

Section 25 – Social Care (Children General)

Important Notes:

CODES: P = Prime Document, M = Management documentation, SHC = Review samples for Surrey History Centre.

Some LA's use Vital and Management. Prime documents must always be backed up and retained for statutory/ Internal Audit/District Audit reasons. A prime document is one, which if lost would cause considerable embarrassment to the Authority. Duplicates are not prime documents. Management documents should, in general, be kept for a current year plus two.

Ref No	Title of Document [Local Name]	Retention Period	Current Format	Authority	Notes/Access	P/M
25.2	Children and young persons					
	<p>NOTE: LA functions in relation to children In so far as they relate to the provision of services(Including assistance, counselling or support for children “in need” for the purposes of Section 17 of the Childrens Act 1989 and their families, including the carrying out of any assessments for those purposes</p> <p>And to: Children and Social Work Act 2017 Section 3</p>	NA	NA	NA	<p>Chronically Sick and Disabled Persons Act 1970 S.2 (As it applies through the operation of S.28 of that Act) (<i>Provision of welfare services</i>)</p> <p>Mental Health Act 1983 S.117 (<i>After Care</i>)</p> <p>Children Act 1989 S. 17 and Schedule 2 part 1 (<i>Provision of services for children in need, their families and others</i>)</p> <p>Section 23CZB England</p> <p>National Health Service Act 2006</p>	

Ref No	Title of Document [Local Name]	Retention Period	Current Format	Authority	Notes/Access	P/M
					S. 82 <i>(Cooperation between NHS bodies and local authorities)</i> Children's Homes Regulations 2001 SI 2001 No 3967	
	NOTE: Local Health Board functions in relation to children. In so far as they relate to the provision of health services or facilities for, or treatment of children, who are in need for the purposes of S.17 of the Children Act 1989, including the assessment of need for such services or facilities				Mental Health Act 1983 s.117 <i>(After Care)</i> National Health Service Act 2006 S. 82 <i>(Cooperation between NHS bodies and the local authorities.)</i> Children Act 1989 section 23CZB England.	
25.2.3	-General					
25.2.3.1	Assessment under Carers (Recognition and Services) Act 1995	Recommend a minimum of 6 years after provision of service ceases	Any format	Statutory	Carers and Disabled Children Act 2000. Sections 1, 6 Limitation Act 1980 In view of litigation local authorities may consider a minimum of 30 years	M

25.2.3.2	Written Case Record including Regulation 4 (3), 5(3)(a)(b)(c) Assessment of needs Pathway plan and reviews See also 25.2.3.8	75 anniversary of the date of birth of the child or young person to whom they relate, or if the child dies before attaining the age of 18, for a period of 15 years beginning with the date of his death. To be kept securely and only disclosed under Regulation 10 (5)	Paper/ film/ electronic	Statutory	Care Leavers (England) Regulations 2010. SI 2010 No 2571 Regulation 10 Records Children (Leaving Care) Act 2000 Revokes Children (Leaving Care) (England) Regulations 2001 SI 2001 No 2874 Regulation 10 (1)	P SHC
25.2.3.3	Child minders	3 years after cessation of service subject to service managers decision	None specified	Corporate		M
25.2.3.4	Child Protection Register	Under 5 years of age keep up, after de-registration, to 5th birthday Keep record for 2 years after de-registration up to 18th birthday	Paper / electronic	DHS circular		P

25.2.3.5	Children's Records (See also 25.2.3.16)	75 anniversary of the date of birth of the child to whom it relates or, if the child dies before attaining the age of 18, for a period of 15 years beginning with the date of his death	To be in writing Paper / electronic/ film. Regulation 9	Statutory	Children and Young Persons Arrangements for Placement of Children (General) Regulations 1991 SI 1991 No 890 Regulations 8, 9, 10	P SHC
25.2.3.6	Licence for child over 12 to train for a dangerous performance	6 years after child reaches 18th birthday	Paper	Statutory	Children and Young Persons Act 1933 Chapter 12	M
25.2.3.6 .1	Licence for persons under 16 going abroad to perform for profit	6 years after 18th birthday	Paper	Statutory	Children and Young Persons Act 1933 Chapter 12	M

<p>25.2.3.6 .2</p> <p>V4, updated July 2017</p>	<p>Licence to perform</p>	<p>Records to be kept by the holder of a licence under section 39(5) of the Act</p> <p>The licence holder, must on request produce the licence at all reasonable hours during the first and last performance to an authorised officer or a constable</p> <p>The holder of a licence shall keep the records specified in Schedule 3 to these Regulations, and shall retain them for six months after the performance or last performance to which the licence relates. Section 39 (5) of the 1963 Act</p> <p>Recommend this be increased to 6 years after the 18th birthday.</p>	<p>Paper, electronic</p>	<p>Statutory</p>	<p>Children and Young Persons Act 1963 Section 37</p> <p>Section 38 was repealed under the Children and Families Act 2014</p> <p>SI 2014 No 3309 Regulation 5, 11 Schedule 3</p> <p>Revoked SI 200 No 2384 SI 200 No 10 SI 1968 No 1728 SI 1998 No 1678</p>	<p>M</p>
---	---------------------------	---	------------------------------	------------------	---	----------

