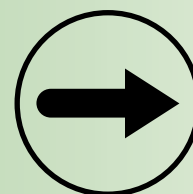


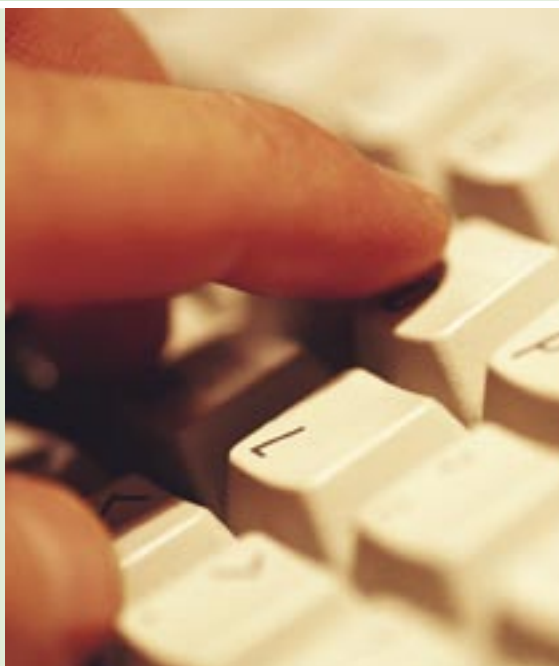
# Educational Records, School Reports and the Common Transfer System - the keeping, disposal, disclosure and transfer of pupil information

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Guidance  
Circular



School  
Governance &  
Management



<b>Title of Document:</b>	Educational Records, School Reports and The Common Transfer System – the keeping, disposal, disclosure and transfer of pupil information.
<b>Audience:</b>	Local Education Authorities (LEAs), head teachers and governing bodies of mainstream maintained schools.
<b>Overview:</b>	This guidance covers changes for the keeping, disposal, disclosure and transfer of a pupil's educational record. It takes account of the Data Protection Act 1998 and Freedom of Information Act 2000 and clarify and strengthen the arrangements for the electronic transfer of information when a pupil changes school.
<b>Action required:</b>	Guidance
<b>Further information:</b>	Enquiries about this circular should be directed to:  Performance & Information Division Department for Education Lifelong Learning & Skills Welsh Assembly Government Cathays Park Cardiff, CF10 3NQ Tel: 029 2082 6014 Fax: 029 2082 6016 Email: <a href="mailto:ims@wales.gsi.gov.uk">ims@wales.gsi.gov.uk</a>
<b>Additional copies:</b>	Further copies of this circular can be obtained from the above address.
<b>Related documents:</b>	Circular 29/01 'Parents' and 'Parental Responsibility' <a href="http://www.wales.gov.uk/subieducationtraining/content/circulars/2901/circular2901-e.pdf">www.wales.gov.uk/subieducationtraining/content/circulars/2901/circular2901-e.pdf</a>  IMS link for CTF guidance <a href="http://www.learning.wales.gov.uk/scripts/fe/news_details.asp?NewsID=1214">http://www.learning.wales.gov.uk/scripts/fe/news_details.asp?NewsID=1214</a>  The Education (Pupil Information) (Wales) Regulations 2004  Data Protection Act 1998 Chapter 29  National Curriculum Assessment and Public Examination Results in Wales. These are published annually by the Local Education Authority area.  <a href="http://www.learning.wales.gov.uk">www.learning.wales.gov.uk</a>

# Educational Records, School Reports and the Common Transfer System - the keeping, disposal, disclosure and transfer of pupil information

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# Educational Records, School Reports and the Common Transfer System - the keeping, disposal, disclosure and transfer of pupil information

## Summary

This circular provides advice and guidance on the keeping, disposal, disclosure and transfer of a pupil's educational record. It takes into account the Data Protection Act 1998 and Freedom of Information Act 2000. It highlights the importance of arrangements for the transfer of information when a pupil changes school. It provides a step-by-step guide on what to do when a pupil has not returned to or arrived at a school when expected. It also clarifies when to request a search, upload or download of a common transfer file onto or off the Lost Pupil Database.

This guidance replaces The Welsh Office Circular 35/98: Reports on Pupils' Achievements from 1999 and is based on the Education (Pupil Information) (Wales) Regulations 2004 and the Education (School Records) Regulations 1989.

This circular is targeted at mainstream schools in Wales, however Pupil Referral Units (PRUs) and other alternative settings may wish to refer to it for examples of good practice. It covers the issue of children missing education in the context of the use of the Lost Pupil Database and the correct transfer of pupil information. Separate, specific and more detailed guidance still needs to be drawn up on identifying and maintaining contact with children missing or at risk of going missing from education.

The guidance covers:

- Educational Records - what constitutes an educational record and the legal responsibilities relating to educational records.
- Duties & powers of head teachers - what must and must not be included in school reports to parents and the timing and format of reports.
- School reports to parents & pupils - a summary of reporting requirements from Reception to Year 6.
- The Common Transfer System - guidance on information that must be sent via the Common Transfer System when a pupil changes school.
- Children Missing Education and the Lost Pupil Database - guidance and best practice on what to do when a child leaves school without notice being given of their new school, or when a child joins a school without a Common Transfer File.

Changes to previous guidance and procedures are as follows.

- Copies of pupil reports will form part of the educational record.
- All pupils will be entitled to have their educational records disclosed to them on written request unless it is obvious that they do not understand what they are asking for.
- Pupil records must be transferred automatically when a pupil changes school (previously, they were transferred only upon receipt of a written request).
- Schools must use the Common Transfer System to transfer certain specified information electronically (detailed later in this circular) when a pupil changes school.
- Other information provided in a pupil's educational record can be transferred electronically but may also be sent in paper form or a combination of both.
- Schools must send a CTF to the Lost Pupil Database when a pupil's destination school is unknown.
- Schools and LEAs must make all reasonable efforts to ascertain the destination of a pupil that has left the school without advising of their destination school.
- Schools and LEAs must make all reasonable efforts to obtain the Common Transfer File for a pupil arriving at their school, even where the pupil's previous school is unknown.
- As a consequence of the Common Transfer System, the head teacher's report to a receiving school is no longer required.
- Following the Daugherty review of assessment and the ACCAC curriculum review of end of key stage teacher assessment, outcomes for pupils at the end of key stage 2 should be reported at attainment target level. Tests are no longer statutory for pupils at the end of key stage 2 or 3 and therefore no longer form part of the statutory requirements.

## Definitions

### *Parent*

The term 'parent' is used to describe all natural parents and anyone (whether a parent or not) who has parental responsibility for, or care of, a child<sup>1</sup>.

