



PS	Records Retention and Disposal
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1.0 Section 1 Version Control

Version No	Date	Post Holder Author	Post	Reason for issue
1.0	August 2014	Karen Sleigh		New policy
2.0	August 2015	Karen Sleigh		Review

2.0 Section 2 Background

- 2.1 The Office of the Nottinghamshire Police and Crime Commissioner is wholly committed to setting the highest standards of delivery in Records; Recording; Retention and Disposal by applying the requirements of Information Security policy.
- 2.2 Personal data will be strictly controlled in line with current legislation and the ACPO guidance on the Management of Police Information or MOPI.
- 2.3 Retention periods are given in whole years and are from the end of the financial year to which the records relate.
- 2.4 Records should be disposed of where they are recorded as:-
- Hard copy – Arranging for collection of confidential waste for destruction or shredding, including all copies on whatever format. All confidential waste will be separated from ordinary waste using a coloured bag system
 - Electronic data – Will be subject to archive supporting data storage and WEED policy in line with Schedule A of this policy

2.5 Aside from the standard procedure set out below, whenever there is a possibility of litigation following a:-

- Request under the Freedom of Information Act 2000 or
- A Data Subject Access Request (DSAR) under the Data Protection Act 1998

records likely to be affected should not be amended or disposed of until:

- the threat of litigation has ended,
- the Subject Access Request has been actioned, or
- the appeal processes under the Freedom of Information Act have been exhausted.

In these circumstances the Monitoring Officer (the Chief Executive) should be consulted and the final decision recorded on the record.

2.6 The Freedom of Information Act 2000 introduced new rights of access to information which inevitably impacts upon Office of the Nottinghamshire Police and Crime Commissioner Records Management and Publication Scheme. The public has a general right of access to all types of recorded information held by public authorities, subject to certain exceptions (providing the public interest in disclosure does not outweigh the public interest in maintaining an exemption).

2.7 Information is exempt from the provisions of the Act if it is accessible by other means. If the information is already covered in Office of the Nottinghamshire Police and Crime Commissioner Publication Scheme and is available via the website there will not be a requirement to provide that information in response to an individual request.

2.8 Certain information may be subject to redaction where it identifies individuals other than the person making the request for information.

2.9 All data and documentation not held within the estate are retained in accordance with the Constabulary's 'Using the Off-Site Storage Facility for Physical Records policy'. A record of which documentation and data is held off site is maintained by the Office of the Nottinghamshire Police and Crime Commissioners. This is termed archiving.

2.10 Office of the Nottinghamshire Police and Crime Commissioner Data Records Retention and Disposal policy complies with the European Directive on Data Protection and the Data Protection Act 1998 which are listed as:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive.

- Accurate and up to date
 - Not kept for longer than is necessary
 - Processed in line with your rights
 - Secure
 - Not transferred to other countries without adequate protection.
- 2.11 Management of Policing Information (MOPI) covers these legal standards, setting further higher expectations listed within the detail of this policy document under section 3 and 4.
- 2.12 Once a lawful policing purpose to hold personal data or sensitive personal data has been established, a proportionality test as to its impact on the individual must be undertaken.
- 2.13 Proportionality is governed by the volume and nature of the data being held and is defined as **‘an official measure must not have any greater effect on private interests than is necessary for the attainment of its objective’**
- 2.14 It must be remembered individuals have the right to see the nature and content of the data held upon request or DSAR. This is covered under Office of the Nottinghamshire Police and Crime Commissioners Data Protection policy.

3.0 Section 3 Aims / Objectives

- 3.1 It is the Office of the Nottinghamshire Police and Crime Commissioner’s aim / objective(s) to create an environment whereby all data held is:
- Accurate
 - Adequate
 - Relevant
 - Timely
- 3.2 The impact of this approach is to ensure:-
- Legal and regulatory requirements are met
 - Saving in employee time through compliance
 - Minimises public administration in storage and cost
 - Ensures archival storage of historical value on records held for the benefit of future generations
- 3.3 Records Retention and Disposal of data whilst governed by the European Data Protection Regulations must also be governed by the standards of the Management of Police Information or MOPI.

