

Police and Crime Commissioner for Essex

RECORD RETENTION AND DISPOSAL POLICY

Version Control	Version 1.0	November 2012
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Published		November 2012
Review Date		November 2013

Version history

Version Number	Date	Reason for review	Comments
1.0	November 2012		First publication

Introduction

The office of the Police and Crime Commissioner (PCC) for Essex is committed to operating in an open and transparent manner. The record disposal procedure is designed to support the corporate governance framework.

The purpose of this procedure is to:

- prevent the premature destruction of records
- provide consistency of preservation/destruction
- improve record management

Records should be retained for the periods shown in the attached schedule. All retention periods are given in whole years and are from the end of the financial year to which the records relate. Records should be disposed of by shredding or as confidential waste for destruction by the appropriate body and this should also include all back-up copies on alternative media.

NOTE: Whenever there is a possibility of litigation or a request under the Freedom of Information Act the records that are likely to be affected should not be amended or disposed of until the threat of litigation has ended or the appeal processes under the Freedom of Information Act have been exhausted.

A record of disposal of the information detailed in the attached schedule should be maintained which identifies each record destroyed.

Standard Operating Procedure

This applies to records which do not need to be retained. Information which is duplicated, unimportant or of short term use can be destroyed under the Standard Operating Procedure, including:

- compliments slips
- catalogues and trade journals
- telephone message slips
- non-acceptance of invitations
- trivial e-messages or notes not related to PCC business
- requests for stock information such as maps, plans or marketing material
- out of date distribution lists
- working papers which lead to a final report (including Committee papers)
- duplicated and superseded material such as stationery, manuals, drafts, address books and reference copies of annual reports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

RETENTION PERIODS

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1. **PCC BUSINESS**

Function	Records	Retention	Notes
Appointment of force Chief Constable	Advertisements Application forms Interview reports Personnel files	2 years 6 years from date of last pension payment	
Best Value Review Projects	Minutes, agendas Supporting documentation	5 years	
Committee meetings	Minutes, agendas and reports Indexes Rough/draft/audio minutes	Permanent Destroy on confirmation of Minutes	Common Practice
Complaints against force Chief Constable	Correspondence	3 years	
Complaints	Correspondence Summary reports Details of investigations into complaints	3 years	
Corporate planning and reporting	Policing plans Strategy plans Annual reports	Permanent	
Dismissal of force Chief Constable	Resignation, redundancy, dismissal, death, retirement	6 years after termination or, if pension paid, 6years after last pension payment	
Dog Unit Lay Visitors Scheme (now Animal Welfare Lay Visiting Panel)	Minutes, agendas, reports, Registers of visits, Handbook	2 years Unless superseded	
External meetings (where the PCC does not own the record)	Minutes Agendas and reports	3 years	Common Practice

Independent Custody Visiting Scheme	Minutes, agendas, reports, Registers of visits, Custody Visitor details Handbook	2 years Until superseded	
Partnership, agency and external meetings (where the PCC owns the record)	Minutes Agendas and reports	Permanent	Common Practice
Statutory Inspections, reviews and external audit reports	HMI reports	Permanent	
Statutory returns	Reports to Central Government	7 years	
Working Groups/Steering Groups	Minutes Agendas and reports	3 years	

2. **PCC SERVICES**

Function	Records	Retention	Notes
Election	Personnel files (if any)	Permanent 2 years after date of appointment	
Payments	Payment details	6 years after leaving	
Register of PCCs' interests and hospitality	Register of Interests Register of Hospitality	Permanent	

3. MANAGEMENT AND ADMINISTRATION

Function	Records	Retention	Notes
Diaries and calendars	Electronic and manual diaries/calendars	3 years	
Information management	<p>Filing indices</p> <p>Records of transfer to archives Summary of responses to enquiries Disposal records Reports/correspondence on PCC action Routine responses to enquiries</p> <p>General Correspondence/emails & faxes</p> <p>*File (paper) & Folders (electronic inc. emails) containing records for which there is no identified process or function in the retention schedule</p>	<p>Permanent</p> <p>12 years 6 years</p> <p>2 years</p> <p>Archive for one year – destroy if no further use. No file should remain open for more than 5 years and may be closed at any time within that period based on monitoring of usage and additions. If closed and new activity begins, a new volume of the file should be created and the retention period of the old volume be brought inline with the new volume.</p>	5 year rule specified in Code of Practice on Records Management under s46 Freedom of information Act 2000.
Marketing	Developing and promoting PCC events Information about the PCC	2 years When superseded	
Media relations	Media reports	3 years	
Office Management	Contracts with suppliers	3 years from end of contract	