### *Pupil*

Throughout this circular 'pupil' means a person for whom education is being provided at a school.

### *Schools*

The term 'schools' encompasses both maintained schools and special schools which are not maintained by a local education authority (LEA).

### *Compulsory school age*

A child becomes of compulsory school age when he or she reaches the age of five and must start school in the term following his or her fifth birthday (unless a child is educated otherwise). Compulsory school age ceases when the child reaches the age of 16 after the school leaving date, but before the beginning of the next school year.

### *Common Transfer System (CTS)*

The system that enables schools and LEAs to exchange pupil level information electronically when a pupil changes school. CTS incorporates school MIS software and the secure transfer site, offering a full transfer system.

### *Common Transfer File (CTF)*

This is the electronic data file, containing pupil data that moves from school to school via the CTS.

### *s2s*

This is the school to school secure transfer site. It is used by schools and LEAs to exchange pupil and other specified files.

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1 The Education Act 1996, section 576, (1)(a) & (b)

## 1) Educational Records

An Educational Record consists of **all** information relating to a pupil's academic achievements, skills, abilities and progress in school.

### Changes made by the Data Protection Act 1998

Before the Data Protection Act came into force, parents had a general right to see their child's educational record so long as the child was aged under 18; and pupils themselves had a right to see manual records so long as they were aged 16 or over.

With the coming into force of the Data Protection Act 1998 and the new Regulations:

- The right of parents to see their child's records remains essentially the same, but
- the right of the pupil to see the record is different. It is no longer related to the age of the child. Instead, children who submit written requests to see their records should be allowed to do so unless it is obvious that they do not understand what they are asking for.
- Schools should not disclose anything on pupil records which would be likely to cause serious harm to their physical or mental health or that of anyone else - including anything which suggests that they are, or have been, either the subject of or at risk of child abuse.

### Freedom of Information Act 2000

From 1 January 2005 the Freedom of Information (FOI) Act 2000 came fully into force. This means that any person has a legal right to ask a school or LEA for access to information held by that school or LEA.

Schools and LEAs are under a duty to provide advice and assistance to persons requesting information. The request must be in writing (which includes fax or email). All enquiries for information that are not covered by the Data Protection Act 1998 (i.e. from individuals to see their own personal information) are automatically covered by FOI.



Under section 6 of the Lord Chancellor's Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000:

*A school should have in place an overall policy statement, endorsed by top management and made readily available to staff at all levels of the organisation, on how it manages its records, including electronic records.*

*The policy statement should provide a mandate for the performance of all records and information management functions. In particular, it should set out a school's commitment to create, keep and manage records which document its principal activities. The policy should also outline the role of records management and its relationship to the school's overall strategy; define roles and responsibilities including the responsibility of individuals to document their actions and decisions in the school's records, and to dispose of records; provide a framework for supporting standards, procedures and guidelines; and indicate the way in which compliance with the policy and its supporting standards, procedures and guidelines will be monitored.*

*The policy statement should be reviewed at regular intervals (at least once every three years) and, if appropriate, amended to maintain its relevance.*

The Information Commissioner is an independent body with responsibility for regulation of both the Freedom of Information Act 2000 and the Data Protection Act 1998. For further information and guidance or if there is a grievance with regard to what and how information has been made available to a pupil or parent it can be taken to the Information Commissioner's Office - Wales.

Information Commissioner's Office - Wales  
2 Alexandra Gate  
Ffordd Pengam  
Cardiff  
CF24 2SA

telephone: 02920 894 929  
fax: 02920 894 930  
email: Wales@ico.gsi.gov.uk

## School Records

*What is a school record?*

A school record is any written record - manual or electronic.

**Curricular record** - a formal record of a pupil's academic achievements, other skills and abilities and progress within school<sup>2</sup>.

**Teacher's record** - any record kept by the teacher at the school which is not intended to be kept solely for that teacher's own use<sup>3</sup>.

**Educational Record** - Consists of a pupil's curricular record and teachers' records.

Any other educational records relating to a registered pupil which are kept at the school in addition to the pupil's curricular record constitutes a school record and is liable to disclosure<sup>4</sup>

*What information must be held in a school record?*

1. A pupil's academic achievements;
2. other skills and abilities;
3. a pupil's progress in school including for example attendance data, behaviour and information about a pupil's general well being.

*Who's responsible for the school records?*

It is the duty of the governing body of every school to keep a curricular record for every pupil registered at that school, which must be updated at least once a year<sup>5</sup>.

Governors fulfil a largely strategic role in the running of a school and are free to delegate day-to-day responsibility for arrangements in relation to pupil's records to the head teacher and other teachers of the school<sup>6</sup>.

2 As interpreted in The Education (Pupil Records) (Wales) Regulations. 2001 2(1) (S.I. 2001/832)

3 As termed in the Education (School Records) Regulations 1989, 7(2) (S.I. 1989/1261)

4 The Education (School Records) Regulations 1989, 7(1)(a) (S.I. 1989/1261)

5 The Education (School Records) Regulations 1989, 6(1)(a) (S.I. 1989/1261)

6 The School Government (Terms of Reference) (Wales) Regulations 2000, 7(a) & (b)

### *Who can school records be disclosed to?*

Records must be disclosed upon receipt of a written request from either a pupil or parent in the case of:

- **pupils aged 17 and under**, both the pupil and parents may request to see the school record;
- **pupils aged 18 or over**, only the pupil may request to see their school record or where appropriate a parent - for example in cases of pupils with special educational needs.

### *What are the time limits for the disclosure of school records?*

Records must be made available or be disclosed within 15 school days upon receipt of a written request from a parent or pupil to view or obtain a copy of a school record<sup>7</sup>.

### *Whose responsibility is it if the record is deemed to be inaccurate?*

If the pupil or parent regards any part of the pupil's school record to be inaccurate, it is the responsibility of the governing body to correct or remove the corresponding information from the record<sup>8</sup>.

### *Can a school charge an administration fee for a request?*

Head teachers must make a school record available for a parent to **view** free of charge. If a parent requests a **copy** of a school record, the head teacher is permitted to charge a fee that does not exceed the cost of supplying the record<sup>9</sup>.

### *What information can be excluded from being disclosed?*

Head teachers have specific powers to exclude certain confidential information from being disclosed. Further guidance on this is provided in the section 'School Reports to Parents & Pupils' on pages 13-14.

