

Office of the Police and Crime Commissioner for Surrey

Office of the Police and Crime Commissioner for Surrey Disposal and Retention Schedule

July 2020

(Aligned with the NPCC National Guidance and Surrey Police's Retention Schedule)

OPCC
Retention Schedule

Introduction

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

In order to comply with the Freedom of Information Act 2000 (FOIA) and General Data Protection Regulations May 2018 (GDPR) 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 GDPR May 2018, 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 of Surrey Police 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.

Responsibilities for Records Retention and Disposal

Assigning responsibility for the retention and disposal of information is down to each individual PCC.

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.

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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 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 Data Protection Lead Officer. 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.

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.

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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.

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Retention Schedule

Contents:

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

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REVIEW PERIODS

Statutory requirements

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Function	Records	Review Period	Owner
Annual reports owned by the PCC		Permanent	Communications Manager
Chief Constable Appointment	Advertisements	1 year	Communications Manager
	Application forms- successful / unsuccessful	1 year	Chief Exec/ Office Manager
	Interview reports successful & unsuccessful	1 year	Chief Exec / Office Manager
	Personnel files	Until age 100 (consider 85 years of age for non-pay / pension records)	Chief Exec / Office Manager
	Sickness Records	Until aged 72	Chief Exec / Office Manager
Chief Constable Leaving	Resignation, redundancy, dismissal, death, retirement	Until death + 5 years	Chief Exec / Office Manager
Chief Constable complaints	Correspondence	8 years	Chief Exec / Complaints Policy Lead
Conduct Complaints Surrey Police Officers or staff	Correspondence	8 years	Chief Exec / Complaints Policy Lead
Conduct Complaints – Chief Executive	Correspondence	8 years	PCC
Conduct Complaints OPCC staff	Correspondence	8 years	Chief Exec

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Statutory requirements Continued

Function	Records	Review Period	Owner
Complaint Reviews	Records relating to a request for a review of the outcome of a PSD decision in relation to complaints	8 years	Office Manager Complaints and Misconduct Regulations 2020
Police Appeals Tribunals	Correspondence, Summary reports Details of investigations into complaints	6 years after completion of hearing	Chief Exec/ Complaints Policy Lead / Personal Assistant / Office Manager
Corporate planning and reporting	Policing plans Strategy plans	3 years 3 years	Policy Officer / Chief Exec
Gifts and Hospitality	Completed signed forms	6 years	Personal Assistant
Independent Custody Visiting Scheme	Minutes, agendas, reports, Registers of visits Custody Visitor details Handbook	6 years 6 years 6 years after resignation Until superseded	Scheme Manager
Information management	Records of transfer to archives Freedom of Information requests Data Protection Subject Access requests	Until superseded 6 years from date of request 6 years after request	Personal Assistant http://www.legislation.gov.uk/ https://ico.org.uk/
Notification of Disclosable Interest Forms and Related Party Disclosure Forms	Completed signed forms (original Related Party Disclosure forms are sent by OPCC to Surrey Police Finance Team but copies are retained by the OPCC)	6 years	Personal Assistant

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Statutory requirements Continued

Function	Records	Review Period	Owner
PCC Decision Papers	Paper copies	7 years	Personal Assistant
	Electronic copies	Permanent	Personal Assistant
Policy development	Policies Instructions/procedures Organisation charts Standing orders/financial regulations	Until superseded 3 years	Chief Executive / Office Manager Treasurer / Office Manager
	Policy / strategy review	3 years	Chief Executive
Public consultation	Forum notes, records, correspondence, supporting papers and correspondence	+ 4 years after collection of data	Communication and Engagement Officer
Statutory Inspections, reviews and external audit reports	HMI reports External audit	Permanent 7 years	Chief Exec
Statutory returns	Reports to Central Government	7 years	Policy Lead / Office Manager

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Legal & Contracts

Function	Records	Review Period	Owner
Advice	Correspondence	3 years	Chief Executive
Agreements	Service level agreements	7 years after agreement expires	Chief Executive
Contract development (ordinary)	Tender specification		Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Contract development (under seal)	Tender specification		Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Contracts with suppliers	OPCC Contracts	3 years from end of contract	Office Manager
	All other Contracts		Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Police Authority / PCC Buildings and Land Deeds	Deeds	Until the sale of the property Update land registry when necessary	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf

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Legal & Contracts Continued

Function	Records	Review Period	Owner
Police Authority / PCC Buildings and Land Deeds	<p>Legal Documents which include estate title, leasehold and other contract documentation relating to the building and its surrounding land</p> <p>Equity Loan Property paperwork</p>	Until 1 year after sale of the property	<p>Refer to Surrey Police Retention Schedule as information held on OPCC's behalf</p> <p>Some police house / station documents are of historic interest and will be kept permanently</p> <p>Treasurer / Office Manager</p>
Police Authority / PCC Buildings not owned by Police Authority / PCC	Leases	16 years after expiry	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Property – subletting of Police Authority / PCC buildings	Leases	16 years after expiry	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Log of transactions under seal		Permanent	Office Manager

