



# Sussex Police & Crime Commissioner

## **Disposal and Retention Schedule for the Office of the Sussex Police & Crime Commissioner**

### Introduction

The Office of the Sussex Police & Crime Commissioner (OSPCC) is committed to operating in an open and transparent manner.

In order to comply with the Freedom of Information Act (FOIA) 2000 and General Data Protection Regulations (GDPR) May 2018 the Police & Crime Commissioner (PCC) must ensure that a procedure for the retention and disposal of records, held by the OSPCC, is in place.

This procedure provides guidance on how records should be maintained and for how long, to ensure that the OSPCC is in line with the provisions of a code of practice on records management by the Lord Chancellor under Section 46 of the FOIA and the GDPR, 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 Sussex 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 Data Protection Act 1998.

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.

The guidance is also aligned with the National Police Chief's Council guidance and Sussex Police's Retention Schedule.

## 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 OSPCC 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.

### 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 OSPCC can be confident about disposing information at the appropriate time;
- The OSPCC 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 OSPCC Data Protection Officer. Additions and amendments, where required for legislative purposes, will be updated as and when required.

### Retention Schedule

All records held by the OSPCC should be retained for the periods shown in the attached schedule. All OSPCC staff, as indicated in the schedule, will be responsible for ensuring that all records held by the OSPCC 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 FOIA have been exhausted (two 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 OSPCC'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 OSPCC 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; and
- hard copies of documents where an electronic copy has been created and saved.

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

#### Review Periods

The review periods for each of the records have been grouped into the following six functions:

Statutory Requirements;  
Legal and Contracts;  
Property;  
Human Resources;  
Financial Matters; and  
General OSPCC Business

The functions, records, review periods and owner(s) are set out over the next few pages.

Function	Records	Review Period	Owner
<b>Statutory Requirements</b>			
Annual Reports owned by the PCC	Annual Reports	Permanent	Head of Performance
Chief Constable Appointment	Advertisements Application forms – successful/unsuccessful Interview reports – successful/unsuccessful Personnel files	1 year 1 year 1 year Until age 100 (consider 85 years of age for non-pay/pension records)	Head of Communications Executive Support Assistant Executive Support Assistant Executive Support Assistant
	Sickness Records	Until age 72	Executive Support Assistant
Chief Constable Leaving	Resignation, redundancy, dismissal, death, retirement	Until death + 5 years	
Chief Constable Complaints	Correspondence	8 years	Chief Executive/ Assurance Manager
Conduct Complaints Sussex Police Officers and Staff	Correspondence	8 years	Chief Executive/ Assurance Manager
Conduct Complaints: OSPCC Staff	Correspondence	8 years	Chief Executive
Conduct Complaints: Chief Executive	Correspondence	8 years	PCC
Police Appeals Tribunals	Correspondence, summary reports, details of investigations into complaints	6 years after completion of hearing	Chief Executive/ Assurance Manager/ Executive Support Assistant
Corporate Planning and Reporting	Policing plans Strategy plans	3 years 3 years	Head of Performance
Gifts and Hospitality	Completed signed forms	6 years	Executive Support Assistant
Independent Custody Visiting (ICV) Scheme	Minutes, agendas, reports Registers of visits Custody Visitor details Handbook	6 years 6 years 6 years after resignation Until superseded	ICV Scheme Manager
Information Management	Records of transfer to archives Freedom of Information requests Subject Access Requests (SARs)	Until superseded 6 years from date of request 6 years after request	Head of Performance
Notification of Disclosable Interest Forms and Related Party Disclosure Forms	Completed signed forms (original Related Party Disclosure forms are sent by OSPCC to Sussex Police but copies are retained by the OSPCC)	6 years	Executive Support Assistant

<b>Function</b>	<b>Records</b>	<b>Review Period</b>	<b>Owner</b>
<b>Statutory Requirements continued.</b>			
PCC Decision Papers	Paper copies Electronic copies	7 years Permanent	Executive Support Assistant
Policy Development	Policies Instructions/procedures Organisation charts Standing orders/financial regulations	Until superseded or 3 years	Chief Executive/ Head of Performance/ Executive Support Assistant
Public consultation	Forum notes, records, correspondence, supporting papers and correspondence	4 years after collection of data	Head of Communications
Statutory inspections, reviews and external audit reports	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) reports External audit	Permanent 7 years	Chief Executive
Statutory returns	Reports to Central Government	7 years	Head of Performance

Function	Records	Review Period	Owner
<b>Legal and Contract</b>			
Advice	Correspondence	3 years	Chief Executive
Agreements	Service Level Agreements	7 years after agreement expires	Chief Executive
Contract Development (ordinary)	Tender specification		Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Contract Development (under seal)	Tender specification		Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Contracts with Suppliers	OSPCC contracts All other contracts	3 years from end of contract 3 years from end of contract	Executive Support Assistant/ Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Sussex Police Authority/ Buildings and Land Deeds owned by PCC	Deeds  Documents/information relating to the ownership of buildings and land property plans and records of work  Equity Loan Property paperwork	Until the sale of the property Update land registry when necessary  Until the sale of the property Until 1 year after sale of the property	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Sussex Police Authority/ Buildings not owned by Police Authority or PCC	Leases	16 years after expiry	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Property – Subletting of buildings owned by Sussex Police Authority or PCC	Leases	16 years after expiry	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Log of Transactions Under Seal	Log of transactions	Permanent	Executive Support Assistant