### *How long should records be kept for?*

Under the Freedom of Information Act 2000, schools are required to maintain a retention schedule listing the record series which a maintained school creates in the course of its business. It refers to all information, regardless of the media in which they are stored. A sample retention schedule as shown in Annex A lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use. Some of the retention periods are governed by statute, others are guidelines following best practice. For further information and guidance refer to the Records Management Society of Great Britain [www.rms-gb.org.uk/resources](http://www.rms-gb.org.uk/resources)

7 The Education (School Records) Regulations 1989, 6(2)

8 The Education (School Records) Regulations 1989, 6ci)

9 The Education (Pupil Information) (Wales) Regulations 2004, 5 (1&2) (S.I. 2004/1026)

## 2) Duties & Powers of head teachers

### Duties

Under the Regulations, head teachers must ensure that:

- a written report is sent at least once during the school year to the parents of each pupil, for their retention. When divorced or separated parents request information (except when precluded by a court order) schools should take account and have systems in place to deal with dual addresses. Where practicable and appropriate each parent should be treated the same as the parent with whom the child is living;
- at least the minimum information is reported to parents each year. This minimum content varies according to a pupil's age and progress through the National Curriculum. Further guidance is provided in the section 'School Reports to Parents & Pupils'; and
- where National Curriculum assessment results are sent to parents, they are accompanied by a brief commentary setting out what the results show about the pupil's progress in each subject and in relation to other pupils in the year, and drawing attention to particular strengths and weaknesses.

### *Information that must be included in reports*

Head teachers must include information in reports that has been provided by any of the following persons:

- an employee of the authority which maintains the school, including education welfare officers;
- a teacher or employee in voluntary aided and grant maintained schools (including an educational psychologist under a contract for services); or
- the person requesting disclosure.

### *Information that can be excluded from reports to parents*

Although the above information must be included in the report, head teachers may *exclude* any of the following information when reporting to parents:

- when it identifies a person other than the pupil to whom the information relates or one of those specified above, as the source of information or as the person to whom the information relates;
- which, in the head teacher's opinion, would be likely to cause serious harm to the pupil concerned or to any other person;
- which bears on a case of child abuse or the risk of it; or
- which would serve to disclose information about a pupil other than the pupil being reported on, including the levels of any attainment target or subject. As a rule where five or fewer are eligible for assessment, head teachers may exclude any school comparative information.

### *What information must be made available on parental request?*

Parents have a right to request written information about their child's level of attainment in all subjects assessed on the National Curriculum scale, and by attainment target where available. Head teachers must provide such information within fifteen school days of the request.

### *Information on pupils with statements of Special Educational Needs*

Head teachers are required to prepare reports for annual review of the pupil's statements of special educational needs. These reports may, if schools wish, serve as the annual report to parents on pupil's achievements. If so, head teachers must ensure that reports produced as part of the annual review include all the information detailed in this circular.

## **Powers**

*What discretionary powers do head teachers have?*

### **Translation**

Where it appears appropriate to do so, head teachers should arrange for the report to be translated into languages other than English and Welsh.

### **Additional information in school reports**

Head teachers can include in the report additional information about a pupil's progress over and above the minimum requirements.

**Recommendation** - it is particularly important to provide contextual information in reports on pupils with **special educational needs**. It is often appropriate to include a more detailed account of a pupil's progress in relation to the curriculum the pupil is following.

*When and how often should reports be sent?*

Head teachers must send a written report to parents at least once during the school year. The timing of the report is entirely at the head teacher's discretion provided that all the required information is sent to parents by the end of the school year.

Where the head teacher decides to send a single written report each year, it must contain the full information required by the Regulations.

If the head teacher decides to send more than one written report during the course of a school year, the information required by the Regulations may be spread across more than one report. This is provided parents are sent, in writing, all the information required by the Regulations.

Examination results that are published during the summer holidays must be reported after the school year in which the examinations have been taken but not later than 30 September.

*What format should the report take?*

It is up to the head teacher to determine the format of reports sent to parents.

**Recommendation** - in devising reporting formats, head teachers are strongly encouraged to seek the views of governors and parents wherever possible.

### 3) School Reports to Parents & Pupils

#### What must be reported to parents each year?

The Regulations specify what must be reported as a minimum to parents each year. This minimum content varies according to a pupil's age and progress through the National Curriculum.

#### For all pupils

Includes all pupils of compulsory school age 5-16 years old and school sixth formers, excludes those aged 18+ or who are leaving school:

Requirement	Recommendation
<ul style="list-style-type: none"> <li>Brief particulars of a pupil's progress in subjects and activities studied as part of the school curriculum including all National Curriculum subjects and Religious Education;</li> <li>the results of any examinations entered by the pupil;</li> <li>any vocational qualifications achieved or credits gained towards them.</li> </ul>	<ul style="list-style-type: none"> <li>'Brief particulars' should take the form of a short commentary in the subject activity concerned. Strengths and particular achievements should be highlighted together with any weaknesses. These weaknesses could be expressed as targets for development.</li> </ul>
<ul style="list-style-type: none"> <li>Details of a pupil's general progress.</li> </ul>	<ul style="list-style-type: none"> <li>This could include an overall view of the pupil's academic progress;</li> <li>his/her behaviour;</li> <li>his/her contribution to school life;</li> <li>any special achievements in the past year.</li> </ul>
<ul style="list-style-type: none"> <li>Details of the arrangements under which the report may be discussed with teachers at the school.</li> </ul>	<p>This could include:</p> <ul style="list-style-type: none"> <li>the date of the next parents/teachers meeting;</li> <li>the name/s of the teacher/s with whom the report may be discussed;</li> <li>information about how a meeting with teachers may be arranged;</li> </ul>

Requirement	Recommendation
<ul style="list-style-type: none"> <li>• Details of the arrangements under which the report may be discussed with teachers at the school. (continued)</li> </ul>	<ul style="list-style-type: none"> <li>▣ <i>draw attention to the fact that such a meeting would provide the opportunity for parents to discuss targets for their child's development and how they are to be achieved or modified in light of the discussion;</i></li> <li>▣ <i>the contribution parents might themselves make towards their child's education and development could also form part of the discussion.</i></li> </ul>

### For all pupils of compulsory school age

excludes school sixth formers and pupils aged 18+:

Requirement	Recommendation
<ul style="list-style-type: none"> <li>• Brief particulars for all National Curriculum foundation subjects studied;</li> </ul>	<ul style="list-style-type: none"> <li>▣ <i>All reports should contain clearly identified and separate comments on each National Curriculum subject applicable to the pupil.</i></li> </ul>
<ul style="list-style-type: none"> <li>• A summary of the pupil's attendance record.</li> </ul>	<ul style="list-style-type: none"> <li>▣ <i>Reports should set out the total number of sessions (half days) since the pupil's last report or since the pupil entered the school, whichever is later, and out of this the number of sessions for which the pupil was absent <b>without</b> authority.</i></li> <li>▣ <i>The report could also include a summary of any exclusion information.</i></li> </ul>

### Foundation Phase and Key Stage 1 from 2008 onwards:

The Foundation Phase is currently being piloted across Wales. Reporting arrangements for schools participating in the pilot will be provided separately. This guidance will be updated to reflect changes when the Foundation Phase becomes statutory.

