

**Office of the
Police and Crime Commissioner
for Hampshire and Isle of Wight**

**Record Retention and
Disposal Policy**

Document control

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Head of Governance, Risk and Compliance

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Information Management Policy

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Table of contents

1	Introduction to the Record Retention and Disposal Policy	4
2	Policy intention	4
3	Overview	4
4	Roles and responsibilities	5
5	Disposal	5
6	Retention periods	5

1 Introduction to the Record Retention and Disposal Policy

- 1.1 The Police and Crime Commissioner is committed to ensuring records held by the organisation are retained for as long as they are needed in a secure manner, and are destroyed in an appropriate manner at a suitable time.
- 1.2 This policy and associated schedule sets out the length of time that records are held by the organisation, and the action taken when the prescribed time limit has been reached for retention.

2 Policy intention

- 2.1 The purpose of this policy is to provide guidance and direction on the retention and disposal of information held by the Office of the Police and Crime Commissioner.
- 2.2 It intends to provide a framework from which staff of the organisation can make decisions about what documents it can retain and for what length of time.
- 2.3 It also intends to reassure the public that the organisation is complying with its obligations under the Data Protection Act 2018 and associated legislation.

3 Overview

- 3.1 This policy applies to all staff within the Office of the Police and Crime Commissioner, to agency, associated and affiliated workers, and to its volunteers. It incorporates all relevant documents and records (recorded information) whatever the medium or technology used to create and store it and whether it originates from within the organisation or from outside. It also covers documents and records stored on behalf of the Office of the Police and Crime Commissioner by other organisations acting on our behalf, such as the Shared Service Partnership.
- 3.2 As well as complying with the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000, there are benefits to the organisation to having a retention policy and schedule. Documents and records of continuing value are identified and can be managed appropriately, and those that cease to have any value can be disposed of efficiently. A policy provides clear instructions and definitive time periods, ensuring consistency across the organisation.
- 3.3 Further benefits of a policy and schedule are that it avoids unnecessarily clogging up server space, enabling it to run more efficiently. This in turn makes it quicker and easier to find information if required to do so under the Freedom of Information Act.

4 Roles and responsibilities

- 4.1 While the Police and Crime Commissioner is the Data Controller registered with the Information Commissioner's Office, day-to-day responsibility for Business Support with this policy rests with the Chief Executive. Such responsibility may be delegated to other members of the Senior Management Team as appropriate.
- 4.2 All Heads of Service and Senior Managers are responsible for ensuring that data processed and held within their part of the business is retained and disposed of in accordance with this policy.

5 Disposal

- 5.1 Disposal can be achieved by a range of processes:
- Confidential waste service
 - Deletion of electronic files
 - Archival of documentation to the Hampshire Records Office
- 5.2 Any hard copy records to be destroyed that contain Personal Data, Sensitive or Confidential Information must be shredded and securely disposed of.
- 5.3 Should any hard copy records need to be retained indefinitely, please contact the Governance, Risk and Compliance team to arrange for archiving.

6 Retention periods

- 6.1 Many of the retention periods outlined in the attached schedule have been determined by taking into account legislation which, either directly or indirectly, imposes minimum retention periods. They include:

- **Tax legislation:** Minimum retention period for certain financial records are imposed by statutes such as the VAT Act 1994, the Taxes Management Act 1970 and Income Tax Regulations 2003 and includes all information relevant to the tax position.
- **Statutory Registers:** Various local government statutes require registers to be kept of certain events, notifications, or transactions. It is implicit within such legislative requirement that these records be maintained on a permanent basis, unless the legislation concerned stipulates otherwise.

- **Local Audit and Accountability Act 2014** – the duty to provide documents and information to the auditors, which it appears necessary to enable them to discharge their functions under the Act.
- **Health and Safety Acts and Regulations:** There is a raft of legislation under Health and Safety that requires the retention of records which include accident records, risk assessments, working time opt out forms, RIDDOR reports, training, staff consultation, *etc.*
- **Financial Acts and Regulations:** Various legislation require the retention of financial information including accounts, financial statements, audit reports.
- **Limitation Act 1980:** Prescribes time limits for the commencement of different categories of legal actions, and hence encompasses contracts including employment contracts, training records, particulars of employment, changes to terms and conditions.
- **Personnel/Human Resource legislation:** various legislation requires the retention of records including working time records, statutory maternity pay records, retirement benefits records, statutory sick pay records, calculations, certificates and self-certificates.

6.2 Other relevant legislation includes:

- **The Data Protection Act 2018** which states that “*personal data processed for any purpose shall not be kept for longer than necessary.*”
- **Public records Act 1958** imposes a duty on public bodies to make proper arrangements for the identification, safeguarding and transfer of records of historical interest to the National Archives.

6.3 For some documents and records there is national guidance indicating a retention period, including:

- **CIPD Retention of personnel and other related records:** Specifies retention periods for job application forms/CVs, references, job interview notes, *etc.*
- **Lord Chancellor’s Code of Practice** on the Management of Records under Freedom of Information.

- **The National Archives: provides** best practice in records management and transfer, and information re-use.

This list is not exhaustive but represents legislation that most often applies.

- 6.4 A schedule of retention periods can be found in the Appendix attached to this document.
- 6.5 Where legislation is silent on retention periods, we have taken in consideration the retention periods detailed in the National Police Chiefs Council National Guidance on The Minimum Standards for the Retention and Disposal of Police Records, and the retention policy of Hampshire County Council, who provide some support services to the organisation.

Appendix A – Retention Schedule:

A.1

This schedule details the retention period for categories of data held by the Office of the Police and Crime Commissioner for Hampshire and Isle of Wight, and what is to be done once this period has expired.

