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RECORDS MANAGEMENT RETENTION AND DISPOSAL POLICY

October 2019

**Office of the Police and Crime
Commissioner for Warwickshire**



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Responsible Party	Chief Executive

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Contents

1. Introduction	3
2. Records Management Principles	3
3. Roles and Responsibilities.....	4
4. Standard Operating Procedure for Retention of Records	4
Annex 1 – Retention Schedule	6

1. Introduction

- 1.1 The Office of the Police and Crime Commissioner for Warwickshire (OPCC) is committed to the handling of information in a safe, responsible and secure manner and ensuring the availability, integrity and confidentiality of the information under its control.
- 1.2 This Policy is designed to support the OPCC's policies in relation to the handling of information including the OPCC's Data Protection Policy and other information management policies. This Policy has been prepared in compliance with relevant legislative regimes and is underpinned by a number of related codes of practice and good practice guidelines.
- 1.3 The OPCC recognises that having accurate and relevant information is essential to effective decision making and that good records management enables business to be conducted in an orderly efficient and accountable manner.
- 1.4 There are inherent risks attached to the retention and disposal of records which directly affect public confidence, legal issues and complaints legislation. This policy provides the OPCC with a common and consistent approach to the retention and disposal of records that seeks to balance proportionality and necessity.
- 1.5 This Policy covers the management of all records and information held by the OPCC, regardless of medium or format, including electronic records. It is applicable to all employees of the Police and Crime Commissioner for Warwickshire including the Police and Crime Commissioner, Deputy Police and Crime Commissioner (if in post), volunteers, consultants and any other individuals working for the OPCC on a contractual basis or otherwise engaged on OPCC business. Ultimate responsibility rests with the PCC who is the Data Controller.
- 1.6 This Policy recognises that some information that is duplicated, unimportant or of short term use may not need to be retained (e.g. duplicate correspondence / emails, trivial emails/notes, matters unrelated to OPCC business). However, it is important that care is taken in deciding whether such information can be disposed of and guidance should be sought from the Chief Executive, if employees are unsure as to whether disposal is appropriate.
- 1.7 Where possible only one copy of a record should be kept, with duplicate records destroyed appropriately. Records should be electronic wherever possible.

2. Records Management Principles

2.1 The purpose of this Policy is to: (i) prevent the premature destruction of records; (ii) provide consistency of preservation and destruction of records; (iii) improve records management; and (iv) ensure adherence with the Data Protection Act (DPA) 2018 and other relevant legislation.

2.2 Records are retained for four main reasons, as follows:

- To provide evidence for actions undertaken and support transparent business decision making.
- To enable the OPCC to discharge its functions in a timely and effective manner.
- To comply with legislative and regulatory requirements.
- To preserve the OPCC's corporate memory.

- 2.3 Records will be retained for as long as required to comply with the requirements set out in section 2.2, above and in line with the DPA 2018. Where possible, records should be kept in an electronic format and duplicate paper copies should be destroyed.
- 2.4 Records should be stored as securely as possible, having regard to the sensitivity and confidentiality of the information and to avoid potential misuse or loss. Records should be easily identified and accessible to those who need to have access to them.
- 2.5 Wherever there is a potential for litigation or a request under access to information legislation, the records that are likely to be affected should not be amended or disposed of until the threat of litigation or actual litigation has ceased including any appeal processes.
- 2.6 Records should be disposed of by shredding and / or arranging for collection as confidential waste for destruction by an appropriate body. This should also include all back-up copies on alternative media.
- 2.7 A record of disposal of the information detailed in the Retention Schedule should be maintained which identifies each record destroyed.
- 2.8 The DPA 2018 provides individuals with the right to correction of personal data. Any changes made to a record need to be made to each copy of the record. Having one copy of each record will assist with compliance to this duty.

3. Roles and Responsibilities

- 3.1 The Chief Executive is responsible for ensuring compliance from the OPCC and its employees to this Policy, keeping under review the OPCC's approach to records management and the retention and disposal of information, including ensuring that sufficient resources are made available to support OPCC employees in meeting their obligations under this Policy.
- 3.2 The Chief Executive is responsible for providing appropriate communications and raising awareness amongst employees and any other individuals to whom this Policy applies.
- 3.3 Employees and individuals to whom this Policy applies are responsible for familiarising themselves with their obligations under this Policy, ensuring their own compliance and seeking guidance where they need it.
- 3.4 The OPCC undertakes to review this Policy regularly so as to ensure that it remains compliant with legislative regimes, relevant codes of practice / good practice guidelines and to reflect the types of documents held by the OPCC.