Policy development	Policies Instructions/procedures Organisation charts Standing orders/financial regulations	Permanent	
Policy / strategy review		5 years from closure	
Publications	The process of designing setting information for publication The published work of the EPA	Destroy 3 years from last action Destroy after administrative use is concluded. Note one copy from the initial print run should go directly to the archive.	Common Practice
Public consultation	Consultation on development of significant policies Consultation on development of minor policies Annual Meeting notes, records, correspondence IAG minutes, supporting papers and correspondence	5 years 1 year 2 years	
Quality and performance	PCC Reviews and reports	5 years	
Statutory returns	Reports to Central Government as part of statutory requirement.	Destroy 7 years from closure.	

<p>Unstructured Records</p>	<p>Records that do not support a business process i.e. there is not existing place for them in a filing structure and none will be created. This applies to filing structures for paper and electronic formats including e-mails.</p> <p>Working papers which lead to a final report – (unless report is submitted to Committee – in which case papers should be available for 6 years in line with availability of the minutes for public inspection).</p>	<p>Destroy as soon as use has ceased</p>	<p>Local Government Act 1972 – Access to information for working papers as background to reports to Committee</p>
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4. LEGAL AND CONTRACTS

Function	Records	Retention	Notes
Advice	Correspondence	3 years	Common Practice
Agreements	Service level agreements with EPA	6 years after agreement expires	Common Practice. Depends on value of agreement. Mainly to do with agreements between public bodies. Not in regard to contracts.
Asset acquisition/disposal	Legal docs relating to purchase/sale Leases Tender documents	Destroy 6 yrs if under £50,000 Destroy 12 yrs if over £50,000	
Contract development (ordinary)	Tender specification	6 years after terms have expired	Statutory
Contract development (under seal)	Tender specification	12 years after terms have expired	Statutory
Conveyance	Conveyance Files	Destroy 12 years after closure	Statutory
Evaluation of tenders (ordinary)	Evaluation criteria Successful tender document	6 years after terms have expired	Statutory
Evaluation of tenders (under seal)	Evaluation criteria Successful tender document	12 years after terms have expired	Statutory
Litigation	Correspondence Criminal and civil case files	7 years after last action	
Post tender negotiation	Minutes Correspondence	1 year after terms of contract have expired	Common Practice

Tenders	Tender envelope	1 year after start of contract	Statutory
Unsuccessful tender documents	Tender documents quotations	Destroy 1 year after start of contract.	Common Practice

5. HUMAN RESOURCES

Function	Records	Retention	Notes
Appointment of Statutory Officers	Vacancies & applications records Interview notes prospective staff records Registers of applicants Unsuccessful applications records	Destroy 2 years after date of appointment	
Disciplinary & grievance investigations (proved)	Disciplinary records Grievance Records	Oral warning – 6 mths Written warning – 1 year Final warning – 18 mths Dismissal – after determination of all internal and external appeals 2 years	
Disciplinary & grievance investigations (unproved)	Disciplinary records Grievance records	Destroy immediately after appeal	
Employee relations	Agreements Correspondence re formal negotiations Correspondence re minor & routine matters	Permanent 2 years	
Equal Employment Opportunities	The process of investigation & reporting on specific cases to ensure that entitlements & obligations are in accordance with agreed Equal Employment Opportunities guideline policies.	Common practice	
Fairness in Action	Correspondence and notes	Transfer to Diversity Unit on conclusion of process	

