No		Current year + 3 years	SECURE DISPOSAL

As a charity, an Academy is not permitted to trade and make a profit. It is, however, possible to set up a subsidiary trading company, which can sell products or services and Gift Aid profits back to the Academy. If the Academy operates a subsidiary company, it is expected that these records will be managed in line with standard business practice.

1.4 Policies, Frameworks and Overarching Requirements

	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record
1.4.1	Data Protection Policy, including data protection notification	No		Date policy superseded + 6 years	SECURE DISPOSAL
1.4.2	Freedom of Information Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL

¹⁵ Unless it would be unreasonable to do so, school lunches should be provided when they are requested by, or on behalf of, any pupil. A school lunch must be provided free of charge to any pupil entitled to free school lunches. From September 2014, free school lunches must be provided to all KS1 pupils.

1.4 Policies, Frameworks and Overarching Requirements						
	Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [Operational]	Action at end of administrative life of the record	
1.4.3	Information Security Breach Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL	
1.4.4	Special Educational Needs Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL	
1.4.5	Complaints Policy	No		Date policy superseded + 6 years	SECURE DISPOSAL	
1.4.6	Risk and Control Framework	No		Life of framework + 6 years	SECURE DISPOSAL	
1.4.7	Rules and Bylaws	No		Date rules or bylaws superseded + 6 years	SECURE DISPOSAL	
1.4.9	Home School Agreements ¹⁶	No		Date agreement revised + 6 years	SECURE DISPOSAL	
1.4.10	Equality Information and Objectives (public sector equality duty) Statement for publication	No		Date of statement + 6 years	SECURE DISPOSAL	

¹⁶ This should be drawn up in consultation with parents and should apply to all pupils.