

Information Management Guidelines:

Children's Social Care

Central Information Team
Version 2.2 Draft



North Tyneside Council

DOCUMENT CONTROL SHEET

Document Title: Information Management Guidelines: Children's Social Care

Revision History

Issue Number	Date	Reason for issue
1.0	Dec 2006	New guidelines replacing '2004 Retention Policy'
2.2	July 2016	New guidelines replacing 2006

Document Authorisation

Issue Number	Date	Group
1.0	Dec 2006	Rob Worrall Head of Policy and Performance
2.2	July 2016	Jacqui Old Head of Health, Education, Care and Safeguarding

DISTRIBUTION LIST

Issue No:	Issued to
1.0	All staff via intranet
2.2	All staff via intranet

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Class / Activity	Scope Notes	Retention action	Rationale
2 Children's Social Care			
2.1 Adoption files	Information relating to: - Adoption. Adoptive parents. Approved adopters. Children placed by other agencies Counselling of adults who were adopted Counselling of adoptive parents Panel minutes Council minutes and decisions	Destroy - 100 years from date of adoption	Adoption and Children Act 2002 ss.56-65 LGCRS refs to Disclosure of Adoption Information (Post-Commencement Adoptions) Regulations 2005. No. 888 regulation 6.
2.2 Adoption allowance files		Destroy – 100 years from creation	LGCRS refs to Adoption Agencies Regulations 2005 No. 389 Regulation 40
2.3 Adoption applications (not approved)	Adoption applications that do not proceed to approval.	Destroy – 10 years from creation	LGCRS refs to Foster Placement (Children) Regulations Statutory Instrument 1991, No. 910 Regulation 14

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2.4 Foster files	Information relating to foster care including:- Foster carer files Foster care files Privately fostered children's files	Destroy - 10 years from provider status ceases.	LGCRS refs to Fostering Services Regulations 2002 reg. 32
2.5 Guardian files	Information such as: - Guardian ad Litem Files CAFCASS Guardian Files	10 years	LGCRS refs to the Fostering Services Regulations 2002 No. 57 Section 32
2.6 Looked after children	Looked after children	Until age 23 or 5 years from the date of death.	LGCRS refs to Arrangements for Placement of Children (General) Regulations 1991 No 890 Section 10
2.7 Looked after young persons		75 years	LGCRS refs to The Children's Homes Regulations 2001 No. 3967 Section 28
2.8 Private foster care arrangements	Private foster care arrangements	100 years	LGCRS refs to Adoption Agencies Regulations 2005 No. 389 Regulation 40
2.9 Residential care (children)	Residential care (children)	75 years	LGCRS refs to the Children's Homes Regulations 2001 No. 3967 Section 28
2.10 Supported lodging		15 years	Arrangements for Placement of Children (General) Regulations 1991 No 890 Section 9

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Class / Activity	Scope Notes	Retention action	Rationale
2.11 Child Protection	Child Protection Register Conference Minutes Core Assessment Initial Assessment	Until age 23 or 5 years from the date of death.	LGCRS refs to Arrangements for Placement of Children (General) Regulations 1991 No 890. Section 10
2.12 Schedule 1 offenders	Schedule 1 offenders	Closed for 70 years Permanent. Offer to Archivist.	LGCS refs to RGLA 3.7 - Common practice
2.13 Childminding	Information related to child minding. <ul style="list-style-type: none"> • Provision of a list of registered childminders. • Accident Reporting • Complaints • Contact Details for children • Daily Registers • Insurance Records • Ofsted Reports • Policies and Procedures • Premises Records • Records of transfer to Primary School • Registration Details • Safeguarding Policies 	2 years	LGCRS refs to The Childcare (Voluntary Registration) Regulations 2007 No. 730. Schedule 3 Regulation 19
2.14 Complaints	Complaint records.	Destroy - 10 years after complaint dealt with	LGCS refs to Arrangements for Placement of Children (General) Regulations 1991