Medical records	Medical examinations Adjustment to work examinations	75 years after DOB	
PDR	Probation reports Performance reports & plans	5 years after action completed	
Personnel administration	Establishment lists Personnel files	Permanent Destroy 6 years from date of last pension payment/leaving date	
Recruitment	Advertisements, application forms, references, interview reports Criminal Records Bureau (CRB) checks and associated documentation	1 year after appointment made Positive outcomes – 2 years after date of check Negative outcomes – 1 year after date of check after date of check	
Staff leave monitoring	Sickness records Leave records Flexi cards	2 years after action completed	
Staff retention	Financial reward	Destroy 7 years after action completed	All records relating to actual payments are dealt With under finance
Staff termination	Resignation, redundancy, dismissal, death or retirement	6 years after termination or, if pension paid 6 years after last pension payment	

FINANCIAL MANAGEMENT

Function	Records	Retention	Notes
Annual reports	Annual statement of accounts	Permanent	
Approvals/purchase	Purchase/sales order	Destroy 7 years after end of financial yr	Statutory
Asset Acquisition and Disposal	Management of the acquisition (by financial lease of purchase) & disposal (by sale or write off) process for assets	Destroy 6 years, if under £50 or 12 years if over £50, after all obligations/entitlement are concluded	Statutory
Asset monitoring & maintenance	Asset registers	Destroy 7 yrs after the end of the financial year	Statutory
	Inventories Stocktaking	Destroy 2 yrs after admin use	Common Practice
	Acquisition & disposal reports Service/maintenance records	Destroy 7 yrs after sale or disposal	Statutory
Budget setting	Final annual budget Draft budgets and estimates Quarterly budget reviews	Permanent Destroy 2 yrs after budget set Destroy after following yrs budget adopted	
Expenditure	Invoices/receipts Bank statements Vouchers/ledger Write offs of Public monies	Destroy 6 years after end of financial yr	Statutory
	Processes to balance & reconcile financial accounts	Destroy 2 years after admin use is concluded	Common Practice
Finance reports	Quarterly budget reports Working papers SUN reports	Destroy when admin use complete	

Internal Audit	Internal Audit Reports - main financial & subsidiary systems Value for money studies Working papers Follow up audits	Destroy one year after completion of next full audit Destroy on full implementation of recommendations or completion of follow up audit Destroy on completion of next full audit	
Loans	Loan files (borrowing money to enable EPA of perform its functions & exercise its powers) Loans register. Summary management of loans	Destroy after the loan has been repaid Permanent	Statutory Common Practice
Payroll	Claim forms Pay / tax records Summary pay reports Non accountable processes relating to payment of employees	Destroy 7 years after the end of the financial yr Destroy after admin use	Statutory Common use

7. PROPERTY AND LAND MANAGEMENT

Function	Records	Retention	Notes
Insurance	Insurance policies Correspondence	Destroy 7 yrs after terms expire	
Management of buildings of special interest	Project specs Plans Certificates of approval	Permanent	
Property acquisition	Plans	Life of property plus 12 years	
Property disposal	Legal documents Survey reports Tender documents Conditions of contracts	Destroy 15 yrs after all obligations end	

8. GENERAL

Function	Records	Retention	Note
Freedom of Information requests where exemptions apply, complaints or appeals are made.	Requests for information dealt with under the provisions of the Freedom of Information Act 2000 where: The records are subject to exemptions (partially or wholly); A public interest test has been formally applied; A complaint has been made to PCC about the application of exemptions or handling of the request; A complaint has been made to the Information Commissioner about the application of exemptions or the handling of the request	The request itself, associated records and any records to which the request applies should not be destroyed until the PCC is satisfied that person making the request does not wish to pursue an appeal or the appeal process has been exhausted. The documentation should remain current for a year from the last action, then closed for one further year, then destroyed if no further activity has occurred. Should an activity occur within that period, the documentation should become current again	Freedom of Information Request (not routine) Correspondence with person making the request/Information Commissioner Correspondence in locating records Records of public interest tests and exemptions decisions Details of records relating to the request (references, titles, locations, owners)
Health & safety	Risk assessments Accident books/RIDDOR correspondence and fire certificates	Destroy after 3 years	