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SCARBOROUGH BOROUGH COUNCIL

Data Retention Policy

DOCUMENT CONTROL

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Protective Marking	NOT PROTECTIVELY MARKED
Cabinet Approval Date	2014
Council Approval Date	2014
Policy Date/Period	May 2018
Policy Review Frequency	Three yearly

REVIEW HISTORY

Date	Reviewed By	Version	Any Revisions?
May 2018	Alison Johnson	V1.0	Yes
November 2019	Petra Jackson	V1.0	

REVISION HISTORY (only required where changes made)

Date	Revised By	Version	Description of Revision
May 2018	Alison Johnson	Draft v1.0	Creation of Policy

DOCUMENT REVISION APPROVALS

Version	Approval	Date
V1.0	Alison Johnson	24/5/2018

1. INTRODUCTION

- 1.1 Information is one of the Council's corporate assets; in the course of carrying out its' various functions, the Council accumulates information from both individuals and external organisations. The Council also generates a wide range of data, which is recorded in documents and records.
- 1.2 These documents and records are processed in several different formats, examples of which include, (but are not limited to) communications such as letters, emails and attendance notes; financial information including invoices, statements and reports; legal documents such as contracts and deeds; and information relating to various types of applications, including software, forms, plans, drawings, photographs and tape recordings.
- 1.3 For the purposes of this Policy, the terms 'document' and 'records' include information in both hard copy and electronic form.
- 1.4 In certain circumstances it will be necessary to retain specific documents in order to fulfil statutory or regulatory requirements and also to meet operational needs. Relevant information is also preserved which has historic value.
- 1.5 Premature destruction of documents could result in inability to defend litigious claims, operational difficulties and failure to comply with the Freedom of Information Act 2000, GDPR and Data Protection Act 2018
- 1.6 Equally, the retention of documents and recorded information beyond a legitimate purpose would result in inefficient use of Council's available storage. and the lengthy or indefinite retention of personal information could result in the Council breaching GDPR and the Data Protection Act 2018.
- 1.7 It is important for the above reasons that the Council has in place systems for the timely and secure disposal of documents and records.

2. AIMS AND OBJECTIVES

- 2.1 The key objective of this Policy is to provide the Council with a simple framework which will govern decisions on whether a particular document should be retained or disposed of. In the case of documents which are to be retained by the Council, the Policy includes guidance on the format in which they should be retained and appropriate retention periods.
- 2.2 Implementation of the Policy should save Council officers' time when retrieving information, in particular by reducing the amount of information that may be held unnecessarily.
- 2.3 The policy clarifies the different roles of Council officers in relation to document retention and disposal in order that they understand their responsibilities and who to refer to if they are unsure about any document and require clarification.

- 2.4 It is envisaged that this Policy will assist the Council in securing compliance with legal and regulatory requirements, including the Freedom of Information Act 2000, the Environmental Information Regulations 2005, the General Data Protection Regulations (GDPR), the Data Protection Act 2018 and the Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000. In addition to assisting officers in their day to day business, this should also ensure that searches for information requested under the Freedom of Information legislation are as quick as possible.
- 2.5 Additionally, the Policy should help to ensure that the Council archives records and documents that are of historical value appropriately for the benefit of future generations.

3. SCOPE

- 3.1 This Document Retention Policy applies to all information held by the Council and its external service providers where they are processing information on the Council's behalf.

4. POLICY STATEMENT

- 4.1 Scarborough Borough Council will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of services.

5. RETENTION AND DISPOSAL POLICY

- 5.1 Decisions relating to the retention and disposal of documentation should be taken in accordance with this Policy
- 5.2 In circumstances where a retention period of a specific document has expired, a review should always be carried out prior to a decision being made to dispose of it. This review should not be particularly time consuming and should be straightforward. If the decision to dispose of a document is taken, then consideration should be given to the method of disposal to be used.

6 ROLES AND RESPONSIBILITIES

- 6.1 Senior Unit Managers will be responsible for determining whether to retain or dispose of specific documents within the remit of their service area.
- 6.2 Senior Unit Managers will be responsible for ensuring all retention periods are documented in Service Retention Schedule.
- 6.3 Senior Unit Managers should seek legal advice if they are uncertain as to whether minimum retention periods are prescribed by law, or whether the retention of a document is necessary to protect the Council's position where a potential claim has been identified.
- 6.4 Service Unit Manager must ensure that their Service Retention Schedules are reviewed on a regular basis, and all information is kept up to date

7. DISPOSAL

- 7.1 Paper documents containing confidential, personal or business sensitive information must be destroyed in a secure manner via the confidential refuse bins located around the Council's offices. It is essential that any documents which are to be destroyed, and contain personal data are disposed in line with the requirements of GDPR and the Data Protection Act 2018.
- 7.2 Destruction of electronic documents and records will be through the deletion from structured computer systems, and therefore prevent further processing of that data. No deletions will be made of the historic data backups of the computer systems, which will remain in an unstructured and unusable format.

8. COMPLIANCE

- 8.1 Compliance of this policy will be monitored through the Governance function within the Council, and reported to Audit Committee if appropriate.