

FOR CHILDREN'S HOMES IN ENGLAND

The Records Retention Schedule

Two retention periods in the Regulations are fixed. Everything else is a decision you have to make and be able to justify. This schedule separates the two, so your policy shows clearly which is which.

2026 Edition · Children's Homes (England) Regulations 2015

HOW LONG, AT A GLANCE

75 years

Each child's case records, from date of birth

15 years

The seven Schedule 4 records, from the last entry

You decide

Everything Regulation 38 leaves open

WHAT IS INSIDE

- The statutory periods
- What Schedule 4 actually covers
- Records the Regulations leave open
- Records outside the Regulations

From the team behind OVcare,
care management software for UK
children's homes and supported accommodation

Two periods are fixed. The rest is your decision.

The Children's Homes (England) Regulations 2015 set exactly two retention periods: 75 years for a child's case records, and at least 15 years for the seven records listed in Schedule 4. That is the whole of the statutory picture. Every other record your home holds, including restraint logs, complaints, Regulation 44 reports, staff files and CCTV, has no period set by those Regulations.

This is where most retention policies come apart. Not because the periods are wrong, but because nothing says where they came from. A row that cites regulation 37(2)(c) and a row carrying an unattributed number look identical on the page, and an inspector or auditor reads them very differently.

How this schedule works

It is organised into four sections. The first two set out what the Regulations require, and are not open to interpretation. The last two are templates you complete, because those periods are yours to set. For every row you fill in, apply one test: if an auditor asked why that number, could you answer today without going away to think about it? If not, the row is not finished.

The three gaps we see most often

- The 75 years is measured from the wrong date. Regulation 36(2)(b) says 75 years from the child's date of birth. Several templates in circulation say 75 years from the 18th birthday, which is 18 years longer than required.
- Schedule 4 is assumed to be broader than it is. It is seven categories. Restraint records, complaints and medicines are not among them, and filing them under the 15 year period is a common error.
- The non-statutory rows have numbers but no reasoning. A period with no stated basis is the hardest thing to defend, and the easiest thing to fix.

ONE THING THIS SCHEDULE WILL NOT DO

It is general guidance, not legal advice, and it does not replace your own policy or your data protection obligations. Retention decisions stay with the registered person. Where a category is unclear, or where the record touches on a live safeguarding matter or ongoing proceedings, take your own advice before setting a period.

The statutory periods

These three rows are fixed by the Regulations. They are the only retention periods the Children's Homes Regulations actually set. Cite the regulation next to each one in your policy.

Record	How long it must be kept	Source
Each child's case records The Schedule 3 information, kept up to date, signed and dated by the author of each entry	75 years from the child's date of birth	Reg 36(2)(b)
Case records where a child dies before turning 18	15 years from the date of the child's death	Reg 36(2)(a)
The Schedule 4 records The seven categories set out in Section 2	At least 15 years from the date of the last entry	Reg 37(2)(c)

The single most common error in retention policies

The period runs from the child's date of birth, not from their 18th birthday. It is worth opening your policy now and checking which version it uses. If it says 75 years from 18, you are committing to holding records 18 years longer than the Regulations ask, across every child you have ever cared for.

Two details that are easy to miss

☐ Case records must be signed and dated by the author of each entry

Must show: regulation 36(1)(c) makes attribution part of the record itself, not an audit nicety. An entry no one can attribute is a weak record however long you keep it.

☐ The Regulations say where case records live, not just how long

Must show: securely in the home while the child is accommodated there, and in a secure place afterwards (reg 36(2)(c) and (d)). On closure, records transfer to your nearest other home, or to the placing authority if you have none (reg 36(4) and (5)).

☐ The 15 year clock starts at the last entry, not when the record was opened

Must show: regulation 37(2)(c) measures from the date of the last entry, so a register or roster in continuous use has not started its 15 years at all. Closing a volume and dating it is what starts the clock.

THE INSPECTOR'S LENS

A 75 year period means these records will outlive the system that created them, and usually the home itself. Someone requesting their own care records in 2085 is entitled to a readable, complete file. That makes format migration and export capability part of meeting the obligation rather than an IT question to settle later.

What Schedule 4 actually covers

Schedule 4 is narrower than most teams assume. It is these seven categories and nothing else. Each is retained for at least 15 years from the date of the last entry.

☐ **Register of children**

Must show: admission and discharge dates, the child's address before and after, the placing authority, and the statutory provision under which the child is accommodated.

☐ **A record for each person working at the home**

Must show: full name, sex, date of birth, home address, qualifications and experience relevant to work with children, full or part time hours, and whether they live at the home.

☐ **Staff duty rosters**

Must show: the planned roster and a record of the rosters actually worked. Both, not just the plan.

☐ **A record of anyone else residing or working at the home**

Must show: anyone at the home at any time who is not already captured in the register or the staff record.

☐ **A record of all visitors**

Must show: visitors to the home and to children, with names and the reason for each visit.

☐ **Fire drills and alarm tests**

Must show: every drill and test, any deficiency found in procedure or equipment, and the steps taken to remedy it.

☐ **Records of all accounts kept in the home**

Must show: the home's account records, retained on the same 15 year basis.

WHAT SCHEDULE 4 DOES NOT COVER

Restraint records, complaints and medicines are not in Schedule 4, and are regularly filed under the 15 year period by mistake. Where those events concern an individual child they belong in that child's case record under Schedule 3, which carries the 75 year period: missing episodes (para 14), any measure of control, discipline or restraint (para 15), accidents and serious illness (para 22) and medicines (para 25). The home level log is a separate question, and Section 3 covers it.

