

<b>Policy Name</b>	<b>Information Retention and Disposal Policy</b>
<b>Policy Owner</b>	Monitoring Officer and CEO
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<b>Security Classification</b>	OFFICIAL
<b>Disclosable Under FOI Act</b>	Yes
<b>Risk Rating</b>	Low
<b>Equality Analysis</b>	Low

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18/04/2024	1.0		01/10/2024
01/11/2025	2.0	None	28/11/2025

*We reserve the right to modify or change these conditions at any time.*

## **Policy Statement**

The Office of the Police and Crime Commissioner (OPCC) for Cambridgeshire and Peterborough will ensure that information is not retained for longer than is necessary and will retain the minimum amount of information it requires to carry out its statutory functions. This policy supports the OPCC Publication Scheme and is designed to provide clarity and consistency in records management.

## **Introduction**

The OPCC for Cambridgeshire and Peterborough is committed to the highest possible standards of openness, probity and accountability. As a public body, the OPCC has a responsibility to be accountable to the public for its actions. Therefore, its records must be accurate and capture the correct details of transactions. The policy for management of these must protect the rights of privacy, confidentiality and security. This applies to the management of records of all formats or media, whether created or received.

Effective records management is essential to support compliance with the UK General Data Protection Regulations (GDPR) and the Freedom of Information Act 2000 (FOIA).

This policy sets out how Cambridgeshire OPCC manages information and complies with its statutory obligations and will be kept under annual review. It applies to all the information held by the office, regardless of its format or origin.

Records will be retained for the periods shown in the below Information Retention and Disposal 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/arranging for collection as confidential waste for disposal by the appropriate body, including all copies on whatever format. Electronic records should be deleted from the electronic filing system.

Records held by Cambridgeshire Constabulary are covered by their own policy and procedures.

Under GDPR the OPCC has a number of responsibilities as both a 'data controller' and 'data processor'. The OPCC will use personal information and may, on

occasion, use some categories of sensitive personal information in order to carry out our official functions or public tasks that are set out in law, mainly the Police Reform and Social Responsibility Act 2011. For example, when a complaint is made against the Chief Constable, the Commissioner's Office will retain and process the personal information shared with us in order to carry out the lawful public task of investigating this complaint.

We may collect personal information to process an enquiry, manage a bid for services or a contract and, subject to consent, to partners and members of the public about other events and activities that we think may be of interest to them.

When a complaint is made against the Chief Constable, the Commissioner's Office will retain and process the personal information shared with us in order to carry out the lawful public task of investigating this complaint. The OPCC will also respond quickly to share personal information with Cambridgeshire Constabulary when it relates to a risk to life or the need to protect and safeguard the public.

In order to process any complaint or issue of dissatisfaction raised against Cambridgeshire Constabulary, its officers and staff, the Commissioner is required to share relevant personal information with Cambridgeshire Constabulary to ensure that the complaint is looked into and to meet our public task under GDPR.

The OPCC will pass relevant personal information to Cambridgeshire Constabulary (including where necessary the parts of Cambridgeshire Constabulary that are collaborated with Bedfordshire Police and Hertfordshire Constabulary) so that they may offer the individual a response to a complaint or issue of dissatisfaction that reflects the operational role of the police force.

More information on how the OPCC process complaints is available within the Complaints policy.

Cambridgeshire OPCC will not share personal information with other organisations or companies without a lawful purpose (as set out under Article 6 GDPR 2018) or without the explicit consent of the data subject.

## **Policy Aims**

All organisations generate records which must be collated, maintained and revised over time. A record is any report, letter, email, minute, decision note, meeting note or other document whether hard copy or electronic, whether created or received and includes any personal data.

The OPCC approach to record management aims to ensure that:

- Manage information effectively as a strategic corporate body by providing timely, appropriate, accurate and up to date information when it is needed.
- Make information available to those with a business need to see it.
- Take appropriate measures to protect information, including personal information, which cannot be shared for reasons of security or privacy.
- Assess and manage risks to the confidentiality, integrity and availability of information.
- Ensure that information created, collected and stored is proportionate to the business need, and is retained only for as long as it is needed.
- Ensure information is of the appropriate quality, and in the appropriate media, to support business needs.
- Create an information literate culture, where all staff recognise that information is everyone's responsibility and have the skills, confidence and commitment to effectively manage information according to the requirements of their role. And
- Comply with all relevant statutory and regulatory requirements.

### **Freedom of Information Act and Subject Access Requests**

Under the Freedom of Information Act and Environmental Information Regulations the public have a right to request any recorded information held by a public authority.

Any individual has the right to ask for any information they think a public authority may hold. The right only covers recorded information which includes information held on computers, in emails and in printed or handwritten documents as well as images, video and audio recordings.