- 3.4 The aim will be to ensure data is subject to the following requirements:-
- Collection
 - Recording
 - Evaluation and Actioning
 - Sharing
 - Review Retention and Disposal
- 3.5 All staff will be governed by the following principles with provenance accuracy and reliability of the data established:-
- Provenance to include:-
 - A risk assessment based on the individual subject of the data
 - May include source of the data, (third party reporting of crime as example)
 - Data storage (sensitivity of the data) and
 - Data use
 - Decision to sanitise the data can be made but must be subject to accountability
 - Ensure accurate linking of records where necessary
- 3.6 The various stages of Records Retention and Disposal policy are controlled by three identified groups of individuals:-
- Manager(s)
 - Supervisor(s)
 - User(s)

These stages and the three groups assigned to deal with Records Retention and Disposal will govern the policy of the Office of the Nottinghamshire Police and Crime Commissioners.

4.0 Section 4 Details

4.1 Application

All staff are required to ensure they have read and understand the Office of the Nottinghamshire Police and Crime Commissioners policy requirements. They must be fully aware of their role and responsibilities in relation to delivery whether employed by the office or commissioned to provide a service on behalf of Office of the Nottinghamshire Police and Crime Commissioner.

4.2 Key Principles

The key principles are in three groups to support understanding in the delivery of the policy and business processes.

4.3 All managers will ensure:-

- Data quality / accuracy is seen as a priority
- Ensure data is subject to linking and cross referencing
- Ensure staff training is completed and subject to their Continued Professional Development
- Ensure staff are aware of data 'sanitising' and its impact

4.4 All supervisors will ensure: -

- Performance of regular dip sampling of records to ensure data accuracy and quality in compliance with the eight principles of data protection
- All users are recording in the correct format
- Provide demonstrable feedback to staff on record creation

4.5 All users are responsible for recording information for a policing purpose. Users must ensure:-

- Recording of information is in the correct format
- Recording of information is in compliance with recording and data quality principles
- Make all necessary efforts to ensure personal records are unique
- Ensure where data is sanitised it is an accurate reflection of the unique record and is justified by the record maker

4.6 Where a decision is necessary to share personal and personal sensitive information due to the nature of the event; or the provision of the service required supporting the individual, the following is required:

- What information is to be shared?
- Has a policing purpose to share information been established?
- How do they want the information? – always through secure route
- Once information has been shared record the decision, why it was made, and what information was shared

4.7 All managers will ensure:-

- Support for staff to share information appropriately
- Ensure IT systems are able to record decisions whether or not to share
- Ensure supervisors and users adhere to policy and business practice
- Ensure they are trained in accordance with policy and business processes
- Ensure a risk assessment process is in place to support decision making

4.8 All supervisors will ensure: -

- Support staff to share appropriately
- Audit decision making on an ad hoc basis to support policy and business process including necessity; accuracy and relevancy
- Ensure data held does not compromise any police operation or safety of others
- Ensure risk assessment process is adhered to

4.8 All users will ensure: -

- Information is relevant accurate and adequate for the purpose it is being shared
- Ensure compliance with the Data Protection eight principles; European Convention on Human Rights and common law duty of confidence
- Complete a risk assessment where partners are in the voluntary or private sector who do not have a statutory purpose to share information
- Record the decision to share or not to share
- Ensure data disclosed is proportionate to achieve the policing purpose
- Follow the Office of the Nottinghamshire Police and Crime Commissioners policy and business processes

4.9 All data held is seen as:-

- Live (actively available on a system)
- Archived (available but reduced access to nominated staff)
- Disposal – subject of data deletion in line with policy schedules

4.10 All data retention will be subject to the records requirements as laid out within schedule A of this policy document.

