



# Dorset Office of the Police and Crime Commissioner

**Retention and Disposal Schedule** (September 2020)

OFFICIAL

Review Date: September 2022

# OPCC Retention Schedule

## **Introduction**

The Office of the Police and Crime Commissioner for Dorset (OPCC) is committed to operating in an open and transparent manner.

In order to comply with the Freedom of Information Act 2000 (FOIA) and UK-GDPR (General Data Protection Regulation), the Police and Crime Commissioner (PCC) must ensure that a procedure for the retention and disposal of records, held by the OPCC, is in place.

This procedure provides guidance on how records should be maintained and for how long, to ensure that the OPCC is in line with the provisions of a code of practice on records management by the Lord Chancellor under Section 46 of the FOI Act and the UK-GDPR (General Data Protection Regulation), the Code of Practice on the Management of Police Information 2005 and other legislative requirements.

The Guidance recognises the need for a common approach between the PCC and Chief Constable for the retention and disposal of information.

This guidance sets the minimum standard for the retention and disposal of information, the ultimate responsibility rests with the PCC who is the data controller under the DPA.

If the record exists in more than one format at the point of retention, storage consideration should be given to storing a record in a single form such as electronic and deleting or destroying any duplicated information.

This guidance refers to all information, regardless of the medium in which it is stored.

## **Risk**

Responsibility for the managing and use of information held by the OPCC rests with the PCC.

There are inherent risks attached to the retention and disposal of records which directly affect public confidence, legal issues and complaints legislation.

This guidance provides the PCC with a common and consistent approach to the retention and disposal of records that seeks to balance proportionality and necessity.

## OPCC Retention Schedule

### **Benefits of a Retention and disposal Schedule**

There are a number of benefits which arise from the use of a retention schedule:

- Allows the management of information to be consistent and compliant
- The OPCC can be confident about disposing of information at the appropriate time
- The OPCC is not maintaining and storing information unnecessarily.

### **Disposal**

Disposal means deleting or destroying a record to the extent that it cannot be retrieved.

### **Maintenance**

This document will be reviewed and maintained every two years by the OPCC Scrutiny Manager. Additions and amendments, where required for legislative purposes, will be updated as and when required.

### **Retention Schedule**

All records held by the OPCC should be retained for the periods shown in the attached schedule. All OPCC staff, as indicated in the schedule, will be responsible for ensuring that all records held by the OPCC are kept for the appropriate length of time and are destroyed according to the time specified in the attached retention schedule.

All review 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 the deletion of electronic copies, the shredding for any paper copies and include all back-up copies on alternative media.

*Note: Whenever there is a possibility of litigation or a request under FOI, 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 FOI Act have been exhausted (2 months).*

The review period specified in the attached schedule does not mean that the document/or information should be destroyed after the set date. The retention period specifies the latest date to re-evaluate the information. At the end of a review period the main user will:

- Evaluate the business 'value' of the document/information; and
- Either destroy the document/information, or set a further review period.

## OPCC Retention Schedule

Where appropriate, information can be retained electronically including email, personal or shared hard drives, DVD or off-site storage. It is not necessary to make information stored in this way 'instantly' retrievable. It will be sufficient to ensure that information is accessible through the OPCC's systems.

### **Standard Operating Procedure**

This applies to records which do not need to be kept at all. 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 OPCC business
- out of date distribution lists
- working papers which lead to a final report (including meeting papers)
- 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

All these records can be destroyed, except where they may be used as evidence to prove that something happened.

Remember under the Data Protection Act 2018 and UK-GDPR (General Data Protection Regulation), you must not keep personal data for longer than necessary.

Please bear in mind the following points from the ICO:

- You must not keep personal data for longer than you need it.
- You need to think about – and be able to justify – how long you keep personal data. This will depend on your purposes for holding the data.
- You need a policy setting standard retention periods wherever possible, to comply with documentation requirements.
- You should also periodically review the data you hold, and erase or anonymise it when you no longer need it.
- You must carefully consider any challenges to your retention of data. Individuals have a right to erasure if you no longer need the data.
- You can keep personal data for longer if you are only keeping it for public interest archiving, scientific or historical research, or statistical purposes.

OPCC  
Retention Schedule

- For further information, please see link below:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/storage-limitation/>

**REVIEW PERIODS**  
(see attached spreadsheet)

- Contents
- Statutory Requirements
- Legal and Contracts
- Property
- Human Resources
- Financial Matters
- General OPCC Business