

OFFICIAL



**POLICE & CRIME
COMMISSIONER**
for Leicester,
Leicestershire & Rutland

Your Communities - Your Commissioner

Policy for Records Management

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1. Statement

This Policy lays out the conditions for the effective management of all records by the Office of the Police and Crime Commissioner (OPCC) by introducing and complying with agreed standards for the retention of records.

This policy covers the management of all records and information, regardless of format or medium, including electronic and manual records. The Policy is applicable to all employees of the Police and Crime Commissioner (PCC) for Leicestershire as well as the Police and Crime Commissioner, Assistant Police and Crime Commissioners, volunteers, consultants, contractors and partner organisations. This policy supports the OPCC Publication Scheme and its plans and strategies – it is designed to provide clarity and consistency in records management.

The Commissioner recognises that having accurate and relevant information stored in the organisational memory is essential to effective decision-making and quality customer service. The OPCC 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 will support directly the current OPCC Data Protection Policy. It will assist with compliance with relevant legislation and Codes of Practice.

2. Aims

The policy aims to:

- Ensure that only the appropriate and minimum necessary records are retained and available to the OPCC to achieve their purpose;
- Ensure that the OPCC complies fully with the relevant legislation – this includes the UK General Data Protection Act (UK GDPR), the Data Protection Act (2018), the Human Rights Act (HRA – 1998), the Freedom Information Act (FOIA – 2000) and any relevant Codes of Practice;
- Provide an efficient and effective means for employees to locate and retrieve information.

These aims will be achieved and provide organisational strategic benefits by:

- Ensuring that all OPCC information, across each business area, is held lawfully and is readily accessible by the appropriate personnel on demand;
- Promoting consistent management of all records throughout their lifecycle;
- Ensuring all information is captured and maintained in such a way that its value and integrity is not compromised at any time;
- Promoting auditable decision-making;
- Maintaining good practice in relation to information management; and

- Reducing costs of records storage and management, including retrieval and controlled disposal.

3. **Scope**

The OPCC are committed to improving records management to support the work of the PCC by ensuring that information is managed throughout its life cycle in a systematic, cost-effective and efficient manner. In particular, it provides a means of applying controls to information to maintain its authenticity and ensure its confidentiality, availability and integrity.

Compliance with this Policy by all who manage personal data, helps to reduce the risk to the OPCC by enabling and providing evidence of transactions, and thereby reducing vulnerability to complaints and legal challenges. This Policy therefore applies to all staff and volunteers for the OPCC who are involved in the collection, collation, recording, evaluating, reviewing, or disposal of information for the discharge of the duties of the Police and Crime Commissioner.

4. **Policy**

With increasing public access to PCC records, it is essential that the disposal of records occurs in a managed process that is adequately documented. The Document Retention Schedule in **Appendix A** sets out guidelines for the retention of documents held by the PCC. The retention schedule will be updated as necessary to reflect the types of documents held, and to reflect best practice.

Where records are created as part of a **partnership working** initiative, there must be clearly defined responsibilities between the PCC and the partner organisation for the creation and management of the records.

Where **the PCC are the lead partner**, this Policy for Records Management will be applicable, and the PCC will be responsible for the ownership and custody of the records.

Where **another organisation is the lead partner**:

- The records management policy and procedures of the of the lead organisation are applicable;
- The lead partner organisation will be responsible for the ownership and custody of the records; and
- The PCC should identify and retain records relating to its role in the partnership required for its own business purposes. They should be retained in line with this Policy for Records Management.

Where there is **no identified lead partner**, the PCC should ensure that provisions are made for one of the partners to assume responsibility for the management of the records.

For **commissioned services and suppliers**, the PCC will comply with the requirements of the Specified Information Order regarding publicising details of contracts. The PCC

will ensure contracts place clear obligations on suppliers to manage records created or held by external agencies.

Where **project records** are created as a result of an activity of a temporary nature, the senior manager with responsibility for the activity is responsible for:

- Ensuring appropriate records are created and managed in accordance with this policy;
- Ensuring there are appropriate resources assigned to fulfil the responsibility for managing records;
- Ensuring ownership for the record transfer/s to the PCC once the project has ended.