4.11 This procedure applies to records which do not need to be retained.

4.12 Information which is duplicated, unimportant or of short term use can be destroyed under this standard procedure, including:

- compliment slips
- catalogues and trade journals
- telephone message slips
- non-acceptance of invitations
- messages or notes not related to OPCC business
- requests for standard information provided by the OPCC
- out of date distribution lists
- working papers which lead to a final report (including OPCC and decision making papers etc.)

- duplicated and superseded material such as stationery, manuals, drafts, address books and reference copies of annual reports
- E-copies of documents where a hard copy has been printed and filed.

5.0 Section 5 Legislative and Compliance

- 5.1 This document has been drafted to comply with the general and specific duties governed by:-
- The European Convention on Human Rights;
 - EU Regulations on Data Protection and Data Protection Act 1998
 - The ACPO Guidance on the Management of Police Information (MOPI) 2010
 - Freedom of Information Act 2000
 - Common law duty of confidence
- 5.2 This document will be subject to an annual audit and review to support the compliance and review process.

Records Retention and Disposal Review Schedule

Appendix A

Data Type	Detail type of Record	Rationale for Retention
Decision Meetings, Scrutiny Meetings, Quasi-Judicial Meeting papers, Audit Committee Paper	Minutes	Permanent
	Agendas and Reports	Permanent
Working Groups/ Ad hoc groups	Minutes	10 years
	Agendas and Reports	3 years
Corporate planning & reporting	Police and Crime Plan Annual Reports Strategies Business Plans Statement of Account	Permanent
Partnership agendas and external meetings	Minutes, agendas & reports	Not retained originals to be kept by host authority
Appointment of Chief Constable, Deputy Police and Crime Commissioners, Statutory Officers	Advertisements Application forms Interview notes	6 years (or until replacement, whichever is the later)
	Personnel files	Retained whilst in office After retirement, destroyed after 10 years
Complaints against Chief Constable	Correspondence	10 years
Complaints against Police and Crime Commissioner and Deputy Police and Crime Commissioner	Correspondence	10 years
Independent Custody Visiting	Notes, agendas & reports	6 years
	Record of visits	8 years
	Custody Visitor details	2 years after end of appointment
	Handbook	Until superseded
Statutory inspection reports	Audit Commission HMIC	6 years

Data Type	Detail type of Record	Rationale for Retention
Victim Services	No Contact due to incorrect contact details provided Letter: telephone; email Victim contact details Victims crime details Modus Operandii	7 days
	Contact with victim No service required Victim contact details Victims crime details Modus Operandii	12 months Rationale in the event of reapplication of services post incident
	Contact with victim No service required Victim contact details Victims crime details Modus Operandii Full contact notes Files and risk assessment	12 months archived from date victim file closed Destruction 7 years unless deemed of significant public importance

Transparency Records Retention	Transparency Records	Records Retention
Attendance records	Attendance sheets	3 years
Register of Police and Crime Commissioner and Deputy Police and Crime Commissioner interests, gifts & hospitality	Register of interest Register of hospitality	Permanent

Management	Function	Records Retention
Policy development	Scheme of Corporate governance	When superseded
Staff recruitment	Application forms (unsuccessful) Interview notes Completed Vetting forms	Destroyed after interview <i>Check with HR usually CIPD set as 1 year in the event of complaint or tribunal</i>
	Application forms (appointed candidates)	Retained for three years after end of employment

Management	Function	Records Retention
Staff Personnel	Personnel files including sensitive personal data	Removal 5 yrs. during employment Deleted after 6 years from termination of employment
Information Management	General correspondence	3 years
	Disposal record	12 years
	PCC approvals	Permanent
Media relations	Press releases	3 years
Marketing material	Information about the OPCC	When superseded
Diaries & calendars	Electronic & manual	Deleted at year end

Data Type	Detail type of Record	Rationale for Retention
Grants and Commissioning	Non successful applications	Current year plus previous