4. Standard Operating Procedure for Retention of Records

- 4.1 The majority of records that the OPCC holds are listed in the Retention Schedule at Annex 1. Records should be retained for the amount of time indicated in the Retention Schedule. All retention periods are shown in whole years. Where indicated within the Retention Schedule, some records will be retained indefinitely. A record must not be retained beyond the period indicated in the Retention Schedule, unless a valid reason (or notice to preserve documents for contemplated litigation or other special situation) calls for its continued retention.

4.2 Some records do not need to be kept at all. In most cases, information which is duplicated, unimportant or of short term use can be destroyed when it is no longer of any practical use, including:

- Compliments slips.
- Catalogues and trade journals.
- Telephone message slips.
- Non-acceptance of invitations.
- Trivial e-messages or notes not related to OPCC business.
- Out of date distribution lists.
- Working papers which lead to a final report (including meeting papers).
- Signing in books.
- Duplicated and superseded material such as stationery, manuals, drafts, address books and reference copies of annual reports.
- Hard copies of documents where an electronic copy has been created and saved.

4.3 Any type of record may contain personal data; that is, data that identifies living individuals. Data protection laws require us to retain personal data for no longer than is necessary for the purposes for which it is processed (the principle of storage limitation). Where records containing personal data have been listed in the Retention Schedule, we have taken into account the principle of storage limitation and balanced this against our requirements to retain the data. Employees should take into account the principle of storage limitation when deciding whether to retain any record.

4.4 If data is not listed in the Retention Schedule, it is likely that it should be classed as disposable information which can be destroyed when it is no longer of any practical use. However, if you consider that there is an omission in the Retention Schedule, or if you are unsure whether to retain a certain record, please contact the Development and Policy Lead (Standards and Integrity).

Annex 1 – Retention Schedule

Internal PCC Business, Corporate Planning, Processes and Policies

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
PCC decisions	Business need	Decision notices and associated documentation	Permanent	Chief Exec	Archive after 6 years
Complaints, including those against the PCC, DPCC and staff	Public task	Correspondence, summary reports, file notes, details of investigations	7 years from conclusion of the investigation and any appeals	Chief Exec	Destroy
Corporate planning and reporting	Business need	Police and Crime Plans, Strategy Plans, Annual Reports, Registers	Permanent	Chief Exec	Archive after 6 years
		Delivery Plan	6 years from date of document	DPL (Performance and Scrutiny)	Destroy
Ethical framework	Business need	Codes of Conduct	7 years from date of document	DPL (Standards and Integrity)	Destroy
		Register of interests, registers of gifts and hospitality,	Permanent	DPL (Standards and Integrity)	Archive after 6 years

	The Police and Crime Commissioner Elections (Declaration of Acceptance of Office) Order 2012	Commissioner's Oath	Permanent	Chief Exec	Archive after 6 years
	Police Reform and Social Responsibility Act 2011	PCC, DPCC and senior staff confirmation reports	Term of employment plus 6 years	Chief Exec	Destroy
Policy development	Business need	Policies	Permanent	All	Archive after 6 years
		Joint protocols	2 years after superseded	All	Destroy
Information management	Business need	Filing indices, records of transfer to archives, disposal records	Permanent	Office Manager and DPL (Standards and Integrity)	Archive after 6 years
		Routine correspondence to or by the OPCC in relation to information management	4 years from date of document	Admin Office in conjunction with DPL (Standards and Integrity)	Destroy
Equality impact assessments	Business need	Initial and full assessments of policies and procedures	Superseded plus 2 years	DPL (Standards and Integrity)	Destroy

Approved policies not listed elsewhere	Business need	Equality Policy, etc	Superseded plus 3 years	All	Destroy
Briefing notes	Business need	Briefing notes for the PCC, Chief Executive and other staff members for meetings, etc	4 years after use	Author or person who has taken on the role if post holder has left	Destroy