Records the Regulations leave open

Regulation 38 requires each of these to be kept in an accessible manner, and confirms they may be held electronically. It sets no retention period for any of them. Complete the two right hand columns and this becomes your policy.

Record	Reg	Your period	Why: statute, risk or business need
Statement of purpose	38(a)		
Children's guide	38(b)		
Placement plans for children who are not looked after	38(c)		
Safeguarding policy	38(d)		
Anti-bullying policy	38(e)		
Missing child policy	38(f)		
Behaviour management policy	38(g)		
Records of control, discipline or restraint	38(h)		
Complaints procedure	38(k)		
Records of complaints, action taken and outcomes	38(l)		
Independent person's reports (Regulation 44)	38(m)		
Quality of care reviews (Regulation 45)	38(n)		
Annual reviews of the location of the premises (Regulation 46)	38(o)		

A defensible default, if you want a starting point

Many providers align these with the 75 year case record period where the document identifies a particular child, and with the 15 year Schedule 4 period where it relates to running the home. That is easy to explain and easy to apply consistently. It is still a decision you are making rather than a requirement, so write the reasoning into the policy rather than just the number.

THE INSPECTOR'S LENS

Regulation 38 asks for these to be accessible, which is a live test rather than a storage one. If producing a Regulation 44 report from three years ago means calling someone who has left, or searching a shared drive nobody owns, the record exists but the duty is not really being met.

Records outside the Regulations

These are the categories where retention policies most often have gaps. None of the periods below are set by the Children's Homes Regulations. The middle column shows the basis commonly relied on in the sector, so you have a starting point rather than a rule. Confirm each with your data protection lead before adopting it.

Record	Basis commonly relied on	Your period	Your stated reason
Staff personnel files, after employment ends	Commonly 6 years, reflecting the limitation period for contract claims		
DBS certificate content	DBS guidance is not to keep the certificate itself beyond 6 months. Record the certificate number, date of issue and the recruitment decision		
Records of allegations against staff	Safeguarding guidance points to normal retirement age or 10 years, whichever is longer. Check current Working Together and KCSIE wording		
Recruitment records, unsuccessful applicants	Commonly 6 to 12 months		
Supervision, appraisal and training records	Commonly aligned with the personnel file		
Payroll and PAYE records	HMRC requires PAYE records for 3 years after the end of the tax year they relate to		
Accident book entries	Commonly 3 years from the date of the last entry		
CCTV and other surveillance footage	No fixed period. Set by your DPIA, and note the conditions in Regulation 24. Commonly around 30 days		
Contracts, insurance and property records	Commonly 6 years after the arrangement ends		

THE INSPECTOR'S LENS

UK GDPR's storage limitation principle and a statutory duty to retain are not in conflict. A legal obligation to keep records is a legitimate basis for holding them as long as the law requires. What the principle does not permit is keeping everything indefinitely because nobody has decided otherwise, or destroying material early because storage is inconvenient. Deliberateness is the whole point.

Where is your policy today?

Work through the four sections and record how many rows are complete, meaning a period is set and the reason for it is written down. Then turn the three biggest gaps into a 30 day plan with a named owner.

●	Section 1: the statutory periods	/ 3
	Three fixed rows. Check yours measure 75 years from date of birth.	
●	Section 2: Schedule 4	/ 7
	Seven categories, all present and all on the 15 year basis.	
●	Section 3: records the Regulations leave open	/ 13
	Thirteen rows. Each needs a period and a stated reason.	
●	Section 4: records outside the Regulations	/ 9
	Nine rows, each confirmed with your data protection lead.	
●	Policy essentials	/ 6
	Named owner, review date, disposal log, version control, transfer plan, export route.	

GAP TO CLOSE	OWNER	BY WHEN	DONE

Policy sign-off

Home or setting		Policy owner	
Approved by		Role	
Date approved		Next review date	
Disposal log location		Version	

A retention policy is only as good as the system holding the records.

Every row in this schedule is easier to satisfy when case records, Schedule 4 records, complaints, restraint logs, HR files and quality reviews live in one place: connected, current, attributable, and exportable. That is what OVcare was built for.

“Everything I wanted to read was there when I was sampling incidents, so I don't have any negative feedback.”
Ofsted Inspector, following an inspection at a home using OVcare

How OVcare supports each section

Case records that last

Schedule 3 records with every entry attributed and dated, held securely for the full period, with export in a readable format whenever you need it.

Schedule 4 in one place

Register, staff records, rosters worked, visitors, fire drills and accounts, all timestamped so the date of the last entry is never in doubt.

Accessible, not just stored

Complaints, restraint records and Regulation 44 and 45 reports retrievable in seconds, which is what Regulation 38 is actually asking for.

Oversight you can evidence

Audit trails showing who recorded what and when, plus HR and training records, so your non-statutory rows have something real behind them.

See your records, retention-ready

Book a free demo and we will walk through this schedule against your current setup, including how records stay accessible years after the child has moved on.

Book a free demo → ovcare.co.uk/demo

24-hour setup · Unlimited training · UK-hosted data · Cyber Essentials Plus certified

This schedule is general guidance to support record keeping and retention planning. It is not legal or regulatory advice, it does not cover every requirement that may apply to your service, and retention decisions remain the responsibility of the registered person. Regulation references are to the Children's Homes (England) Regulations 2015; always refer to the current text at legislation.gov.uk. Supported accommodation is regulated separately under the Supported Accommodation (England) Regulations 2023, and different record keeping requirements apply. Current as at August 2026. © 2026 Infomatrix Enterprise Solutions Ltd. OVcare is a product of Infomatrix Enterprise Solutions Ltd.