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**RETENTION AND DISPOSAL POLICY**

**1. Introduction**

* 1. The Police and Crime Commissioner for South Wales is committed to operating in an open and transparent manner.
	2. In order to comply with the Freedom of Information Act (FOIA) the Commissioner must ensure that its records are in a sufficient state of readiness to meet the standards necessary to deal effectively with FOI requests.

1.3 This retention schedule is designed to support the Commissioner’s corporate governance framework and complies with the standards required by the Information Commissioner, considering various legislative requirements.

**2. Purpose**

2.1 The purpose of this schedule is to: - prevent the premature destruction of records - provide consistency of preservation/destruction - improve record management

**3. Retention Schedule**

3.1 All records held by the Commissioner should be retained for the periods shown in the attached schedule. The Chief of Staff will be responsible for ensuring that all records held by the Commissioner are kept for the appropriate length of time and are destroyed according to the time specified in the attached retention schedule.

3.2 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 destruction by the appropriate body and this should also include all back-up copies on alternative media.

3.3 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. Retention and Disposal Schedule 2 of 11

3.4 The retention period specified in the attached schedule does not mean that the document/or information should without exception be destroyed after the set date. The retention period specifies the latest date to re-evaluate the information. At the end of a retention period the main user, in conjunction with the Chief of Staff will:

- evaluate the business ‘value’ of the document/information; and

- either destroy the document/information or if applicable, set a further retention period.

3.5 Where appropriate, information can be retained by other means, such as, micro-fiche, magnetic tape, computer disk 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 Commissioner’s systems.

**4. Standard Operating Procedure (SOP)**

4.1 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 , magazines, newsletters and trade journals

- telephone message slips

- non-acceptance of invitations

- trivial e-messages or notes not related to Commissioner 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

- 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

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

**RECORDS RETENTION AND DISPOSAL SCHEDULE**

1. **Statutory Duties of the Police and Crime Commissioner**

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| --- | --- | --- | --- |
| Function | Records | Retention | Notes |
| Appointment of Chief Constable  | Advertisements and Application Packs  | 1 year |  |
| Completed Applications, Shortlisting, Interview Assessment Form | 1 year  |  |
| Personnel files and PDR Reviews | 6 years from the date of end of tenure  |  |
| Complaints against Chief Constable | Correspondence & Investigation | 6 years  |  |
| Complaints and enquiries directed to the Commissioner  | CorrespondenceSummary reports Details of investigations into complaints  | 2 years  |  |
| Complaints about Police and Crime Commissioner & Deputy Police and Crime Commissioner | Correspondence and supporting documents | 6 years  |  |
| Corporate planning and reporting (PCC) | Police and Crime Plans Strategy plans Annual reports Corporate and Business Plans | Permanent  |  |
| Decisions made by Commissioner  | Business CaseFormal decisions | Permanent  |  |
| Dip Sample Work | Closed complaint filesUse of ForceStop and Search Dip Sample Reports  | For the duration of dip sampling exercise 3 years |  |
| Dismissal of Chief Constable  | Resignation, redundancy, dismissal, death, retirement  | 6 years after termination or, if pension paid, 6 years after last pension payment  |  |
| External meetings (where the Commissioner does not own the record)  | Minutes, agendas, reports and recommendations, supporting documents.  | 3 years  |  |
| Independent Custody & Animal Welfare Visiting Scheme  | Advertisements, Application pack, shortlisting and Interview Assessment Forms  | 1 year |  |
| Custody Visitor (personnel files) | 1 year after the end of the period served as a volunteer |  |
| Minutes, agendas, reports, record of visits, rotas, expenses claims  | 2 years  |  |
| ICV HandbookAnimal Welfare Handbook | Until superseded Until superseded |  |
| Independent Misconduct Panel Members | Appointment documents | 1 year |  |
| Personnel files | 1 year after termination of appointment as IPM  |  |
| Expenses claims | 3 years from the end of the tax year they relate to  |  |
| Internal Meetings (Leadership, Planning etc) | Agendas, Minutes, Reports and Recommendations, supporting documents | 6 years  |  |
| Joint Audit Committee | Application Pack inc advert, blank application form | Until Superseded  |  |
| Completed application form, shortlisting and interview assessment form (unsuccessful) | 1 year  |  |
| Personnel files (inc completed application form, short-listing and interview assessment form and 121 performance reviews and action plans, resignations, dismissals) | 1 year after termination of tenure as independent member |  |
| Expenses | 3 years from the end of the tax year they relate to |  |
| Agendas, minutes, reports | Permanent  |  |
| Terms of reference  | Permanent |  |
| Annual report | Permanent  |  |
| Legally Qualified Chairs | Appointment documents  | 1 year  |  |
| Personnel files | 1 year after termination of appointment  |  |
| Expense claims | 3 years  |  |
| Manual of Corporate Governance  | Includes standing orders, standing orders relating to contracts and financial regulations | Permanent copy of each version (reviewed annually) |  |
| Meetings where the OPCC owns the record (Strategic, Performance, Planning and Partnership) | Agendas, minutes, reports and recommendations, supporting documentsDigital Recordings of Meetings for preparation of the Minutes   | Permanent To be deleted when Minutes are agreed |   |
| Meetings (other, including consultation and engagement events) | Agenda, minutes, reports and recommendations, supporting documents | 3 years  |  |
| Pension Forfeiture Matters | Correspondence, reports, decisions and audio recordings | 7 years after case has finalised  |  |
| Police and Crime Panel Meetings | Minutes, agendas, reports and recommendations Indexes  | Permanent  |  |
| Police Appeal Tribunals | Correspondence, reports and audio recordings and decisions  | 7 years after case is finalised |  |
| Reviews conducted by the Commissioner | Correspondence & Reports  | 6 years  |  |
| Complaint correspondence and associated information provided by South Wales Police | Duration of Statutory Review only |  |
| Statutory Inspections, reviews and external audit reports  | Wales Audit Office, HMIC reports  | 5 years  |  |
| Statutory returns  | Reports to Central Government  | 7 years from closure |  |
| Working Groups/Steering Groups  | Minutes Agendas and reports  | 2 years  |  |