The Police and Crime Commissioner, Deputy and/or Assistant Police and Crime Commissioners, employees, volunteers, contractors, consultants and volunteers employed to undertake PCC business, have a responsibility to document actions and decisions by creating and filing appropriate records, and subsequently to maintain and dispose of those records in accordance with the principles set out in this policy.

The Senior Management Team will refer to the agreed minimum standards for the retention of records, for any type of record that falls under their operational responsibility and control. This information is available below and on the PCC website. This schedule is subject to continual review.

Managers who wish to extend the minimum standards for local record retention schedules for any type of record that falls under their operational responsibility and control may do so, and will document the local retention period in local policies. These policies will be made available to all staff via the OPCC website. Local policies should be produced, reviewed and amended in line with the guidance and legislative requirements outlined in the OPCC's 'Policy for Producing, Reviewing and Amending Policies and Procedures'.

All members of OPCC staff will ensure records for which they are operationally responsible for are accurate, maintained, and disposed of in accordance with this Policy for Records Management.

5. Legal Basis

In accordance with the UK GDPR and the Data Protection Act (2018), the data protection principles must be adhered to. Under the UK GDPR the OPCC has obligations relating to Subject Access Requests that they must comply with, as well demonstrating openness and transparency. The HRA (1998) requires public authorities, including police forces and Police and Crime Commissioners, to act in a way that is compatible with the European Convention on Human Rights. In relation to record retention this requires a proportionate approach to the personal information held about individuals

In 2000, the FOIA introduced new rights of access to information which inevitably impacts upon the OPCC's records management and Publication Scheme. The public has a general right of access to all types of recorded information held by public authorities, subject to certain exceptions (providing the public interest in disclosure does not outweigh the public interest in maintaining an exemption).

Information is exempt from the provisions of the Act if it is accessible by other means. If the information is already covered in the OPCC's Publication Scheme and is available via the website there will not be a requirement to provide that information in response to an individual request.

6. Monitoring

This policy will be monitored to ensure effective compliance. Monitoring will be the responsibility of the policy owner, who will be responsible for developing and reviewing this policy.

Active monitoring will be undertaken by supervisors deployed into all relevant business areas. This monitoring will:

- Ensure this policy has been put into practice;
- Check that all the elements are operating properly;
- Verify that any published procedures are being applied and complied with;
- Ensure the aims of the policy are being achieved.

Staff engaged within business areas will also be expected to undertake personal responsibility to ensure the policy is adhered to.

The Operations and Compliance Manager will be responsible for the monitoring of OPCC records management processes.

Associated Documents:

OPCC Subject Access Requests Policy and Procedure

OPCC FOIA Policy and Procedure

OPCC Data Protection Policy

OPCC Policy for Producing, Reviewing and Amending Policies and Procedures

Appendix A

1. Board and Committee

Record Description	Timescale
Strategic Policing and Crime Board Agenda, minutes, reports and briefing notes	Permanently for historical interest
Audit Committee Agenda minutes, reports and briefing notes	Permanently for historical interest
Annual Reports For reasons of historical interest	Permanently for historical interest
Committees - Police Authority, Police and Crime Commissioner	Permanently Main Committee agendas and minutes Historical and consider further retention for historic purpose/public Interest
Committee – Senior Management Team (SMT) Agendas, minutes and conferences	6 years plus current financial year, unless items of historical interest
Other meetings and committees Public / partner consultation, forum notes, records, questionnaires, correspondence, supporting papers	6 years plus current financial year, unless items of historical interest

2. Corporate Governance and Business Activity

Record Description	Timescale
Strategic Police and Crime Plan	Permanently for historical interest
Election of the Police and Crime Commissioner	Permanently for historical interest (information is held by PARO)

Documents relating to the election process	
Litigation Correspondence, criminal and civil case files, medical appeal files, claims by persons injured employment tribunal files	6 years from time dealt with. Involving a child retain until age 18 + 6years.
Legal advice Briefing notes, correspondence, Counsel's opinion	7 years
Agreements Service Level Agreements	6 years after agreement expires
Asset acquisition / disposal (non- land) Legal documents relating to purchase / sale, leases, tender documents	Destroy 12 years after terms expire
Property acquisition Plans and reports	Destroy 16 years after all obligations end, or retain indefinitely where restricted covenants apply
Property Deeds	Until the sale of the property Update land registry when necessary Force Policy Deeds of Arrangement Act 1914, Section 10
Property disposal Survey reports, tender documents, conditions of contracts	Destroy 16 years after all obligations end, or retain indefinitely where restricted covenants apply
Insurance Insurance policies, correspondence	Until superseded or cancelled + 10 years
Insurance Policy Documents Employers' Liability Insurance Certificates	40 Years Employers' Liability (Compulsory Insurance) Regs 1998