### Pupils at the end of a Key Stage

Schools must provide results of National Curriculum Teacher Assessments, as appropriate to the key stage, for all pupils taught in national curriculum year group 2, 6 or 9. End of key stage results must be reported for all pupils



on the school roll as at the second Tuesday of May in the reporting school year, this is known as the '**specified date on roll**'.

Detailed arrangements for administration, collection and reporting of end of key stage Teacher Assessments are provided in the Statutory Assessment and Reporting books published and distributed to schools each year.

**For pupils at the end of Key Stage 1 (taught in National Curriculum year group 2):**

- The Teacher's assessment of progress throughout the year;
- Individual pupil results in the core subjects of:
  - English speaking and listening, reading and writing  
OR
  - Welsh speaking and listening, reading and writing.  
PLUS
  - Mathematics, using and applying mathematics, number and algebra, shape, space and measures;
  - Science, scientific enquiry, life processes and living things, materials and their properties and physical processes; and
  - whether the pupil has achieved the Core Subject Indicator (CSI) where the pupil achieves the expected level or above in each of English or Welsh first language, Mathematics and Science in combination.
- The overall results of the pupils in the school (except in very small schools where 5 or fewer than 5 have been assessed) for the same subjects.
- The national results, for the same subjects, for the previous year. These can be found on the national pupil database ([www.npd-wales.gov.uk/npd](http://www.npd-wales.gov.uk/npd)) and are published by the Welsh Assembly Government.

**For pupils at the end of Key Stage 2 (taught in National Curriculum year group 6):**

- The Teacher's assessment of progress throughout the year.
- Individual pupil results in the core subjects of:
  - English, speaking and listening, reading and writing;  
AND IF ELIGIBLE
  - Welsh first language speaking and listening, reading and writing.  
PLUS
  - Mathematics, using and applying mathematics, number and algebra, shape, space and measures and handling data; and
  - Science, scientific enquiry, life processes and living things, materials and their properties and physical processes
  - whether the pupil has achieved the Core Subject Indicator (CSI) where the pupil achieves the expected level or above in each of English or Welsh first language, Mathematics and Science in combination.
- The overall results of the pupils in the school (except in very small schools where 5 or fewer than 5 have been assessed) for the same subjects.
- The national results, for the same subjects, for the previous year, where published<sup>10</sup>. These can be found on the national pupil database ([www.npd-wales.gov.uk/npd](http://www.npd-wales.gov.uk/npd)) and are published by the Welsh Assembly Government.

**NB:** From academic year 2004/05 national curriculum tests for Key Stage 2 are no longer statutory in Wales.

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<sup>10</sup> Reporting of performance at attainment target level is introduced from 2006, National results at attainment target level will not be available for comparative reporting until the 2007 reporting year.

### For pupils at the end of Key Stage 3:

- The Teacher's assessment of progress throughout the year.
- Individual pupil results in the core subjects of:
  - English first language;  
AND IF ELIGIBLE
  - Welsh first language.  
PLUS
  - Mathematics
  - Science
- and the non-core subjects of:
  - Welsh second language
  - Design & Technology
  - Information Technology
  - History
  - Geography
  - Modern foreign language
  - Art
  - Music
  - Physical Education.
- The overall results of the pupils of the same age in the school (except in very small schools where 5 or fewer than 5 have been assessed) in all national curriculum subjects.
- The national results for the previous year for comparison purposes for English or Welsh, Mathematics and Science. These can be found on the national pupil database ([www.npd-wales.gov.uk/npd](http://www.npd-wales.gov.uk/npd)) and are published by the Welsh Assembly Government.

**NB:** From academic year 2005/06 national curriculum tests for Key Stage 3 are no longer statutory in Wales.

### For pupils at the end of Key Stage 4:

- The subjects in which the pupil has been awarded a GCSE certificate or other qualification (including vocational qualifications) or credit towards a qualification and, where applicable the grade achieved.

## Key Stage 4 & Beyond

Head teachers of secondary schools must have available for inspection upon parental request the latest comparative information, both at school, LEA and national level about:

- GCSE examination results and vocational qualifications; and
- GCE AS/A Level examinations and vocational qualifications.

### For students aged 16+:

- Any GCE AS/A Level examination subjects entered by the student, the grades achieved, and the student's overall points score, which should include those for GNVQ awards;
- the Welsh Baccalaureate, where applicable;
- any qualifications (including vocational qualifications) or units gained towards them.

For pupils up to the age of 18, the report must be sent to parents. For students aged 18 or more, the report must be sent to the students. Head teachers have discretion, but are not required, to send reports on students aged 18 or over to their parents. In particular, where a pupil aged 18 or older has special educational needs, head teachers should consider, with those concerned, whether it would also be reasonable to provide the student's parents with a copy of the report.

### School Leaver's Report

Head teachers are required to provide all pupils over compulsory school age who are proposing to leave, or have left the school, a report on their school achievements. The minimum information given in a report to a school leaver must include:

- The results of any public examinations, qualifications (including vocational qualifications) achieved and any credits or units achieved towards them;
- brief particulars of the pupil's progress and achievements in all subjects and activities studied as part of the school curriculum during or at the end of the school year of which the pupil left the school;

- the details should cover the pupil's achievements during the school year preceding his/her leaving school, and should cover subjects and activities not taken at GCSE;
- provisions must be made in the format of the report for the teacher or tutor familiar with the pupil to sign the report, and the pupil to sign and date the report;
- the report must be made available to school leavers not later than 30th September following the end of the school year in which he/she left.

Schools which currently issue the National Record of Achievement (NRA) earlier in the year for pupils to use when attending job interviews or making applications for courses of further and/or higher education must ensure that all the required information reaches pupils by 30th September following the end of the school year at the latest.