**2. Commissioner**

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| Function | Records | Retention | Notes |
| Appointment  | PCC Election documentation and correspondence  | Until superseded |  |
| Personnel files | 6 years after end of tenure  |  |
| Payments  | Expense/allowance payment details  | 2 years |  |
| Personal Development Review  | PDR – notes of meetings and records of development  | 2 years  |  |
| Registers of interests and gifts and hospitality  | Business Interest – All OPCC Staff Register of Gifts and Hospitality  | Permanent 5 years  |  |

**3. Information Management and Administration**

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| Function | Records | Retention | Notes |
| Correspondence – General | Correspondence from members of the public or organisations  | 2 years |  |
| Correspondence – Internal  | Correspondence between stations, departments and staff | 2 years |  |
| Data Protection Impact Assessments |  | Life of contract / end of agreement / project plus 6 years or until superseded |  |
| Data Processing Agreements | External | Life of contract or end of agreement  |  |
| Data Protection Breaches | Reports, assessments and actions taken | 6 years  |  |
| Diaries and calendars  | Electronic and manual diaries/calendars  | 2 years  |  |
| Disclosures | Subject Access Requests | 2 years from disclosure or from completion of any appeal, local or ICO then review |  |
| Freedom of Information  | 2 years from disclosure or from completion of any appeal, local or ICO then review |  |
| Information management  | Filing indices and Management of records of transfer to archives  | Permanent  |  |
| Information Sharing Agreements |  | Life of contract / end of agreement / project plus 6 years or until superseded |  |
| Marketing  | Developing and promoting Commissioner events  | 1 year  |  |
| Information about the Commissioner | When superseded |  |
| Media relations  | Process of interaction with the media including Media publications concerning the Commissioner (press cuttings, media reports) | 2 years  |  |
| Office Management  | Contracts with suppliers  | 3 years from end of contract  |  |
| Policy development  | Policies Instructions/procedures Organisation charts Standing orders/financial regulations  | Permanent  | Common Practice |
| Routine responses on policy or procedures (Printed material, letters) | 2 years after admin use is concluded |  |
| Policies and procedures | Internal | Until superseded or revoked |  |
| Policy Review | Reviewing strategic plans / policies or procedure to assess their compliance with guidelines | 2 years | Common Practice |
| Publications  | The process of designing & setting information for publication  | Destroy 2 years from last action  | Common Practice |
| The published work of the Commissioner | 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 | 2 years | Common Practice |
| Consultation on development of minor policies  | 1 year |  |
| Consultation meeting notes, records, correspondence, minutes, supporting papers and correspondence | 2 years  |  |
| Unstructured Records  | 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. Working papers which lead to a final report  | Destroy as soon as use has ceased  | Local Government Act 1972 – Access to information for working papers as background to reports to Committee  |