<p>Correspondence</p> <p>Enquiries and correspondence from members of the public</p> <p>General correspondence</p> <p>Notebooks</p>	<p>2 years after last contact with the member of the public</p> <p>2 years from completion of book</p>
<p>Risks</p> <p>Risk records, Risk register</p>	<p>Current financial year + 6 years</p>
<p>Business Continuity Plans</p> <p>Plans for business continuity – people/places etc.</p> <p>Planning and Policy matters; meetings</p>	<p>Once new plans are finalised, previous versions can be disposed</p> <p>Until Superseded or Revoked</p> <p>Health and Safety at Work Act 1974, Section 2</p>
<p>Declarations of interests</p> <p>Made by PCC / Deputy</p>	<p>End of term of office + 6 years</p>
<p>Gifts and Hospitality Register</p> <p>Made by PCC / Deputy</p>	<p>End of term of office + 6 years</p>
<p>Freedom of Information</p> <p>FOI Disclosures</p>	<p>2 Years from disclosure or from completion of any appeal, local or ICO.</p> <p>APP Information Management – Data Protection</p>
<p>Subject Access Requests</p>	<p>6 years from date of request. Child 18 years of age + 6 years</p> <p>APP Information Management – data protection</p>
<p>Data Breach Records/Investigations</p> <p>Non - crime</p>	<p>6 years from completion</p>
<p>Data Processing Agreements/Contracts</p>	<p>Life of contract or end of agreement +6 years</p>

Data Protection Impact Assessments	Length of processing + 2 years
Information Sharing Agreements, Protocols, Memoranda of understanding	End of contract/agreement + 6 years
Complaints Made against the Chief Constable Made against staff or contractors	Current financial year + 6 years (both) 6 Years after finalisation
Complaints from the Public Complaints lodged against the Service received from the public	6 Years from closure of the complaint
Press releases and media statements Copies taken from media	Items of historical interest – permanent. Other items term of officer + 6 years
Marketing Developing and promoting OPCC events, information about the OPCC, including the taking and retention of photographs	PCC term + 1 year
Policy development Policies, Procedures, Processes, Protocols etc.	PCC term + 1 year
Equality Impact Assessments Initial and full assessments or policies and procedures	Once superseded, retain for 2 years
Unstructured records Records that do not support a business process, i.e. there is no existing place for them in the filing structure and none will be created – this applies to paper and electronic formats including emails	Destroy as soon as use has ceased
Disposal schedules Lists of any disposals	Permanently

3. Financial Information

Record Description	Timescale
<p>Accounts</p> <p>Statement of accounts rendered and payable accounts, outstanding accounts and orders</p>	<p>Permanently</p>
<p>Budgets</p> <p>Information relating to annual budgeting process</p>	<p>Current financial year + 6 years</p>
<p>Revenue Outturn</p> <p>Revenue outturn</p>	<p>Current financial year + 6 years</p>
<p>Details of Expenditure</p> <p>Invoices, receipts, bank statements, vouchers, ledger</p> <p>PCC credit card</p> <p>For office credit card</p>	<p>Current financial year + 6 years</p> <p>End of term of office + 6 years</p> <p>Current financial year + 6 years</p>
<p>Equipment and supplies</p> <p>Stationery etc.</p>	<p>Current financial year + 6 years</p>
<p>Precept Notification</p> <p>Precept charges</p>	<p>Current financial year + 6 years</p>
<p>Audit Information</p> <p>Audit reports</p>	<p>10 years, destroy any personal details in working papers after 6 years</p>
<p>Asset monitoring and maintenance</p> <p>Assets / equipment registers / records</p>	<p>When last item in register has been disposed of + 6 years</p>