## 4) The Common Transfer System

### IN A NUTSHELL

- WHENEVER A PUPIL JOINS A SCHOOL FROM ANOTHER SCHOOL WITHIN ENGLAND OR WALES A COMMON TRANSFER FILE (CTF) **MUST** ACCOMPANY HIM/HER.
- WHEN A PUPIL LEAVES A SCHOOL FOR A NEW SCHOOL A CTF **MUST** BE GENERATED AND SENT TO THE DESTINATION SCHOOL.
- PUPILS JOINING FROM SCOTLAND, NORTHERN IRELAND OR OUTSIDE THE UK WILL NOT NECESSARILY HAVE A CTF.

### What are the statutory requirements?

The Education (Pupil Information) (Wales) Regulations 2004 specify:

#### General Requirements

- Information that should be maintained by schools in relation to educational and curricular records;
- disclosure of such records to parents and other schools;
- requirements to report to parents and adult pupils.

#### Common Transfer System Specific Requirements

- Head teachers must pass on specific pupil information in electronic format when a pupil changes school using the Common Transfer System (CTS) within 15 days after the pupil ceases to be registered there.
- If a pupil leaves a school and after reasonable effort, a head teacher has been unable to ascertain the location of the pupil's destination school or knows the pupil is moving out of the maintained sector, the head teacher must transfer the pupil's CTF to the Lost Pupil area of the s2s website.
- If a head teacher from a pupil's old school receives a request from the head teacher of a pupil's new school for common transfer information or any educational record relating to that pupil, they must provide the information within 15 school days of receiving the request.
- If a pupil arrives at a new school without his/her common transfer information or details of his/her old school the head teacher of the new school must contact the LEA which maintains the new school to request a search of the Lost Pupil area of the s2s website.

Information that must be sent electronically can be sent:

- via the School to School (s2s) website; or
- via a secure intranet set up by or on behalf of an LEA for the purpose of transferring data.

**N.B:** Head teachers can only transfer pupil information from one school to another school in the same LEA through the LEAs secure intranet site. For pupils transferring anywhere else the s2s site must be used.

If there are no other means available and it is not reasonably practical to send information electronically, it would be acceptable to send the information on a floppy disk.

Information that **must** be provided in electronic format:

### School details

- sending school's LEA number
- sending school's establishment number
- receiving school's LEA number
- receiving school's establishment number
- pupil school history (if available)

### Pupil details

- UPN
- surname
- first name
- date of birth
- gender
- ethnic code
- source of ethnic code
- national identity
- Welsh language ability
- SEN provision (status, primary and secondary need)
- free school meal eligibility
- free milk eligibility
- in care indicator
- the address where the pupil normally resides
- the surname of at least one contact person and details of their relationship to the pupil
- an indicator where medical information exists that may be relevant to the pupil's new school

## Attendance data - for the current or most recent academic year (include attendance history if available)

- School year
- number of sessions possible (half days)
- number of sessions attended
- number of authorised absences
- number of unauthorised absences

## Key Stage 1, 2, 3

- Most recent teacher assessment levels as detailed in the 'School reports to parents & pupils' section on pages 15-17

## Educational record

The pupil's educational record should also be sent to the receiving school. Whereas common transfer information must be transferred solely in machine-readable format through the secure s2s website, a pupil's educational record may be transferred in machine-readable format, in paper form or in a combination of both.

**Recommendation** - the entire educational record should be sent to the receiving school once the CTF has been downloaded.

## What are the time limits for transferring information?

Educational records and/or common transfer information must be sent to the new school within **fifteen school days** of the pupil ceasing to be registered at the old school.

Similarly, if the head teacher of the old school receives a request from the head teacher of the new school the child is registered with, the information must be sent within fifteen school days of receiving the request.

**Recommendation** - it is strongly recommended when a pupil leaves a school that school should not wait to receive a request, but should immediately send the CTF to the receiving school. If a request is subsequently received the school should actively check their records and direct the requesting school to the file on s2s.

Schools should also be monitoring files sent by them to receiving schools which have not been downloaded.



## How does the Common Transfer System link with the requirement for Transition Plans?

By September 2007 secondary schools and their feeder primary schools will be required, jointly, to draw up a Transition Plan setting out arrangements to provide continuity and progression for pupils moving from Key Stage 2 to Key Stage 3. It recognised that the Common Transfer System provides one of the key building blocks for effective transition. Transition Plans will establish a framework for schools to work together to consider how they can make best use of the information on pupils provided by the Common Transfer System to improve the quality of teaching and learning. Separate guidance will be issued by the Assembly Government on the production, content and review of Transition Plans.

## The Common Transfer System some Do's and Don'ts

### *Children arriving from Scotland, Northern Ireland or abroad*

If a child arrives from Scotland, Northern or the Republic of Ireland or abroad a new UPN will need to be created for them. If they have previously been educated in a maintained school in England or Wales their old UPN should be reassigned to them. A new UPN should only be created if the school has been unsuccessful, after reasonable efforts, in locating the pupil's original CTF.

**N.B:** Schools in Scotland assign their own version of a UPN which can look similar to those in England and Wales, however, they are **not** compatible and will not pass validation in Wales.

### *Children arriving from non-maintained schools*

If a child arrives from a school in the non-maintained sector a new UPN will need to be created for them. The new school should seek the common transfer information and educational record from the old school(s). If the pupil has previously been educated in a maintained school in England or Wales their old UPN should be reassigned to them. A new UPN should only be created if the school has been unsuccessful, after reasonable efforts, in locating the pupil's original CTF.

**Recommendation** - maintained schools should make reasonable and collaborative arrangements to obtain a pupil's educational record when they arrive from a non-maintained school.

*Children arriving at a new school without a CTF and their old school is known*

If a pupil arrives at a new school without a CTF but the details of the old school are available, the new school needs to contact the old school and request they send the old pupil's CTF.

*Children arriving at a new school but their CTF has been sent to another school*

Should a child arrive at a new school without a CTF and it is established that the CTF has been sent to another school, the sending school, not the receiving school, needs to contact the incorrect school to redirect the CTF. The sending school must then resend the file to the receiving school.

*Children arriving at a new school without a CTF and their old school is not known or has no record of them attending*

The head teacher should contact the LEA that maintains the school to request a search of the Lost Pupil area of the s2s website. Where no records can be identified, LEAs will wish to consider whether the lack of data may be a potential indicator of a family in need or at risk.

In view of the potential safeguarding issues that may lie behind such cases, LEAs are strongly encouraged to process similar requests from schools in the independent sector, where those schools have made reasonable, but unsuccessful, enquiries.

## 5) Children Missing Education and the Lost Pupil Database

The 'Lost Pupil Database' is a searchable area of the s2s website containing Common Transfer Files (CTF) of pupils where the destination (or next) school of the pupil is not known to the school the pupil is leaving.