**4. Legal and Contracts**

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| Function | Records | Retention | Notes |
| Advice (providing advice on a point of law) | Correspondence  | 2 years  | Common Practice  |
| Agreements (not including contractual agreements) | Service level agreements with Commissioner  | 6 yrs 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  |  |
| Pre-Contract advice | Expression of interest | Destroy 2 years after contract let or not proceeded with. |  |
| 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  |
| Contract Management (Operation and Monitoring) | Service Level AgreementsCompliance ReportsPerformance Reports | 2 years after terms of contract have expired | Common Practice |
| Conveyance  | Conveyance Files  | Destroy 12 years after closure  | Statutory  |
| Employment Tribunal | OPCC Staff  | 7 years after last action  | Statutory |
| Evaluation of tenders (ordinary)  | Evaluation criteria Successful tender document  | 6 years after terms have expired  | Statutory  |
| Evaluation of tenders (under seal)  | Evaluation criteriaSuccessful tender document  | 12 years after terms have expired  | Statutory  |
| Litigation  | CorrespondenceCriminal and civil case files  | 7 years after last action  | Statutory |
| 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**

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| Function | Records | Retention | Notes |
| Accident at Work | Accident reports | 6 years  |  |
| Appointment of Statutory Officers  | Application Pack, Assessment and scoring sheets for unsuccessful applications records  | 1 year | Common Practice |
| Personnel files  | Destroy 6 years from the date of last pension payment/leaving date |  |
| Complaints made about OPCC Staff | Correspondence and supporting documents  | 3 years  |  |
| 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/negotiations/disputes andcorrespondence re: formal negotiations and correspondence re: minor & routine matters  | 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.  | 3 years after action completed | Common practice |
| Fairness in Action  | Correspondence and notes  | Transfer to Diversity Unit on conclusion of process  |  |
| Financial Details | Bank details, national insurance numbers, salary, payroll and pensions information | Retain for as long as required to support payroll and pension payments |   |
| Health & safety | Risk assessments Accident books/RIDDOR correspondence and fire certificates | Destroy after 2 years |  |
| 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  | Personnel files  | Destroy 6 years from date of last pension payment/leaving date  |  |
| Staff leave monitoring  | Sickness records, All Leave records (sickness, jury, study, annual leave etc.) 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 | Common Practice |
| Vetting | Successful vetting, personnel, local intelligence checks, references, CRB and associated documents | 6 years after leaving or 1 year after death |  |

**6. Financial Management**

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| Function | Records | Retention | Notes |
| Annual reports  | Annual statement of accounts  | Permanent  |  |
| Treasury Management and Investment Strategy |  |
| Medium Term Financial Plans (which include the draft Precept, Financial Planning and Reserve Strategy) |  |
| Approvals/process for purchase  | Purchase/sales order Appointments / delegationsAudit Investigations | 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 £50,000 or 12 years if over £50,000, 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  | Permanent  | Only final version of annual budget needs to be kept |
| Draft budgets and estimates  | Destroy 2 yrs after budget set  |  |
| Quarterly budget reviews | Destroy after following yrs budget adopted |  |
| Expenditure  | Invoices/receiptsBank statements Vouchers/ledger Write offs of Public monies  | Destroy 6 years after end of financial yr  |  |
| Processes to balance & reconcile financial accounts | Destroy 2 years after admin use is concluded |  |
| Finance reports  | Quarterly budget reports Working papers SUN reports  |  |  |
| 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 authority to 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 formsPay / 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**

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| Function | Records | Retention | Notes |
| Insurance  | Insurance policiesCorrespondence  | 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. Commissioning**

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| Function | Records | Retention | **Notes** |
| Commissioning of Services  | Pre-tender documentation i.e., adverts and notices, expressions of interest, references and shortlist  | 3 years from date of award of the contract |  |
|  | Pre-Tender documentation i.e., evaluation reports (PQQ’s) | 7 years from date of award of the contract |  |
|  | Contract documents i.e., original tender, signed acceptance plus any variations to contract, performance notices, records of complaints, termination notices, extensions of contract | 6 years from end of contract |  |