Meetings and Steering Groups

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Meetings where the PCC owns the record including formal, partnership, agency and external meetings	Holding the Force and criminal justice agencies to account	Minutes, agendas and reports	Permanent	All	Archive after 6 years
		Note books	Destroy on completion of book	All	Destroy
		General correspondence	2 years after date of meeting	All	Destroy
External meetings (where the OPCC does not own the record)	Holding the Force and criminal justice agencies to account	Minutes, agendas, reports and presentations	4 years after date of meeting or document	All	Destroy

Working groups/Steering groups	Holding the Force and criminal justice agencies to account	Minutes, agendas, reports and presentations	4 years after date of meeting or document	All	Destroy
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Governance, Assurance and Chief Constable

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Assurance – process of assessing quality, efficiency or performance of the Force/Alliance	Holding the Force to account	Minutes, agendas, reports, supporting documentation, dip sampling records, presentations, performance reports	4 years after date of meeting or document	All	Destroy
Governance	Business need	Corporate Governance Framework, standing orders/financial regulations, Annual Governance Statement	Permanent	Chief Exec	Archive after 6 years
Statutory inspections, reviews and external audit reports	Business need	External Audit reports, HMICFRS reports	Permanent	DPL (Performance and Scrutiny)	Destroy
		Correspondence	4 years from date of document	DPL (Performance and Scrutiny)	Destroy

Appointment of Chief Constable	Public task under the Police Reform and Social Responsibility Act 2011	Advertisements, application forms, interview reports	2 years from date of application/interview for unsuccessful candidates. 7 years after termination of employment for successful candidates.	Chief Exec	Destroy
		Personnel files	7 years after Chief Constable leaves post <i>Note that Warwickshire Police hold these records until age 100</i>	Chief Exec	Destroy
Dismissal of Chief Constable	Police Reform and Social Responsibility Act 2011	Resignation, redundancy, dismissal, death, retirement	7 years after termination of employment	Chief Exec	Destroy
Complaints against the Chief Constable	Police Reform and Social Responsibility Act 2011	Details of complaint, investigation and outcome	7 years after termination of employment	Chief Exec	Review
Independent Custody Visitors	Business need	Minutes, agendas, reports, registers of visits, Custody Visitor details	4 years from date of document	DPL with responsibility for ICVs	Destroy

		Handbook	Until superseded	DPL (Criminal Justice and Equality)	Destroy
		Custody Visitor records	7 years after individual leaves position	DPL (Criminal Justice and Equality)	Destroy

Administration

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Allowances/Expenses	Business need	Claim forms, letters	7 years after period of appointment ends for staff and volunteers	Admin Office	Destroy
Diaries and calendars	Business need	Electronic and manual diaries/calendars	4 years from end of calendar year	All	Destroy
Health and safety, including accidents at work	The National Archives Retention Scheduling: Departmental Accounts, Health and Safety at Work Act 1974 and supporting Regulations, Limitation Act 1980	Risk assessments, accident books, RIDDOR correspondence and fire certificates	Destroy after 6 years from date of document	Office Manager	Destroy

	Business need RIDDOR - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013				
Unstructured records	Business need	Records that do not support a business process, i.e. there is no existing place for them in the filing structure and none will be created. This applies to paper and electronic formats including e-mails.	Destroy as soon as use has ceased	All	Destroy
General correspondence from the public (excluding complaints, legal matters or Fol)	Business need	General contacts, such as marketing, general information updates, etc.	4 years after the final response to an enquiry or comment	All	Destroy
Circulars	Business need	Circulars, newsletters, journals, etc, from the APCC, APACE, Home Office, IOPC, etc	4 years after date received	All	Review
Visitor Signing In Book	Business need	Record used to log who is in the building to comply with fire and security	Completion of page (approximately every month)	Admin	Destroy

Contact and address lists	Business need	Any lists of contacts for staff, volunteers, etc. These may be stored in individual e-mail accounts under 'contacts'	As and when required or following non-contact for 7 years	All	Destroy
Government Department circulars	Business need	APCC, APACE, NPCC, PACCTS, etc	4 years from date of document	All	Destroy
Logs of contacts to the office	Business need	Trackers, case management systems, etc	4 years after last use.	Admin	Destroy
Organisation charts	Business need	Structure charts, etc	Permanent	Chief Exec	Archive after 6 years
Third party emergency contact details provided by staff member	Business need	Emergency contact information	End of employment	Office Manager	Destroy
Conferences and events	Business need	Delegate lists, badges, table plans, completed evaluation forms, etc	12 months after event	Organiser	Destroy