The purpose is;

to enable LEAs to identify pupils whose destination on leaving a school which they maintain is unknown, and to provide a facility whereby a local authority, on being requested by a school which has just enrolled a new pupil, but cannot identify the previous school to request a CTF, can search for a CTF which may have been 'posted' there by the previous school.

### Pupil's moving out of the maintained sector

Should a pupil leave school and is confirmed to be educated other than at school, moved to a non maintained school or to a destination incapable of receiving a CTF, the school should remove the pupil's name from the school roll and send the CTF to the Lost Pupil section of the s2s website. The school needs to create a CTF with just that pupil in it and identify the destination school as non maintained (using MMM as the LEA number and MMMM as the school establishment number). The CTF will then be stored in the database of pupils who have moved outside the maintained system. A pupil whose destination is unknown should be identified as XXXXXXXX.

### Locating Missing/Lost Pupils

Children missing education are of particular concern because it is not just the child's educational attainment that is at risk, but also potentially his/her safety and welfare<sup>11</sup>.

**Recommendation** - it is strongly recommended that LEAs put in place procedures designed to monitor the whereabouts of a child at risk of going missing from education and to record that they have completed these procedures.

### Issues for children and families

Children and young people can go missing from education for a variety of reasons.

#### **Families who simply move and do not tell anyone**

Some families have little contact with their child's school and do not see the need to inform the school of a proposed move.

11 The Education (Pupil Registration) (Amendment) Regulations (S.I. 1997/2624), Regulation 9(1)(g) requires schools and local education authorities to make 'reasonable enquiries' to locate pupils who have been absent for 4 weeks or more before they can be deleted from the school roll

Some families encounter an unexpected personal situation or complication requiring them to change their location, e.g. expired visa.

Some families intend to enrol their child into a school in their new area but on arrival discover there are no places available or they change their minds and approach a different school.

### **Exclusion from school and long-term truants**

Children and young people who are in a cycle of continual exclusion can experience difficulties in re-engaging with school. They themselves can become disillusioned and unwilling to return. For some families these and related problems can seem insurmountable causing them to choose to relocate without trace or to move their child/young person to a friend or relative for a fresh start.

### **Looked after children and private fostering**

Looked after children or those being privately fostered may be required to relocate school or simply abscond from their care placement.

### **Families fleeing from domestic violence**

Parents may choose to leave a partner taking their children with them leaving no contact details.

### **Children whose families have become homeless**

In cases of eviction, local authorities will have information of names of those evicted and if re-housed in the local authority. A priority for re-housing is usually given to families with children under 16 years of age.

### **Cultural**

Gypsy/Traveller children are encouraged to attend school. This is not always successful or possible.

Returning to a country of origin for children from overseas may result in a child suddenly disappearing from view.

Asylum seeking families may disappear from view if their accommodation is not allocated in their preferred location. This can result in families leaving their allocated place of accommodation to go to a place of their choice. Where asylum has not been granted the family may move location without trace to avoid returning to their place of origin.

### **Education at home**

Parents may choose to educate their children at home. If the child has never been enrolled into a school there is no legal reason for the local authority to be informed. Some parents may choose to withdraw their children from school for home education for a variety of reasons and in such circumstances the local authority must be informed.

### **What to do when a pupil has not returned to or arrived at school when expected**

In cases of serial truancy schools should already be working with their EWO in trying to re-engage the pupil back into the school system. Also a school will know the individual pupil involved and if the behaviour

is normal for them. Schools should already have systems in place for contacting parents on the first day of a pupil's absence from school. If a child does not arrive at school when expected the school should already be considering what information they know about the young person and their family history. If there are any concerns for the child's safety these concerns should immediately be referred to the statutory authorities for consideration. If there are no immediate concerns the following steps should be initiated if any of the scenarios below occur.

#### **Scenario 1**

If a child leaves school without the school being advised which new school or alternative provision the child is to attend or have.

#### **Scenario 2**

If a child does not arrive at school when the child is believed to have gone on an extended holiday or not returned from an extended holiday when expected.

#### **Scenario 3**

If a child does not arrive at a new school from transition or transfer from Year 6 to Year 7 or 6th Form or if expected as a Rising 5 as part of the school's new intake.

**Step 1)** The school should promptly take reasonable steps to contact the parents.

**Step 2)** The school needs to establish if the child is on the Child Protection Register/known to Social Services and if so inform the Social Services Department if the child has not returned to or arrived at school when expected. This needs to be done **immediately** unless step 1) has resulted in an acceptable explanation. If the child is not known to Social Services, but the school believe there is cause for concern for the child's welfare these concerns should immediately be referred to the statutory authorities for consideration. The local authority's nominated officer that deals with child protection issues should be able to provide more detailed advice on the local protocols and procedures in place. In some circumstances a strategy meeting may be needed (Safeguarding Children Working Together under the Children's Act 2004) which could involve the EWO.

**Step 3)** If the school's initial attempts have been unsuccessful in contacting the parents the school should refer to their Education Welfare Officer.

**Step 4)** In conjunction with the Educational Welfare Service the school and the LEA will make reasonable efforts to try and identify the child's current whereabouts/destination. This could include;