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Human Resources

Function	Records	Review Period	Owner
Accidents at work	Accident report forms / Accident books	6 years	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Accidents at work	Employers Liability Claims	6 years	CLA, Health & Safety Executive Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Accidents at work	Reportable injuries diseases and dangerous occurrences	6 years	CLA, Health & Safety Executive Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Annual Leave Records		2 years	Office Manager Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Complaints Records	Records relating to an expression of dissatisfaction by a member of the public about the conduct of a service member of the OPCC	6 years from end of sanction / closure of investigation (whichever is longest)	Chief Executive Can be retained beyond 6 years where the staff member has received further complaints since the last incident and this shows a pattern of behaviour.
Discipline / Grievance investigations	Discipline / Grievance records / Equal opportunities, sexual/ racial harassment	2 years (minimum)	Line Manager / Chief Executive
Employment Tribunal	Records and files	6 years from conclusion of case	Chief Executive
Health & Safety Records	Audits, safety inspections, maintenance control measures, fire certificates, precautions, services, inspection reports, risk assessments etc.	5 years	The OPCC offices are maintained by Surrey Police's Estates Team (various regulations) Refer to Surrey Police Retention Schedule as information held on OPCC's behalf

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Human Resources continued

Function	Records	Review Period	Owner
ID Cards	Remain the property of Surrey police and must be handed back on leaving employment	Upon leaving employment of the OPCC	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Personnel Records	Relating to Individuals Service Records	Until age 100 Consider 85 years of age for non-pay / pension records	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Recruitment	Advertisements, application forms, references, interview reports	1 year	Chief Executive / Office Manager
Sickness Records		Until age 72	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Training Records / Certificates	Record of Training received by the Individual	Until 100	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Vetting	10 years from date of request		CRB Quality Assurance Framework Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Vetting – Temporary Staff and Contractors	Non Police Personal Vetting	End of contract + 1 year	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf

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Financial Matters

Function	Records	Review Period	Owner
Annual reports	Annual statement of accounts	Permanent	Treasurer
Approvals/purchase	Purchase / sales orders	7 years	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Asset monitoring & maintenance	Asset registers and Inventories Acquisition & disposal reports Service records	Until superseded 6 years after sale or disposal	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Audit - Internal Audit	Internal Audit Reports- main financial & subsidiary systems Value for money studies Working papers Follow up audits	6 years	Treasurer https://www.gov.uk/government/organisations/hm-revenue-customs
Audit - External Audit	External Audit Reports	6 years	Treasurer https://www.gov.uk/government/organisations/hm-revenue-customs
Budget setting (Force & OPCC)	Final annual budget Draft budgets and estimates Quarterly budget reviews	Permanent 7 years	Chief Executive / Treasurer / Office Manager

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Financial Matters Continued

Function	Records	Review Period	Owner
Expenditure	Invoices / receipts – Paper copies Expenses – Paper copies	2 years + current	Office Manager
	Invoices / receipts – Electronic copies Expenses Bank statements Vouchers/ledger OPCC Spreadsheet of expenditure	6 years	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf Office Manager
Finance reports	Quarterly budget reports Working papers	7 years	Treasurer Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Grants	Home Office Grant Paperwork	6 Years	Auditors HMRC
	PCC Grant Applications and associated paperwork	6 Years	
Payroll	Claim forms Pay / tax records Summary pay reports	6 years	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf

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Property & Land Management

Function	Records	Review Period	Owner
Insurance	Insurance policies Correspondence	Permanent	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Management of buildings of special interest	Project specs Plans Certificates of approval	Permanent	Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Property acquisition	Plans	Permanent	Chief Executive Refer to Surrey Police Retention Schedule as information held on OPCC's behalf
Property disposal	Legal documents Survey reports Tender documents Conditions of contracts	Permanent	Chief Executive Refer to Surrey Police Retention Schedule as information held on OPCC's behalf

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General OPCC Business

Function	Records	Review Period	Owner
Complaints	Complaints about Surrey Police or its officers (excluding the Chief Constable)	3 years after last correspondence (7 years if civil litigation may apply)	Complaints Policy Lead / Office Manager / Personal Assistant
Correspondence	General correspondence / queries	3 years after last correspondence (7 years if civil litigation may apply)	Complaints Policy Lead / Office Manager / Personal Assistant
Diaries and calendars	Electronic and diaries/calendars	1 year	All
Contacts	Electronic contacts stored in Outlook	As and when required	All
Marketing	Developing and promoting OPCC events Information about the OPCC	1 Year Until superseded	Communications Manager
Media relations	Media releases	1 year	Communications Manager
Meetings - External meetings (where the OPCC does not own the record)	Minutes Agendas and reports	External meetings held in public to be held for 5 years Agendas, minutes and reports from External meetings held in private would be the subject of a FOI request.	Policy Officer

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General OPCC Business

Function	Records	Review Period	Owner
Meetings - PCC Performance Meetings	Minutes Agendas and reports Rough/draft minutes Digital Voice Recordings of minutes	5 years 5 years 1 year after completion of book Deleted when minutes completed	Personal Assistant
Meetings - Pension Board (Officer) (External Surrey Police meeting held in public but PCC owns the record)	Minutes, agendas & reports Rough/draft/audio minutes	Permanent 1 year after completion of book	Office Manager
Pension Board (Staff) (Internal Surrey Police meeting but PCC owns the record)	Minutes, agendas & reports Rough/draft/audio minutes	Permanent 1 year after completion of book	Office Manager
Meetings - Public meetings	Minutes, agendas and reports Indexes Rough/draft/audio minutes	Permanent 1 year after completion of book	Personal Assistant / Office Manager

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General OPCC Business Continued

Meetings – Surrey Homes Board internal meeting – PCC owns the record	Minutes, agendas and reports Indexes Rough/draft/audio minutes	Permanent 1 year after completion of book	Treasurer / Office Manager Office Manager
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