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Class / Activity	Scope Notes	Retention action	Rationale
2.15 Services for children	Process involved in development of services or programmes for children.	Destroy - 7 years	LGCS refs to RGLA 3.20 - Common practice
2.16 Supporting children	Process involved in provision of services or programmes to support the development of children.	Destroy - 25 years	LGCS refs to RGLA 3.21- Common practice
2.17 Supporting young persons	Process involved in provision of services or programmes to support the development of young persons.	Destroy - 15 years	LGCS refs to RGLA 3.22- Common practice
2.18 Supporting adults	Process involved in provision of services or programmes to adults.	Destroy - 7 years	LGCS refs to RGLA 3.23- Common practice

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Class / Activity	Scope Notes	Retention action	Rationale
2.19 Residential homes - Minor records	<p>Minor documentation about the running of a children's home.</p> <ul style="list-style-type: none"> ❑ Administration of Medication ❑ Admission and Discharge Registers ❑ Building inspection Records ❑ Child carers Files ❑ Childcare Registration ❑ Children's Home ❑ Children's Home Register ❑ Daily Logs Day care Registration ❑ Diaries ❑ Equipment inspection Records ❑ Fire Drills / Alarm Testing ❑ Incident books ❑ Log books ❑ Menus of food provided ❑ Monetary Deposits 	Destroy - 15 years from date of last entry	LGCRS refs to the Childcare (Voluntary Registration) Regulations 2007 No. 730. Schedule 3 Regulation 19

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Class / Activity	Scope Notes	Retention action	Rationale
2.20 Residential homes - Major records	<p>Major documentation about the running of a children's home.</p> <ul style="list-style-type: none"> ❑ Registration ❑ Rotas ❑ Secure unit Records ❑ Signing in Sheets for children's residential Homes ❑ Valuables Deposits by Children <p>Yearly diaries</p>	Destroy - 15 years from date of last entry	LGCRS refs to the Children's Homes Regulations 2001 No. 3967. Section 29
2.21 Supporting children - Advice	Help given to assist an individual child.	Destroy - on child's 21st birthday	
2.22 Supporting children - Assessment	<p>Assessment whether applicant is eligible for services or judgement about what service should be provided.</p> <p>Care plan Carer details Contact sheet Request for service or service transferred to another provider.</p>	Destroy - 25 years from date of birth of youngest child	RGLA 3.15

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2.23 Supporting children - Continuing care	Details relating to the client as a student. Student details Details about any work experience offered or undertaken. Details of any care reviews.	Destroy - on child's 21st birthday	
2.24 Supporting children - Finance and commissioning	Details about any commissioned services, accounting information goes under 'Finance'.	Destroy - 3 years after end of financial year	Accounts and Audit Regulations 1974; Limitations Act 1980
2.25 Supporting children - Financial support	General information about financial support provided, accounting information goes under 'Finance'.	Destroy - 3 years after end of financial year	Accounts and Audit Regulations 1974; Limitations Act 1980
2.26 Supporting children - Hospital and home tuition	Tuition for sick children and pregnant schoolgirls in the home or a hospital environment.	Destroy - on child's 21st birthday	
2.27 Supporting children - Legal	Details relating to legal issues.	Destroy - on child's 21st birthday	RGLA 3.3
2.28 Supporting children - Licensing	Details of any licences for a child to take part in performing arts, sports or modelling activities, work or similar.	Review - 2 years after registration lapses	RGLA 9.16

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Class / Activity	Scope Notes	Retention action	Rationale
2.29 Support training	Training provided to support individuals or organisations working with or for clients.	Destroy - 25 years from	LGCS refs to RGLA 6.3
2.30 Youth justice	Youth offending teams dealing with young people who have offended and youth teams dealing with preventing youth crime and supporting young people at risk.	Destroy - 25 years from DOB or 10 years from last contact which ever is longest	LGCS refs to RGLA 3.12
2.31 Youth service provision	Includes youth clubs and voluntary youth organisations as well as services provided to young people by statutory bodies.	Destroy - 25 years from DOB or 10 years from last contact which ever is longest	LGCS refs to RGLA 3.12 – common practice

Information Management Guidelines

1. Introduction

This document covers children's social care records and information no matter which service holds or uses them.