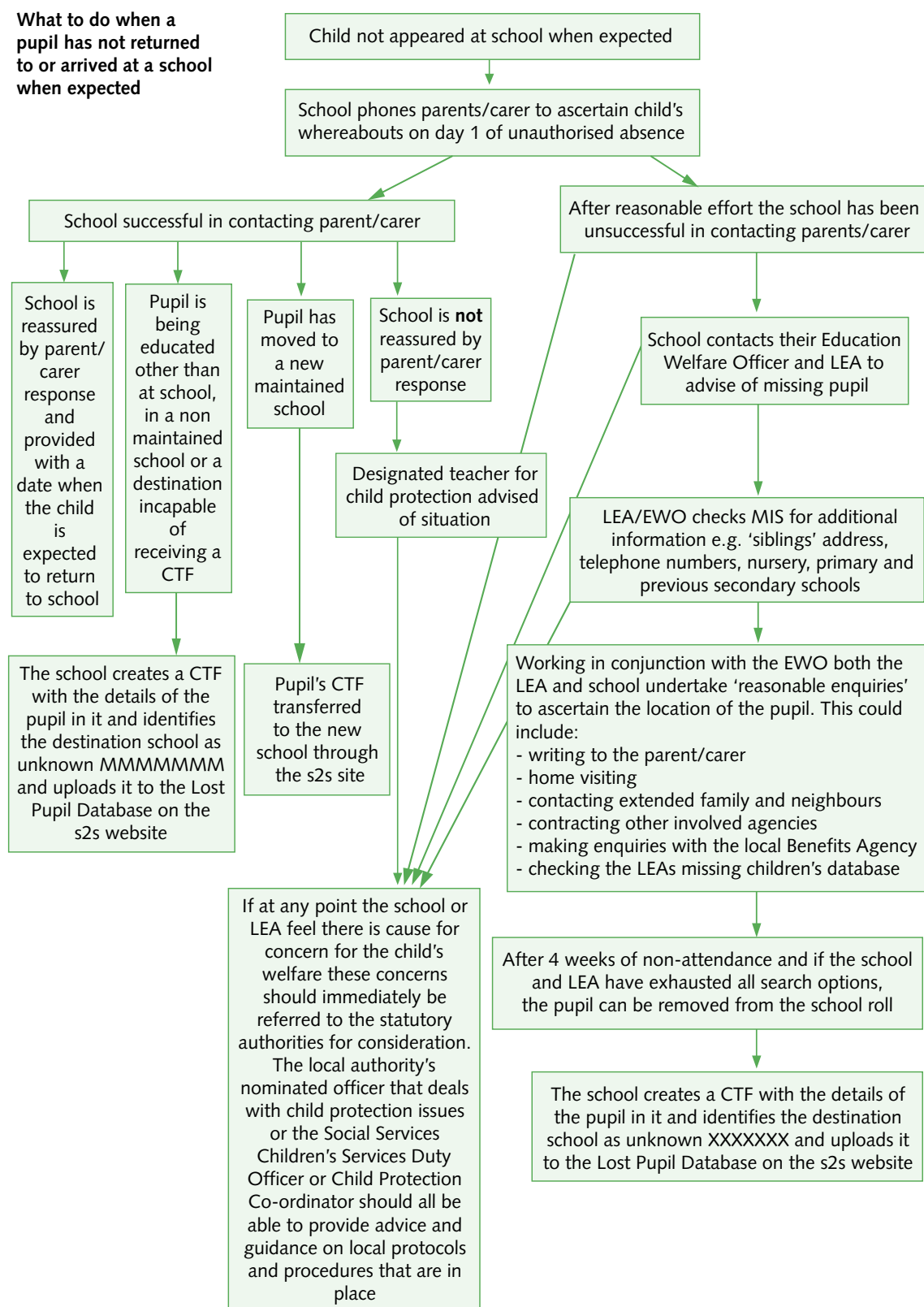
- home visiting
- contacting extended family and neighbours
- contacting other involved agencies
- making enquiries with the local Benefits Agency
- checking the LEAs missing children's database

**Step 5)** After four weeks of non attendance, should such efforts prove unsuccessful, than the Education Welfare Service will advise the school to remove the child's name from the roll. The school needs to create a CTF with just that pupil in it and identify the destination school as unknown (using XXX as the LEA number and XXXX as the school establishment number) and place it on the Lost Pupil Database.

The information that the child/young person's whereabouts remains unknown should be referred to the statutory authorities for consideration. The local authority's nominated officer that deals with child protection issues should be able to provide more detailed advice on the local protocols and procedures in place.

**Recommendation** - in order to avoid duplication of CTFs, if a school uploads a file to the Lost Pupil Database and is subsequently contacted by the new school the pupil has moved to requesting the file, they should always direct them to the Lost Pupil area of the s2s site where the file can be downloaded by their LEA. They should not create a new CTF and send it directly to the new school.

**What to do when a pupil has not returned to or arrived at a school when expected**



## What to do when a child arrives at school without a CTF and the previous school is unknown

A pupil may arrive at a school without a CTF for any of the reasons mentioned previously. The school will wish to ensure they enable every child to make the best possible new start. Information from previous assessments and attainment helps schools to plan their support. However, if a family does not provide information, the school should make efforts to track previous schools or services named by the family, and meanwhile, consider making their own assessment of the child's needs as soon as possible. If the school is unable to trace information on the child they should get in touch with their LEA named contact dealing with missing children to advise of the situation and request a search of the Lost Pupil Database for a matching record using names or former names, date of birth or gender.

### a) If a file is located on the Lost Pupil Database

If a file is found the LEA needs to check the details with the previous school and if correct redirect the CTF from the Lost Pupil Database to the receiving school. The LEA should notify the new school that the correct CTF has been found and is ready for the school to download. The school can download the file and import it into their Management Information System (MIS).

### OR

### b) If a file cannot be located on the Lost Pupil Database

If the CTF is not located and the new school or LEA has been unsuccessful in ascertaining or contacting the pupil's old school, a new UPN should be assigned to the pupil.

**Recommendation** - a school should only issue a temporary UPN if their MIS requires it or if they need to include the pupil on a statutory return