25.2.3.7	Placement of children case files	75th anniversary of child's birth or 15 years after death if the child dies before age 18	None stated	Statutory	Arrangement for Placement of Children (General) Regulations 1991 SI 1991 No 890 Responsibility of day care children under 8 transferred from LA's to OFSTED Early Years Directorate on 1 September 2001	P SHC
25.2.3.8	Representation/Complaints procedure See also 25.2.3.2	Recommend a minimum of 6 years after the last representation/complaint	Paper / film / electronic	Statutory	Children (Leaving Care) Act 2000 In view of litigation local authorities may consider adding to case file	M
25.2.3.9	Day care and child minding inspections	Recommend retention of the current report plus the previous one. Consider archiving a copy of each report.	To be in writing	Statutory	Day Care and Child Minding (Inspection) (England) Regulations 2005 SI 2005 N0 2300 Regulation 5	M

25.2.3.1 0	Day care and child minding complaints	10 years from the date on which the records were made Regulation 6A (8) of SI 2003 No 1996	To be in writing	Statutory	Day Care and Child Minding (National Standards) (Amendment) (England) Regulations 2005 SI 2005 No 2303 Regulation 3 Amends SI 2003 No 1996 by inserting Regulation 6A	M
25.2.3.1 1	Assessments of the sufficiency of the provision of childcare [childcare assessments]	Until superseded.	To be in a prescribed form	Statutory	Childcare Act 2006 Chapter 21 Section 11(4)	M
25.2.3.1 2	Information provided to the Independent Barring Board	Recommend a minimum of ten years (after removal from list if known)	None specified	Statutory	Safeguarding Vulnerable Groups Act 2006 Chapter 47 Sections 39, 40, 41, 42, 45, 46 Amends a number of other acts	M
25.2.3.1 3	Representations	Recommend 3 years after process concluded	May be made orally or in writing	Statutory	Children Act 1989 Representations Procedure (England) Regulations 2006 SI 2006 No 1738 Regulations 6, 16	M
25.2.3.1 3.1	Withdrawal of Representations	Recommend 3 years after date of withdrawal	May be withdrawn orally or in writing but LA to write and confirm withdrawal	Statutory	Children Act 1989 Representations Procedure (England) Regulations 2006 SI 2006 No 1738 Regulation 7	M

25.2.3.1 3.2	Monitoring records	Recommend CY plus 2 years	None specified	Statutory	Children Act 1989 Representations Procedure (England) Regulations 2006 SI 2006 No 1738 Regulation 13	M
-----------------	--------------------	------------------------------	----------------	-----------	--	---

25.2.3.1 4	<p>Accessible child record</p> <p>Becomes Archived information:</p> <ul style="list-style-type: none"> • For a none participating young person at the 18th birthday • For a participating young person 25th birthday. • Person who has died on the first anniversary of the death <p>Full information contained in Regulation 8</p>	<p>May be retained for 6 years from the date it becomes archived information.</p> <p>May be retained for longer than 6 years from the date it becomes archived if the Secretary of State for C, S and F or a local authority is satisfied it is necessary for the purpose of an investigation under Section 47 of the Children Act 1989, the exercise by a Local Safeguarding Children Board function, or function relating to child deaths</p>	None specified	Statutory	<p>Children Act 2004 Information Database (England) Regulations 2007.</p> <p>SI 2007 No 2182 Regulations 3, 6, 7, 8</p> <p>Revokes SI 2006 No 983</p>	M SHC
---------------	--	---	----------------	-----------	---	----------

25.2.3.1 5	Procedures for dealing with complaints	Until superseded	To be in writing	Statutory	Childcare (General Childcare Register) Regulations 2008 SI 2008 No 975 Regulation 18 Revokes SI 2007 No 730	M
25.2.3.1 5.1	Complaints	Three years from the date on which it was made SI 2009 No 1545	To be in writing	Statutory	Childcare (General Childcare Register) Regulations 2008 SI 2008 No 975 Regulation 18 (f) Revokes SI 2007 No 730	M SHC
25.2.3.1 5.2	Keeping of records other than complaints. Child's name, address, date of birth Name, address and telephone number of child's parents Days, hours attending premises Record of accidents Medical products administered including circumstances Record of consent	Two years from the date the record was made	None specified	Statutory	Childcare (General Childcare Register) Regulations 2008 SI 2008 No 975 Regulations 19, 20, 21 Schedule 6 – 20 to 25 Revokes SI 2007 No 730	M

