

Safeguarding: Secure Storage & Handling Guidance



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1. Introduction

Once the British Wrestling Association “British Wrestling” has created a record about a child or adult it needs to have policy/procedures in place regarding the retention and storage of that information. It is best practice to advise them from the outset about the fact that you hold such records and their purpose.

2. Storage of Records

Good practice guidance:

- Information about concerns, allegations and referrals should not be kept in one ‘concern log’ rather information or items relating to individuals should be kept in separate files.
- Compile and label files carefully.
- Files containing sensitive or confidential data should be locked away and access to the keys strictly controlled.
- Keep a key log so that it is possible to see who has accessed the cabinet, when and the titles of the files they have used.
- Access to those records need to be limited to people in named roles who either need to know about the information in those records and/or who manage the records e.g. BWA LSO/Case Management Group members.
- For records stored electronically then they must be password protected with a limited number of staff having access.

3. Guiding Principles to Record Retention Periods

To determine how long records should be kept there are a few guiding principles:

The Data Protection Act 2018 requires that personal information should be:

- Adequate, relevant and not excessive for the purpose(s) for which they are held.
- Accurate and where necessary kept up to date.
- Not kept longer than is necessary for its purpose.

The Act goes on further to say:

- Where no legal requirement to retain information beyond the closure of the record exists, the authority will need to establish its own retention periods. Normally personal information should not be held for longer than 6 years after the subject’s last contact with the authority.

Exceptions to the 6-year period will occur when records:

- Need to be retained because the information in them is relevant to legal action that has been started.
- Are required to be kept longer by law and where there are legal proceedings it is best to seek legal advice about the retention period of your records.

- Are archived for historical purposes (e.g. where the organisation was party to legal proceedings or involved in proceedings brought by a local authority).
- Consist of a sample of records maintained for the purposes of research.
- Relate to individuals and providers, for the subject, aspects of his/her personal history (e.g. where the child might seek access to the file later and information would not be available elsewhere).
- When records are being kept for more than the 6-year period, files need to be clearly marked and the reasons for the extension period clearly identified.

Note: Disclosure and Barring Service (DBS) Certificates should not be stored for more than 6 months unless specific consent has been given to store them for longer. It is permissible to keep a record of the date the check was completed, the reference number of the disclosure certificate and the decision as to whether the person was employed.

Safeguarding related information will be retained on file, including people who leave British Wrestling, at least until the person reaches normal retirement age, or for 10 years if that is longer. The purpose of the record is to enable accurate information to be given in response to any future request for a reference.

It will also provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction; it will also prevent unnecessary re-investigation if allegations resurface after a period of time.

4. Destruction of Records

Records should be incinerated or shredded in the presence of a member of British Wrestling or entrusted to a firm specialising in the destruction of confidential material. This action must be taken at the same time as the electronic record is purged. If not shredded immediately, all confidential records must be held in a secured plastic bag, labelled as confidential and locked in a cupboard or other secure place.

5. Guidance on Retention Periods

Type of Record	Retention
<p>Safeguarding concerns that British Wrestling refers on to children's social care or the police. This would include concerns about physical, sexual, emotional or neglect of a child, disclosures from a child about being abused or information from a third party that a child is being abused; concerns about a parent or other adult within British Wrestling or a young person who has been abused by another young person.</p>	<p>The referral should be acknowledged in writing by the statutory agency concerned and this should be kept on file. Records must be kept for 6 years after the last contact with the statutory agency unless any of the exemptions (listed above) apply or if British Wrestling is required to comply with any other statutory requirements.</p>
<p>Safeguarding concerns that British Wrestling decides do not necessitate referral to statutory agencies. British Wrestling will make a record of the concern and the outcome e.g. where a person has been bullied, over pushy parents or a very distressed child when the condition is unrelated to child abuse</p>	<p>Destroy the record 12 months after the child/adult concerned ceases to use the service unless the child or adult remain in British Wrestling.</p>
<p>Concerns about people (paid and unpaid) who work with children and young people such as allegations, convictions, disciplinary action, inappropriate behaviour towards children and young people e.g. where an employee has breached the code of conduct, a record of behaviour, the action taken and the outcome recorded.</p>	<p>Personnel files and training records retain for 6 years after the employment ceases. The records should be retained for a longer period if any of the following apply:</p> <ul style="list-style-type: none"> ▪ There were concerns about the behaviour of an adult who was working with children where they behaved in a way that has harmed or may have harmed a child. ▪ The adult possibly committed a criminal offence against, or related to, a child. <p>The adult behaved towards a child in a way that indicates s/he is unsuitable to work with children. In such circumstances records should be retained at least until the adult reaches normal retirement age, or for 10 years if that is the longer.</p>