4. Grants and Commissioning

Record Description	Timescale
<p>Grants</p> <p>Information relating to grant expenditure processes including application, monitoring, approvals, decisions and evaluations</p>	End of Contract + 6 years
<p>Contracts</p> <p>Pre Tender documentation, i.e. evaluation reports (PQQs)</p> <p>Contracts documents with external organisations and suppliers, i.e. original tender, signed acceptance plus any variations to contract, performance notices, records of complaints, termination notices, extensions to contracts</p>	<p>7 years</p> <p>End of Contract + 6 years (unless a deed where 12 years is necessary)</p>

5. HR Information – Staff

Record Description	Timescale
<p>Recruitment process information (internal and external candidates)</p> <p>All application information relating to unsuccessful candidates</p>	1 year
<p>Recruitment process information</p> <p>Adverts, shortlisting and interview details. Scoresheets from shortlisting and interviews for successful applicants. Letters relating to appointment, assessments and selection</p>	Until successful applicant leaves service
<p>Vetting</p> <p>Personnel vetting, local intelligence checks, references, referees checks, counter terrorist checks etc.</p>	6 years after leaving, 1 year after death
<p>Vetting - Temporary Staff & Contractors</p> <p>Non Police Personal Vetting</p>	End of contract + 1 Year
<p>Time sheets and Flexi time</p> <p>Time sheet registers</p>	<p>Current financial year + 1 year (2 years in total)</p> <p>Force Policy</p>

	The Working Time Regulations 1998, Regulation 9
Personal records Personal details update Relating to Individuals Service Records	Until age 100 Consider 85 years of age for non-pay/pension records
Discipline / Complaints Records Misconduct and Complaints records and procedure	Length of employment + 6 years
Employment Tribunals Employment Tribunal Records and Files The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, Regulation 14	Length of employment + 6 years
Grievances Discipline records, equal opportunities and sexual / racial harassment etc. reports and statements – not just about people	Length of employment + 6 years
PDR forms Performance indicators and individual progress record forma	6 years
Sickness and Health Records Sickness Forms, Doctors Notes, Occupational Health Records	Until age 100
Training Records Record of Training received by the Individual Home Office Retention & Disposal Standards	Until age 100
Acting-up Payments Temporary salary payments / Acting-up payments	Until age 100
Change of Circumstances	Until age 100

Change of circumstances e.g. marriage / divorce etc., impacts on Pensions	
Pay variation Supporting documents, e.g. maternity application, maternity certificate / change of hours / pay increase / decrease	Until age 100
Pay variation Change in hours	Until age 100

6. HR Information – Contractors

Record Description	Timescale
Contracts	Current financial year + 6 years
Expenses	Current financial year + 6 years
Invoices	Current financial year + 6 years
Vetting (including temporary staff) Personnel vetting, local intelligence checks, references, referees checks, counter terrorist checks etc.	End of contract + 1 Year

7. HR Information – Volunteers

Record Description	Timescale
Independent Custody Visitors Details of rota, reports submitted by custody visitors, Panel Meetings and other miscellaneous information Handbook	Current financial year + 6 years Until superseded
Volunteer Personnel Information Details of the volunteer recruitment and HR records	Same retention periods as used for OPCC staff
Work Experience or placement	Current financial year + 1 year

Personal details of individual who spent time with the OPCC	
Work Experience or placement Admin details and correspondence to arrange the placement	Current financial year + 1 year

8. Health and Safety

Record Description	Timescale
Accidents at work PCC Accident at work Accident Report Forms, reportable injuries, diseases and dangerous occurrence Health & Safety Executive The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, Regulation 7	End of term of office + 6 years Current financial year + 6 years
Accidents at work – Employers Employer Liability Claims Health & Safety Executive Limitations Act 1980	Current financial year + 6 years
Health & Safety Records- Records where exposure may lead to disease many years later. The Control of Substances Hazardous to Health Regulations 2002, Regulation 10	40 Years
Health & Safety Records – Asbestos Asbestos inspections and building records Control of Asbestos Regulations 2012, Regulation 13	Removal of asbestos + 5 Years or subsequent inspection + 5 Years
Health & Safety Records – Inspection Reports Inspection Reports The Management of Health and Safety at Work Regulations 1992,	Current financial year + 5 years

Regulation 5	
Health & Safety Records – Risk Assessments	Current financial year + 6 years
Risk Assessments	

Leicestershire Police Force hold the following data on behalf of the PCC and will review, retain and delete this in line with their own policy for records management:

- Diary entries & Calendars (held on Force network)
- HR records including payroll data and pension information