25.2.3.1 6	Care Plan	Retain until 75th anniversary of child's birth or if child dies before attaining the age of 18, for 15 years beginning with the date of the child's death	To be in writing	Statutory	<p>Care, Planning, Placement and Case Review (England) Regulations 2010 SI 2010 No 959 Regulation 4</p> <p>Revokes SI 1991 No 891 SI 1991 No 892 SI 1991 No 893</p> <p>See also The Children Act 1989 Guidance and regulations Volume 2 Care Planning, Placement and Case Review 2010 and April 2014 from Dept. of Education.</p>	P SHC
---------------	-----------	---	------------------	-----------	---	----------

25.2.3.1 6.1	Conduct of Reviews – Local Authority’s policy on reviews	Whilst relevant or until superseded	To be in writing	Statutory	<p>Care, Planning, Placement and Case Review (England) Regulations 2010 SI 2010 No 959 Regulation 34</p> <p>Revokes SI 1991 No 891 SI 1991 No 892 SI 1991 No 893</p> <p>See also The Children Act 1989 Guidance and regulations Volume 2 Care Planning, Placement and Case Review 2010 and April 2014 from Dept. of Education.</p>	P SHC
-----------------	---	--	---------------------	-----------	--	----------

25.2.3.1 6.2	Records of reviews	Retain until 75th anniversary of child's birth or if child dies before attaining the age of 18, for 15 years beginning with the date of the child's death	To be in writing	Statutory	<p>Care, Planning, Placement and Case Review (England) Regulations 2010 SI 2010 No 959 Regulation 38</p> <p>Revokes SI 1991 No 891 SI 1991 No 892 SI 1991 No 893</p> <p>See also The Children Act 1989 Guidance and regulations Volume 2 Care Planning, Placement and Case Review 2010 and April 2014 from Dept. of Education.</p>	P SHC
-----------------	--------------------	---	------------------	-----------	--	----------

25.2.3.1 6.3	Records	Retain until 75th anniversary of child's birth or if child dies before attaining the age of 18, for 15 years beginning with the date of the child's death	To be in writing		Care, Planning, Placement and Case Review (England) Regulations 2010 SI 2010 No 959 Regulation 49 Revokes SI 1991 No 891 SI 1991 No 892 SI 1991 No 893 See also The Children Act 1989 Guidance and regulations Volume 2 Care Planning, Placement and Case Review 2010 and April 2014 from Dept. of Education.	P SHC
25.2.3.1 7	Application for registration and accompanying documents	Recommend whilst relevant plus 15 years	To be in writing	Statutory	Care Standards Act 2000 (Registration) (England) Regulations 2010. SI 2010 No 2130 Regulation 3 Schedule 2 Revokes SI 2001 No 3969 SI 2003 No 369	M

25.2.3.1 7.1	Registers	To be kept up to date	May be kept in electronic form capable of being reproduced	Statutory	Care Standards Act 2000 (Registration) (England) Regulations 2010. SI 2010 No 2130 Regulation 7 Schedule 5 Revokes SI 2001 No 3969 SI 2003 No 369	M
25.2.3.1 7.2	Certificate of registration	To be returned to Her Majesty's Chief Inspector for Education, Children's Services and Skills	To be in writing	Statutory	Care Standards Act 2000 (Registration) (England) Regulations 2010. SI 2010 No 2130 Regulation 8, 9 Revokes SI 2001 No 3969 SI 2003 No 369	M
25.2.3.1 8	Statement of purpose and children's guide as per Schedule 1	Until superseded	My be in an electronic form but a copy to be given to each child accommodated in the home and certain adults	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 16 Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	M

25.2.3.1 8.1	Child's placement plan	To be kept up to date. Recommend copies are placed on child's case file and kept accordingly	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulations 17,18 Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	M
25.2.3.1 8.2	Medicines – record of administration	To be kept up to date. Recommend copies are placed on the child's case record Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 16 Revokes SI 2001 No 3967 SI 2011 No 583	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 23 Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	P

25.2.3.1 8.3	Record of allegations of abuse or neglect and response action	Recommend they be placed on child's case record	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 34 Amen SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	P
25.2.3.1 8.4	Behaviour management policies	Until superseded	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 35 (1) Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	M

25.2.3.1 8.5	Record of measure of control, discipline or restraint in relation to a child	Recommend they be placed on a child's case record	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 35 (2) Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	M
25.2.3.1 8.6	Children's Case Record	Retain until 75th anniversary of child's birth or if child dies before attaining the age of 18, for 15 years beginning with the date of the child's death. If a home closes or the provider is not in business then the records must be transferred as per Regulation 36 (3)	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 36 Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	P SHC