A.1.1

This list is not intended to be exhaustive. If it is unclear what the appropriate retention period is that applies to any data held, please speak to the Data Protection Officer directly or e-mail opcc.dataprotection@hampshire.police.uk

A.2

Retention Schedule:

Record Category	Record Type	Retention Period
General	Routine Correspondence	Last Contact + 2 Years
	Meeting Minutes and Agendas	Routine - 3 Years
		SLT, Exec Board and meetings where decisions are taken - Permanent
	Diaries and Calendars	2 Years
	Unstructured Records	On fulfilment of Purpose
PCC, DPCC and Statutory Officers	Meeting Minutes and Agendas (Routine)	Routine - 3 Years
		Decision Taken - Permanent
	Personnel Records	End of Office + 6 Years
	Recruitment (Successful)	End of Office + 6 Years
	Recruitment (Unsuccessful)	1 Year
	Salaries, Allowances and Expenses	End of Office + 6 Years
	Code of Conduct	End of Term + 5 Years

Record Retention and Disposal Policy

PCC, DPCC and Statutory Officers	Complaints	Last Action + 6 Years
	Police and Crime Plan	Permanent
	Annual Reports	Permanent
	Decision Notices	Permanent
	Corporate Plans and Strategies	Permanent
	Precept	End of Financial Year + 6 Years
Chief Constable	Personnel Records	End of Office + 6 Years
	Recruitment (Successful)	End of Office + 6 Years
	Recruitment (Unsuccessful)	1 Year
	Complaints	Last Action + 6 Years
Governance	Governance Statement	Permanent
	Scheme of Delegation	Permanent
	Register of Interests	Permanent
	Register of Gifts and Hospitality	Permanent
	Terms of Reference	Permanent
	Statutory Inspections and Reports	Permanent
	Policies and Procedures	Until Superseded
	Publication Scheme	Permanent
	Statutory Returns	Permanent
Risk Register	2 Years	
Human Resources	Personnel Records	End of Employment + 6 Years
	Recruitment (Successful)	3 Years
	Recruitment (Unsuccessful)	1 Year
Finance	Statement of Accounts	Permanent
	Annual Budget	Permanent
	Draft Budgets and Estimates	Finalisation + 4 Years
	Budget Reviews	End of Financial Year + 1 Year
	Medium Term Financial Plans	Permanent
	Treasury Management	End of Financial Year + 1 Year
	Standing Orders (Including Contract Standing Orders)	Until Superseded

Record Retention and Disposal Policy

Finance	Financial Regulations	Until Superseded
	Register of Seals	Permanent
	Income and Expenditure	End of Financial Year + 7 Years
	Ledger	End of Financial Year + 7 Years
	Taxation	7 Years
	Expense Claims	End of Office + 6 Years
	Insurance Policies	Expiry + 7 Years
	Inventory	6 Years
	Asset Register	End of Financial Year + 7 Years
Legal	Advice and Correspondence	3 Years
	Litigation	Last Action + 7 Years
	Employment Tribunals	Last Action + 6 Years
	Signed Agreements	Expiry + 7 Years
	Contracts	Standard - Expiry + 6 Years Deed - Expiry + 12 Years
	Legal Documents	Permanent
	Asset Acquisitions and Disposals	Under £50k - Disposal + 7 Years Over £50k - Disposal + 12 Years
Procurement and Commissioning	Tender Spec and Evaluation	Ordinary - Expiry + 7 Years Under Seal - Expiry + 12 Years
	Unsuccessful Tenders	Contract Award + 18 Months
	Correspondence and Negotiations	Contract Award + 1 Year
	Tender and Pre-Tender Documents	Contract Award + 1 Year
	Supplier Contracts	End of Contract + 6 Years
	Funding Agreements	7 Years
	Grants Awarded and Received	7 Years
	Service Provision	5 Years
	Partnership Meeting Minutes and Agendas	3 Years
Property and Estate	Survey Reports	Disposal + 7 Years
	Project Specification	Completion + 5 Years
	Plans	Permanent
	Certificates of Approval	Permanent

Record Retention and Disposal Policy

Property and Estate	Building Safety and Compliance	6 Years
Independent Bodies	Terms of Reference	Until Superseded or Conclusion + 6 Years
	Meeting Minutes and Agendas & Reports	Joint Audit Committee - Permanent Other - 6 Years
	Personnel Records	End of Appointment + 1 Year
	Recruitment (Successful)	1 Year
	Recruitment (Unsuccessful)	1 Year
	Independent Custody Visits - Meeting Minutes and Reports	6 Years
	Independent Custody Visits - Visitation Records	6 Years
	Independent Custody Visits - Volunteer Records	End of Appointment + 2 Years
	Independent Custody Visits - Expenses	End of Appointment + 2 Years
	Independent Custody Visits - Policies and Procedures	Until Superseded
	Police Appeals Tribunals	10 Years
	Expense Claims	End of Appointment + 6 Years
Information Management	Data Protection Records	7 Years
	Subject Access Requests	2 Years
	Freedom of Information Requests	Response + 5 Years
	Filing Indices	Permanent
	Archiving Records	Permanent
Health and Safety	Policies and Procedures	Until Superseded + 6 Years
	RIDDOR	6 Years
	Risk Assessments	Until Superseded
	Other Health and Safety Records	Until Superseded + 6 Years

Record Retention and Disposal Policy

Communications and Engagements	Public Consultations	4 Years
	Statements and Press Releases	4 Years
	Event and Engagement Planning	4 Years
	Media Reports	4 Years
Complaints	Staff/Volunteer Complaints	Last Action + 6 Years
	Complaint Reviews	Last Action + 6 Years
Audit	Audit Reports and Actions	Last Action + 6 Years
	Annual Audit Letters	Permanent