Function	Records	Review Period	Owner
<b>Human Resources</b>			
Accidents at Work	Accident report forms/Accident books Employers Liability Claims Reportable injuries diseases and dangerous occurrences	6 years 6 years 6 years	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Annual Leave Records	Annual leave records	2 years	Executive Support Assistant/ Refer to Sussex Police Retention Schedule as information held on OSPCC'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 OSPCC	6 years from end of sanction/closure of investigation, whichever is longest (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)	Chief Executive
Discipline/Grievance Investigations	Discipline records, grievance records, equal opportunities, sexual and racial harassment	2 years	Chief Executive/ Line Managers
Employment Tribunal	Records and files	6 years from conclusion of case	Chief Executive
Health and Safety Records	Audits, safety inspections, maintenance control measures, fire certificates, precautions, services, inspection reports, and risk assessments	5 years	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Identification Cards	Remain the property of Sussex Police and must be handed back on leaving employment	Upon leaving employment of the OSPCC	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Personnel Records	Relating to individuals service records	Until age 100 Consider 85 years of age for non-pay/pension records	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf

Function	Records	Review Period	Owner
<b>Human Resources continued.</b>			
Recruitment	Advertisements, application forms, references, and interview reports	1 year	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Sickness Records	Sickness records	Until age 72	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Training Records/Certificates	Record of training received by the individual	Until age 100	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Vetting	Police staff personal vetting	10 years from date of request	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
	Non-police personal vetting	1 year or end of contract	



Function	Records	Review Period	Owner
<b>Financial Matters</b>			
Audit - Internal Audit	Internal audit reports - main financial and subsidiary systems Value for money studies Working papers Follow up audits	6 years 6 years 6 years 6 years	Chief Finance Officer/ Assurance Manager
Audit - External Audit	External audit reports	6 years	Chief Finance Officer/ Assurance Manager
Budget Setting (Sussex Police and OSPCC)	Final annual budget Draft budgets and estimates Quarterly budget reviews	Permanent 7 years 7 years	Chief Executive/ Chief Finance Officer
Expenditure	Invoices/receipts – paper copies Expenses – paper copies Invoices/receipts – electronic copies Expenses – electronic copies Bank statements – electronic copies Vouchers/ledger – electronic copies	2 years 2 years 6 years 6 years 6 years 6 years	Chief Finance Officer/ Executive Support Assistant/ Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Finance Reports	Quarterly budget reports Working papers	7 years 7 years	Chief Finance Officer/ Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Payroll	Claim forms Pay/tax records Summary pay reports	6 years 6 years 6 years	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf

Function	Records	Review Period	Owner
<b>Property and Land Management</b>			
Insurance	Insurance policies Correspondence	Permanent Permanent	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Management of Buildings of Special Interest	Project specifications Plans Certificates of approval	Permanent Permanent Permanent	Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Property Acquisition	Plans	Permanent	Chief Finance Officer/ Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf
Property Disposal	Legal documents Survey reports Tender documents	Permanent Permanent Permanent	Chief Finance Officer/ Refer to Sussex Police Retention Schedule as information held on OSPCC's behalf

Function	Records	Review Period	Owner
<b>General OSPCC Business</b>			
Complaints	Complaints about Sussex Police, its police officers and staff (excluding the Chief Constable)	3 years after last correspondence (7 years if civil litigation may apply)	Assurance Manager/ Assurance Officer/ Executive Support Assistant
Correspondence	General correspondence/queries	3 years after last correspondence (7 years if civil litigation may apply)	Assurance Manager/ Assurance Officer/ Executive Support Assistant
Diaries and Calendars	Electronic diaries/calendars	1 year	All
Contacts	Electronic contacts stored in Outlook	As and when required	All
Marketing	Developing and promoting OSPCC events Information about the OSPCC	1 year Until superseded	Head of Communications
Media Relations	Media releases	1 year	Head of Communications
Meetings: External meetings (where the OSPCC does not own the record)	Minutes Agendas and reports	External meetings held in public to be held for 5 years	Head of Communications
Meetings: Performance & Accountability Meetings	Minutes	5 years	Head of Performance
Meetings: Pension Board (Officer) (External Sussex Police meeting held in public but PCC owns the record)	Minutes, agendas and reports Rough/draft/audio minutes	Permanent 1 year after completion of book	Chief Finance Officer
Meetings: Pension Board (Staff) (Internal Sussex Police meeting but PCC owns the record)	Minutes, agendas and reports Rough/draft/audio minutes	Permanent 1 year after completion of book	Chief Finance Officer
Meetings: Public Meetings	Minutes, agendas and reports Indexes Rough/draft/audio minutes	Permanent 1 year after completion of book 1 year after completion of book	Head of Communications

*Revised: August 2018*  
*Graham Kane, Head of Performance*