25.2.3.1 8.7	Other records as per Schedule 4 <ul style="list-style-type: none"> • Register of children • Staff, staff rosters, persons residing or working in the home, visitors • Fire drills • Accounts 	Retain for 15 years from date of last entry	May be in an electronic form	Statutory	Children's Homes (England) Regulations 2015 SI 2015 No 541 Regulation 37, Schedule 4 Amends SI 2010 No 2130 Revokes SI 2001 No 3967 SI 2011 No 583	M
25.2.3.1 9	Allegations against staff or volunteers	Until the person reaches normal retirement age or for 10 years if that will be the longer	To be retained on file	Government publication	Working Together to Safeguard Children HMG 2010 Page 358	M
25.2.3.2 0	Placement plan	Place on case file. Regulation 9. Retain until 75th birthday of child's birth or if the child dies before attaining the age of 18 for 15 years beginning with the date of the child's death. Regulation 10	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 4 Revokes SI 1991 No 890 SI 1991 No 895	M

25.2.3.2 0.1	Medical assessment in accordance with Schedule 1 and health plan.	Place on case file. Regulation 9. Retain until 75th birthday of child's birth or if the child dies before attaining the age of 18 for 15 years beginning with the date of the child's death. Regulation 10	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 6 Revokes SI 1991 No 890 SI 1991 No 895	M
25.2.3.2 0.2	Notification of arrangements	Place on case file. Regulation 9. Retain until 75th birthday of child's birth or if the child dies before attaining the age of 18 for 15 years beginning with the date of the child's death. Regulation 10	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 7 Revokes SI 1991 No 890 SI 1991 No 895	M

25.2.3.2 0.3	Visits	Place on case file. Regulation 9. Retain until 75th birthday of child's birth or if the child dies before attaining the age of 18 for 15 years beginning with the date of the child's death. Regulation 10	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 13 & 16 Revokes SI 1991 No 890 SI 1991 No 895	M
25.2.3.2 0.4	Review of children's cases	Place on case file. Regulation 9. Retain until 75th birthday of child's birth or if the child dies before attaining the age of 18 for 15 years beginning with the date of the child's death. Regulation 10	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 17 Revokes SI 1991 No 890 SI 1991 No 895	M

25.2.3.2 0.5	Manner in which cases are to be reviewed	Place on case file. Regulation 9. Retain until 75th birthday of child's birth or if the child dies before attaining the age of 18 for 15 years beginning with the date of the child's death. Regulation 10	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 20 & 22, Schedules 1 & 4 Revokes SI 1991 No 890 SI 1991 No 895	M
25.2.3.2 0.6	Recording review information <ul style="list-style-type: none"> Information obtained in respect of o the review of the child's case Details of the proceedings at any meeting arranged by the authority at which the child's case is considered in connection with any aspect of the review of the case Details of any decision made in the course of or as a result of the review 	To be placed on case file	To be in writing	Statutory	Arrangements for placement of children by voluntary organisations and others (England) Regulations 2011 SI 2011 No 582 Regulation 27 Revokes SI 1991 No 890 SI 1991 No 895	M
25.2.3.2 1	Reports of visits	Recommend they be placed on the case file	To be in writing	Statutory	Visits to Children in Long-term Residential Care Regulations 2011 SI 2011 No 1010 Regulation 5	P

25.2.3.2 2	Statement of Purpose	Keep the statement under review	None specified	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulations 3 and 4. Schedule 1	M SHC
25.2.3.2 2.1	Policy on protection of children including prevention of bullying and missing children	Until superseded	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 13	M SHC
25.2.3.2 2.2	Behaviour Management Policy	Until superseded	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 16	M SHC
25.2.3.2 2.3	Measures of control, discipline or restraint	Add to child's case record	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 16 (3)	M
25.2.3.2 2.4	Administration of medicines	Add to child's case record	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 18 (2) (c)	M

25.2.3.2 2.5	Complaints Procedure	Until superseded	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 20	M SHC
25.2.3.2 2.6	Record of Complaints	Add to child's case record	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 20 (4)	M
25.2.3.2 2.7	Childs case record	15 years from date when child was last accommodated by the scheme	To be in writing	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 24 (2) and Schedule 3	M
25.2.3.2 2.8	Employee records	15 years from date of last entry	None specified	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 25 and Schedule 4	M
25.2.3.2 2.9	Record of accidents Record of fire drills or tests Accounts Staff duty roster and actual roster Record of visitors to premises or site Allegation of abuse or neglect to a child and action taken	To be retained for a period of at least 15 years	None specified	Statutory	Residential Holiday Schemes for Disabled Children (England) Regulations 2013. SI 2013 No 1394 Regulation 25 and Schedule 4	M