They can do this in writing. The public authority must tell the applicant whether it holds the information. A public authority can only refuse to confirm or deny

whether it holds the information if this would in itself reveal information that falls under an exemption. The public authority must supply it within 20 working days, in the format requested. The Act applies to all information, not just information held since the Act came into force.

Guidance on how to submit a Freedom of Information request is available via the Information Commissioners Office [website](#)

Guidance on how to submit a subject access request is available via the Information Commissioners Office [website](#)

In some circumstances information may not be provided in response to data access request because it is exempt, for example because it would unfairly reveal personal details about somebody else. The OPCC does not have to provide information if an exemption applies, or in certain cases if the cost of providing the information is too high.

## **Review**

The OPCC regularly reviews their Retention and Disposal Policy, but no less frequently than every twelve months. Records management procedures are in place to ensure compliance with this policy statement and to incorporate changes where necessary.

## **Retention and Disposal Procedure and Schedule**

The OPCC is committed to operating in an open and transparent manner. The record disposal procedure is designed to support the Commissioner's corporate governance framework. The purpose of this procedure is to:

- Prevent the premature disposal of records.
- Prevent unnecessary retention of personal data.
- Provide consistency of preservation/disposal.
- Improve record management.

## **Potential Litigation**

Whenever there is a possibility of litigation or a request under the FOIA 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.

**Record of Disposal:** 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 kept at all. Information, which is duplicated, unimportant or short-term use can be disposed of under the standard operating procedure, including:

- Compliment slips.
- Catalogue and trade journals.
- Telephone message slips.
- Trivial email messages or notes not related to OPCC business.
- Working papers which lead to a final report (including notes of meetings).
- Duplicated and superseded material such as stationery, manuals, drafts, address books and reference copies of annual reports.
- Electronic copies of documents where a hard copy has been printed and filed or vice versa.

Except where these may be used as evidence to prove that something has happened.

The OPCC will comply with the BCH Retention and Disposal Policy which uses the National Police Chiefs Council Review, Retention and Disposal schedule. The schedule below is in relation to OPCC documentation not included in the BCH policy.

## Office of the Police and Crime Commissioner – Information Retention and Disposal Schedule

Business Area/Function	Records	Retention Period
<b>Office of the Police and Crime Commissioner</b>		
Appointment of Chief Constable	Advertisements, Application Forms, Interview reports.  Personnel files	2 years  6 years from date of last pension payment
Audit Committee meetings	Minutes, agendas, reports  Draft minutes  Terms of reference membership	Permanent  Destroy once minutes are formally approved.  Until superseded
Complaints against the Chief Constable	Correspondence	6 years after finalisation
Complaints & enquiries directed to the OPCC	Correspondence, summary reports, details of investigations	6 years after finalisation
Complaint Reviews	Documentation generated for review purposes	6 years from review of complaint
Corporate planning & reporting	Police and Crime Plans, Strategic Plans, Annual Reports  Delivery Plan	Permanent  PCC Term + 1 year

Dismissal of the Chief Constable	Resignation, redundancy, dismissal, death, retirement	6 years after termination or, if pension paid, 6 years after last pension payment
Employment Tribunals	Cases	6 years after last action
External Meetings (where the OPCC does not own the record)	Minutes, agendas and reports	3 years after last action completed.
Independent Custody Visitors Scheme	Panel minutes, agendas, reports	2 years
	Visiting reports, rotas, Panel contact details	2 years following visit.
	Personnel files	Delete on resignation.
	Complaints against visitors	On termination of membership
	Newsletters	2 years
Independent Members serving on Police Misconduct Panels and Audit Committees	Personnel Files	6 years after leaving.
	Expense claims	6 years from termination of membership
	Scheme/handbook	Until superseded

	Complaints against Independent members	Permanent
Partnership, agency and other meetings (where the OPCC owns the record)	Minutes, agendas and reports	Permanent Review after term of current PCC.
Police Appeals Tribunals	Cases	Permanent
Statutory Inspections, reviews and external audit reports	Reports	Permanent
Statutory returns	Reports to Central Government	7 years
Working Groups / Project Boards	Minutes, agendas and reports	5 years
<b>Police and Crime Commissioners/Deputy Police and Crime Commissioners</b>		
Appointment	Personnel files  Legislation/national guidance	Until age 100. Consider age 85 for non-pay/pension records.  Until superseded
Conduct	Complaint cases	Permanent
Registers of interests, gifts & hospitality	Register of Interest, Register of Gifts & Hospitality	Permanent
<b>Management and Administration</b>		