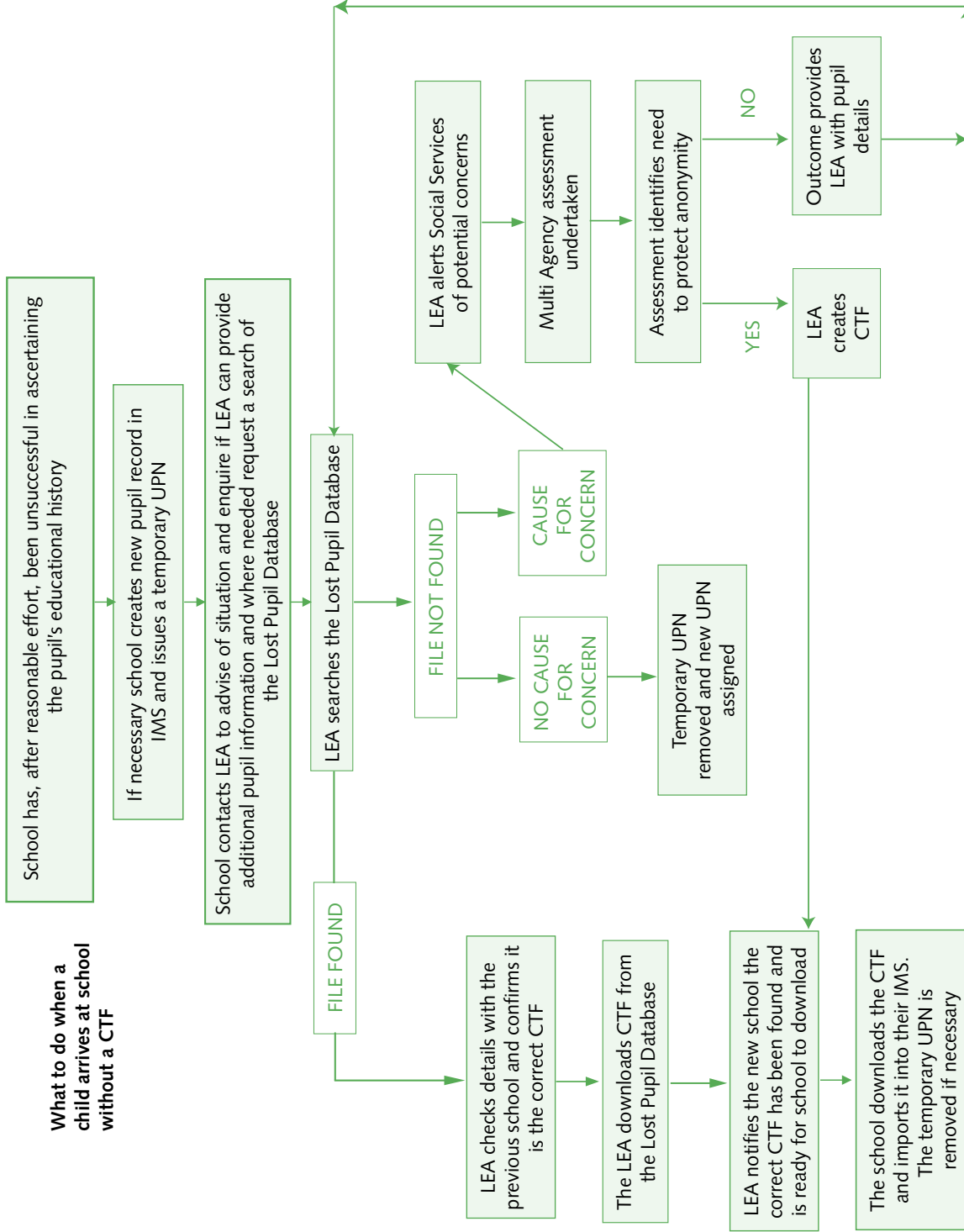
Where no records can be identified, LEAs will wish to consider whether the lack of data may be a potential indicator of a family in need or at risk. If at any point the school or LEA has concerns for the child's safety they should contact the Social Services Department and alert them of a potential risk. The Social Services Department can undertake a risk assessment and where necessary a more detailed investigation.

The Social Services Department may identify a need to protect the pupil's anonymity in which case a new UPN should be assigned to them.

If the Social Services Department is successful in uncovering details from the pupil's previous school and there is no cause for concern or to protect the child's anonymity, they can provide this information to the LEA who can undertake another search of the Lost Pupil Database. If the search is successful they can download the file and advise the school. If they are still unsuccessful in locating the file or contacting the pupil's old school, a new UPN should be assigned to the pupil.



**What to do when a child arrives at school without a CTF**



## ANNEX A - SAMPLE RETENTION SCHEDULE

PUPIL INFORMATION						
Basic file description	Data Protection Issues	Statutory Provision	Retention Period	Action at the end of the administrative life of the record		
Admission Register	Yes	None	Date of last entry in book (or file) + 6 years	Retain in the school for 6 years from the date of the last entry	Transfer to the Archives	
Attendance Registers	Yes	None	Date of register + 3 years	DESTROY [If these records are retained electronically any back up copies should be destroyed at the same time]		
<b>Pupil record cards</b>	Yes	None				
<i>Primary</i>			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school		
<i>Secondary</i>			DOB of the pupil + 25 years	SHRED		
<b>Pupil Files</b>	Yes	None				
<i>Primary</i>			Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school		
<i>Secondary</i>			DOB of the pupil + 25 years	SHRED		

PUPIL INFORMATION						
Basic file description	Data Protection Issues	Statutory Provision	Retention Period	Action at the end of the administrative life of the record		
Special Educational Needs files, reviews and Individual Education Plans	Yes	None	DOB of the pupil + 25 years	SHRED		
Letters authorising absence	No	None	Date of absence + 2 years	SHRED		
<b>Examination results</b>	Yes	None				
<i>Public</i>	No	None	Year of examinations + 6 years	SHRED		Any certificates left unclaimed should be returned to the appropriate Examination Board
<i>Internal examination results</i>	Yes	None	Current year + 5 years	DESTROY		
Any other records created in the course of contact with pupils	Yes/No		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or DESTROY		

<b>PUPIL INFORMATION</b>						
<b>Basic file description</b>	<b>Data Protection Issues</b>	<b>Statutory Provision</b>	<b>Retention Period</b>	<b>Action at the end of the administrative life of the record</b>		
Statement maintained under the Education Act 1996 - Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	DESTROY unless legal action is pending		
Proposed statement or amended statement	YES	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	DESTROY unless legal action is pending		
Advice and information to parents regarding educational needs	YES	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	DESTROY unless legal action is pending		
Children SEN Files	Yes		Closure + 35 years	DESTROY unless legal action is pending		

### MANAGEMENT INFORMATION

Basic file description	Data Protection Issues	Statutory Provision	Retention Period	Action at the end of the administrative life of the record
Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibility (except child protection records)	Yes <sup>12</sup>	None	Closure of file + 6 years	DESTROY If the records contain sensitive information they should be shredded

### CURRICULUM

Basic file description	Data Protection Issues	Statutory Provision	Retention Period	Action at the end of the administrative life of the record
Examination results	Yes	None	Current year + 6 years	DESTROY [These records should be shredded]
SATS records	Yes	None	Current year + 6 years	DESTROY [These records should be shredded]

<sup>12</sup> As of January 1st 2005 subject access is permitted into unstructured filing systems and log books and other records created within the school containing details about the activities of individual pupils and members of staff have become subject to the Data Protection Act 1998

<b>CHILD PROTECTION - The retention and use of records relating to child protection matters concerning pupils and child protection allegations against staff will be subject to update following implementation of the recommendations by Sir Michael Richard</b>					
<b>Basic file description</b>	<b>Data Protection Issues</b>	<b>Statutory Provision</b>	<b>Retention Period</b>	<b>Action at the end of the administrative life of the record</b>	
Child Protection Files	Yes	Education Act 2002, s175, related guidance "Safeguarding Children in Education", September 2004	DOB + 25 years	SHRED	<p>Child protection information must be copied and sent under separate cover to new school/college whilst the child is still under 18 (i.e. the information does not need to be sent to a university for example)</p> <p>Where a child is removed from roll to be educated at home, the file should be copied to the local education authority</p>