Fol, External Consultations from Outside Agencies and Grants

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
External consultation responses	Business need	Responses to external consultations, e.g. Home Office, APCC, APACE	4 years from date submitted	All	Destroy

Freedom of Information Act requests	Business need	Requests received and responses	6 years from last action	All	Destroy
		Appeals, reviews, ICO rulings	6 years from last action	Chief Exec	Destroy
Grants and commissioning	Business need	Applications, evaluations, terms and conditions, quarterly reports, organisations' policies, decision documents, administration (letters, e-mails etc), finance information	7 years from expiry of grant agreement (for grants awarded to successful bidders) 1 year from last contact with unsuccessful bidders	DPL (Grants, Commissioning and Engagement)	Destroy

Media, Website, Consultations and Marketing

Public/Partner consultation (Police and Crime Plan, Precept, Community Trigger)	Business need	Forum notes, records, questionnaires, correspondence, supporting papers	4 years from date of document	Head of Media and Communications	Destroy
Media relations	Business need	Media reports, press releases	4 years from date of report or article	Head of Media and Communications	Destroy
Marketing	Business need	Developing and promoting OPCC events	4 years from date of document	All	Destroy

		Information about the OPCC	Until superseded	Head of Media and Communications	Destroy
Website	Business need	Information contained on the website	Until superseded	Head of Media and Communications	Destroy
	Business need	Google Analytics	Stores information for 50 months	Head of Media and Communications	Destroy
Photographs and videos	Business need	Photographs and videos taken at events, etc	2 years from creation for children and young people and 4 years from creation for adults (unless consent sought for further use)	Head of Media and Communications	Destroy
Equality and diversity published information	Public Sector Equality Duty	Details of equality and diversity for publication	6 years	Head of Media and Communications	Review
Communications with journalists	Business need	Notes of telephone conversations, e-mails, etc	12 months	Head of Media and Communications	Destroy

Human Resources

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Personnel administration	Business need Limitation Act 1980	Personnel file (including contracts, probation records, appraisals, references, sickness records, reasonable adjustment requirements, maternity, paternity and adoption leave) and disciplinary records (including warnings and grievance records)	7 years after individual leaves employment of OPCC. <i>Note that Warwickshire Police hold these records until age 100, other than sickness records which are held until age 72</i>	Chief Exec	Destroy
Staff recruitment	Unsuccessful - Limitation Act 1980 Successful – The National Archives Retention Scheduling: Employee and Personnel Records and CIPD	Advertisements, application forms, interview notes, references, personnel files	Unsuccessful candidates – 6 months from last contact Successful candidates – 7 years after end of employment	Chief Exec	Destroy
Appointment of Members (Audit and Standards Committee, etc)	Unsuccessful - Limitation Act 1980	Advertisements, application forms, interview notes, references, personnel files	Unsuccessful members – 6 months from last contact	Chief Exec or DPL who appointed	Destroy

	Successful – The National Archives Retention Scheduling: Employee and Personnel Records and CIPD		Successful members - 4 years after appointment ends		
Employee relations	The National Archives Retention Scheduling: Employee Personnel Records and CIPD	Agreement, correspondence re formal negotiations	In line with Warwickshire Police	All	Archive after 6 years
	Business need	Correspondence re minor and routine matters	In line with Warwickshire Police	All	Destroy
Medical records	CIPD	Medical examinations, adjustment to work examinations	7 years after individual leaves employment or 2 years from date of document if individual not appointed following medical check	Chief Exec	Destroy
Staff leave monitoring	CIPD	Leave records, time sheets, flexi records	7 years after individual leaves employment ends of OPCC. <i>Note that Warwickshire Police hold these records for a minimum of 2 years</i>	All	Destroy

Staff termination	CIPD	Resignation, redundancy, dismissal, death or retirement	7 years after end of employment or if pension paid, 7 years after last pension payment	Chief Exec	Destroy
Police Appeals Tribunals	Local Government Act 1972 revised	Correspondence, reports, agendas, minutes	7 years after PAT determination	Chief Exec	Destroy
Business interest appeals	Business need	Appeals in relation to business interests	7 years from last action	Chief Exec	Destroy
Vetting	Business need	Vetting records	Any records held by the OPCC to be destroyed after confirmation of vetting received from Warwickshire Police. <i>Note that Warwickshire Police hold these records for 6 years after leaving or until 1 year after death. If unsuccessful, held for 6 years from when vetting took place.</i>	All	Destroy