Diaries and calendars	Electronic and manual diaries and calendars	3 years
Enquiries – other OPCCs and general	Routine responses to enquiries	1 year
General correspondence	Correspondence – minor and routine	4 years from last action
Home Office circulars	Circulars	1 year
Information Management	Filing indices	Permanent
	Records of transfers to archives	12 years
	Summary of responses to enquiries Disposal records	6 years
	Routine responses to enquiries	2 years
	General correspondence/emails	Archive for 1 year – destroy if no further use. No file should remain open for more than 5 years and may be closed at any time within the 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 in line with the new volume.
Marketing	Developing and promoting OPCC events  Information about the OPCC	2 years  When superseded
Media Relations	Media reports, releases	3 years
Newsletters	OPCC newsletter	1 year
Office Management	Contracts with suppliers	12 years if sealed 7 years from end of contract
Policy Development	Policies  Instructions/Rules/Procedures/ Organisational Charts  Financial and Contract Regulations  Routine responses on policy or procedures (printed material, letters)	25 years then review and archive    1 year after revision  1 year
Policy/strategy review	Reports and supporting documentation	5 years from closure
Publications	The process of designing and setting information for publication  The published work of the OPCC	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.
Public Consultation	Consultation on development of significant policies	5 years
	Consultation on development of minor policies	1 year
	Consultation, meeting notes, records, correspondence, minutes, supporting papers and correspondence	2 years
Quality and Performance	OPCC Inspection/Best Value Review reports	5 years
Unstructured records	Records that do not support a business process i.e. there is not an 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. 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)	Destroy as soon as use has ceased
<b>Legal and Contracts</b>		
Agreements	Service level agreements with the OPCC	6 years after agreement expires
Asset acquisition/disposal	Legal docs relating to purchase/sale, Leases.	3 years
	Tender documents	

Contract development (ordinary)	Tender specification	6 years after terms have expired
Contract development (under seal)	Tender specification	12 years after terms have expired
Conveyance	Conveyance files	12 years after closure
Evaluation of tenders (ordinary)	Evaluation criteria Successful tender document	6 years after terms have expired
Legal advice	Correspondence, Fees	3 years
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
Tenders	Tender envelope	1 year after start of contract
Unsuccessful tender documents	Tender documents, quotations	1 year after start of contract
<b>Human Resources</b>		
Appointment of Statutory Officers	Vacancies and applications records Interview notes prospective staff records. Register of applicants, unsuccessful application records	2 years after date of appointment
PDR	Probation reports, Performance reports and 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 – the selection and appointment of an individual for an established position	Advertisement, application forms, references, interview reports  Vetting checks and associated documentation	1 years after appointment made  Positive outcomes – 2 years after date of check. Negative outcomes – 1 year after date of check
Staff termination	Resignation, redundancy, dismissal, death or retirement	6 years after termination or, if pension paid, 6 years after last pension payment
<b>Financial Management</b>		
Annual reports	Annual Statement of Accounts	Permanent
Approvals/process for purchase	Purchase/sales order	7 years after end of financial year
Asset acquisition and disposal	Asset registers	7 years after the end of the financial year
	Inventories/stocktaking	2 years after admin use
	Acquisition & disposal reports, service/maintenance records	7 years after sale or disposal
Budget setting	Final annual budget	Permanent
	Draft budgets and estimates	2 years after budget set

	Quarterly budget reviews	Destroy after following years budget adopted
Expenditure	Copy and paid Invoices/receipts Bank statements Vouchers/ledger Write offs of public monies	2 years after end of financial year
	Processes to balance and reconcile financial accounts	2 years after admin use is concluded
Finance reports	Quarterly budget reports, working papers	Destroy when admin use complete
Internal Audit	Internal Audit reports – main financial and subsidiary systems Value for money studies Working papers Follow up audits	Destroy on completion of next full audit.  Destroy on full implementation of recommendations on completion of follow-up audit.
	Loans	Destroy after the loan has been repaid
	Loan files (borrowing money to enable authority to perform its functions and exercise its powers)  Loans register/summary management of loans	Permanent
<b>Property and Land Management</b>		
Insurance	Insurance policies, correspondence	7 years after terms expire

Management of buildings of special interest	Project specification, 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	15 years after all obligations end
Property inventories	Inventories	Permanent
<b>General</b>		
Freedom of Information requests where exemptions apply, complaints or appeals are made	Requests for information dealt with under the provisions of the FOI Act 2022 where: The records are subject to exemptions (partially or wholly), A Public Interest Test has been formally applied, a complaint has been made to the OPCC 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	<p>The request itself, associated records, and any records to which the request applies should not be destroyed until LPA is satisfied that requestor does not wish to pursue an appeal or the appeal process has been exhausted.</p> <p>The documentation should remain current for 1 year from the last action, then closed for 1 further year, then destroyed if no further activity has occurred.</p> <p>Should an activity occur within that period, the documentation should become current again.</p>

Health & Safety	Risk assessment, accident books, RIDDOR, correspondence and fire certificates	Risk assessments current plus 10 years, Accident books 3 years from last entry, Fire certificates until superseded.