This retention & disposal schedule has been produced in consultation with departments primarily responsible for the business activities and key stakeholders in the processes to establish the legal and regulatory requirements, and business needs on which record retention and disposal policies are based.

This document is part of framework of policies, procedures and guidelines that aim to ensure the Council manages information and records appropriately.

2. Retention periods

A key part of managing information and records is ensuring that they are retained for as long as necessary. Necessary relates to not only the local use by staff but also relates to: -

- use by other parts of the Council. For example internal audit, insurance and legal activities
- compliance with legal and regulatory obligations and responsibilities placed on the Council as a whole
- accounting for decisions made which affect the public or relate to spending public money

The following tables provide recommended retention periods for document types based on the functions/activities they relate to. They should be read in conjunction with the procedure for reviewing and appraising records.

There are some types of information that do not constitute a record and do not need to be kept at all. For example information that is duplicated, unimportant or only of short-term facilitative value.

This may include:

- 'with compliments' slips
- catalogues and trade journals
- telephone message slips
- non-acceptance of invitations
- trivial electronic mail messages or notes that are not related to official business
- requests for stock information such as maps, plans or advertising material
- out-of-date distribution lists
- working papers which lead to a final report

3. Explanation of headings and terms

Class:

Records relating to an activity or function and their position within the classification scheme.

ICO Employment Practices DP code:

Employment Practices Data Protection Code Part 1: Recruitment & Selection (March 2002)

<http://www.ico.gov.uk>

LGCS (2007):

2007 Local Government Classification Scheme 2.03, which incorporates retention periods.

Scope Notes:

An explanation of what types of records should fit within the class.

Records:

Records are defined as: -

information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations, or in the transaction of business.

Retention Action:

This entry provides a retention period specifying how long the records should be kept prior to destruction (or transfer to permanent archive), as well as the activity/transaction/event to which the retention period should be tied to (e.g. "destroy 3 years after last action")

Rationale:

This section provides reasons for the retention period.

RGLA (2003):

2003 Retention Guidelines for Local Authorities; A guide produced by the Local Government Group of the Records Management Society.

TNA RDG (guidance number):

The National Archives - Retention and Disposal Guidance

<http://www.nationalarchives.gov.uk/recordsmanagement/retention-disposal-schedules.htm>

4. Independent Inquiry into Child Sexual Abuse

On Thursday 12 March 2015 the Home Secretary established a statutory inquiry under the 2005 Inquiries Act with the aim of conducting an overarching national review of the extent to which institutions in England and Wales have discharged their duty of care to protect children against sexual abuse.

The Inquiry is independent of government. The Chair is Professor Alexis Jay OBE, who is supported by a Panel, Victims and Survivors Consultative Panel, and other expert advisers. The Inquiry will cover England and Wales. A wide range of public institutions will be investigated including local authorities, the police, the armed forces, schools, hospitals, children's homes, churches, and charities.

On 2nd July 2015 the Inquiry wrote to every Chief Executive of a Local Authority in England and Wales, requesting that the organisation :

'retain any and all documents; correspondence; notes; emails and all other information – however held – which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care. For the purposes of this appendix, the word "children" relates to any person under the age of 18.'

We must not destroy, and must make available for inspection, all reports; reviews; briefings; minutes; notes and correspondence in relation to:

- allegations (substantiated or not) of individuals, organisations
- institutions, public bodies or otherwise who may have been involved in, or have knowledge of, child sexual abuse, or child sexual exploitation
- allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children
- institutional failures to protect children from sexual abuse or other exploitation
- statutory responsibilities for the care of children in public or private care
- the development of policy on child protection
- the development of legislation on child protection
- the determination of the award of Honours to persons who are now demonstrated to have had a sexual interest in children or are suspected of having had such an interest.

All of these document types – in whatever format – must be "retained pending further requests from the Inquiry"

The instructions received by the Inquiry constitute a legal hold as defined by section 12.3 of the code of practice issued under Section 46 of the Freedom of Information Act. As such all records that fall within the above categories are retained, and not destroyed, until we are directed otherwise.