Finance and Risk

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Annual reports	Business need	Annual statement of accounts	Permanent	Deputy Chief Finance Officer	Archive after 6 years
Internal inspections, audits and reports	Business need	Internal Audit Reports	Permanent	Deputy Chief Finance Officer	Archive after 6 years
Finance reports	Business need	Quarterly budget reports, working papers	Destroy when admin use complete	Deputy Chief Finance Officer	Destroy
Approvals/purchase	Business need	Purchase/sales orders	Destroy 7 years after end of financial year	Office Manager	Destroy
Expenditure	Limitation Act 1980	Invoices, receipts, bank statements, vouchers, ledger	Destroy 7 years after end of financial year	Deputy Chief Finance Officer/Office Manager	Destroy
Payroll	HM Treasury guidelines, National Audit Office advice, Companies Act 2006	Claim forms, pay/tax records	Destroy 7 years after the end of the financial year	All	Destroy
Budget setting		Final annual budget	Permanent	Deputy Chief Finance Officer	Archive after 6 years

	Business need	Draft budgets and estimates	4 years after budget set	Deputy Chief Finance Officer	Destroy
Budget monitoring	Business need	Quarterly statements	Destroy after next year's annual budget adopted	Deputy Chief Finance Officer	Destroy
Asset monitoring and maintenance	Business need	Asset Registers	Destroy 7 years after end of financial year	Deputy Chief Finance Officer	Destroy
		Inventories	Destroy 2 years after admin use	Deputy Chief Finance Officer	Destroy
Taxation records	Business need	Taxation Records	7 years after end of financial year	Deputy Chief Finance Officer	Destroy
Risk register	Business need	Risk register for activity of the organisation	3 years' worth plus the current one	Deputy Chief Finance Officer	Destroy

Legal

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Litigation	Business need	Correspondence, criminal and civil case files, medical appeal files, employment tribunal files	7 years after last action	Chief Exec	Review

Legal advice	Business need	Briefing notes, correspondence, Counsel's opinion	7 years from date of advice	Chief Exec	Review
Police medical retirement (Reg A20 decisions)	CIPD	Minutes, agendas and reports	Permanent	Chief Exec	Archive after 6 years

Contracts and Tenders (not including grants)

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Contracts and agreements (ordinary)	The National Archives Retention Scheduling: Contractual Records	Service Level Agreements, contracts with suppliers	7 years after contract expires	Chief Exec	Review
Contracts and agreements (under seal)	The National Archives Retention Scheduling: Contractual Records	Service Level Agreements, contracts with suppliers	13 years after contract expires	Chief Exec	Review
Contract development and evaluation of tenders (ordinary)	The National Archives Retention Scheduling: Contractual Records	Tender specification, evaluation criteria, successful tender document	7 years after contract has expired	Chief Exec	Destroy
Contract development and evaluation of tenders (Under seal)	The National Archives Retention Scheduling: Contractual Records	Tender specification, evaluation criteria, successful tender document	13 years after contract has expired	Chief Exec	Destroy

Unsuccessful tenders	The National Archives Retention Scheduling: Contractual Records	Tender envelopes	1 year after start of contract	Chief Exec	Destroy
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Property and Assets

Area of Business	Reason for Retention	Examples of Records	Retention Period	Information Asset Owner	Action
Asset acquisition/disposal (Non land)	Business need	Legal documents relating to purchase/sale of assets, leases of assets, tender documents	Destroy 13 years after contract expires	Chief Exec	Destroy
Property acquisition	Business need	Survey reports, plans and other reports, sale agreement	Duration of ownership by the PCC plus 13 years	Chief Exec	Destroy
Property disposal	Business need	Survey reports, tender documents, sale agreements	Destroy 15 years after all obligations end	Chief Exec	Destroy
Insurance	Business need	Insurance policies, correspondence	Destroy 7 years after terms expire	Chief Exec	Destroy
Leases of premises	Business need	Lease of OPCC premises	13 years from end of lease	Chief Exec	Destroy