

# **Record Management Guidance**

**July 2021**

# West Suffolk Council – Record Management Guidance

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# 1. Introduction

1.1 West Suffolk Council holds a vast amount of information relating to specific topics or individuals as well as records of decisions made by the council and the rationale behind these decisions.

**This guidance only applies to the records that are listed on the record retention schedules for service areas. A 'record' is defined as any piece of information (listed on a record retention schedule) which is created, collected, processed, used, stored and/or disposed of by employees, councillors and agents acting on behalf of the council.**

1.2 It is important that employees and councillors recognise that the records we hold are an important public asset, and are a key resource to effective operation, policy making and accountability. In addition, the council holds information that will be valuable to future generations; this guidance should help to ensure that the council archive records and documents that are of historical value.

1.3 This guidance provides a record management framework for employees and councillors to use when considering what records the council should destroy or retain, and the method for retaining or destroying.

1.4 Any decision on retention or destruction of records should be made in accordance with this guidance to comply with the Data Protection Act 2018 and Freedom of Information Act 2000. If you are in doubt about the retention or destruction of a specific record, seek guidance from your line manager, the Data Protection Officer or their duly authorised representative.

# 2. Roles and responsibilities

2.1 It is the responsibility of the service areas to ensure that the data they hold is kept accurate and up-to-date and is not held for any longer than is necessary for the purpose for which it was collected.

2.2 All heads of service and service managers are responsible for the implementation and monitoring of the record management guidance.

2.3 Responsibility for the operational aspect of record management may be delegated by the service manager to one or more officers where required.

2.4 Legal Services and Internal Audit, with support from the Information Governance Working Group (IGWG), have a responsibility to monitor record management across the council to ensure that service areas:

- retain records to meet the West Suffolk business needs and any legal or statutory requirement
- ensure appropriate disposal of records that are no longer required
- protect records that are of historical value, and
- comply with government directives.

### 3. Record retention

- 3.1 In certain circumstances it is necessary to retain records in order to fulfil statutory or regulatory requirements and also to meet operational needs. Retention of specific records may also be useful to evidence events or agreements in the case of disputes, and to preserve information which has historic value.
- 3.2 A record retention schedule is an essential component of an efficient and effective records management function. The record retention schedule ensures council records are kept for as long as they are needed to meet business needs and to comply with legal requirements, and are then disposed of securely.
- 3.3 Service managers, or officers with delegated information management responsibilities, hold and maintain the record retention schedule for their area. Legal Services will also hold a copy centrally and any changes to a retention schedule must be communicated to Legal Services.
- 3.4 Retention schedules should be reviewed annually to consider the need for any new information management technology, for example, new IT, devices or storage capacity to allow the appropriate storage and destruction of documents.
- 3.5 The record retention schedule provides details of the storage of council records. Service areas must ensure that electronic and physical records are kept in a secure storage area and referenced appropriately to ensure they are kept for the required retention period and not accidentally deleted or destroyed. This will allow for easy retrieval to meet business requirements or Freedom of Information requests.
- 3.6 There are various legal requirements and professional guidelines about keeping certain kinds of records – such as information needed for income tax and audit purposes, or information on aspects of health about safety. If the council keep personal data to comply with a requirement like this, it will not be considered to have kept the information for longer than necessary.
- 3.7 The council holds a number of records which are considered of historical value, service areas should consider offering items of historic value to the Suffolk Records Office through Suffolk County Council.
- 3.8 The following headings should be used for the document retention schedules that are held by each service area:

<b>Heading</b>	<b>Example</b>
Service area	Democratic Services
Record description	Committee minutes - copies for public inspection
Storage	Hub or electronic
Retention period years	Permanent
Retention period months	Permanent
Start event	Date of meeting or decision
Reference	Local Authorities (Executive Arrangements) (Access

Heading	Example
	to Information) (England) Regulations 2000
Notes 1	Legal requirement to retain committee minutes for a minimum of six years. Retained permanently in West Suffolk as they are considered to be of public interest.
Notes 2	Reopening High Streets Safely Fund (Appendix A) Detailed records and supporting documentation will be kept for 10 years after the last aid is granted under the scheme until 2023 meaning documents will be retained until 31 December 2033.

3.9 Retention schedules for all services areas can be obtained from the Data Protection Coordinator.

## 4. Record disposal

4.1 When records are no longer required for business or statutory purposes, the service area must consider appropriate disposal based on the format of the record and whether the record contains confidential or restricted information.

4.2 The table below should be used as a guide to selecting an appropriate method for disposing of a record:

Media type	Suggested method of destruction
Paper records	Recycled unless considered confidential. Shredded if the record contains confidential records.
Electronic storage – ICT servers	Deleted from live storage and deleted from backups as part of natural cycle.
Electronic storage – hard drives, USB, CDs	Provide to ICT for environmentally friendly disposal or for secure destruction if the electronic storage contains confidential records.
Microfilm or other small format physical storage	Recycled unless considered confidential. Shredded if the record contains confidential records.
Magnetic tape (computer data and audio or video tape)	Recycled unless considered confidential. Shredded if the record contains confidential records.

4.3 It is good practice for a record of destruction to be retained by the service area. The retention schedule for the service area is considered by the council to be a suitable record of destruction.

4.4 Premature destruction of documents could result in inability to defend claims against the council, operational difficulties, and failure to comply with the Freedom of Information Act 2000 and the Data Protection Act 2018.

4.5 Delayed destruction of documents could result in sanctions against the council if

these documents are subsequently breached.

- 4.6 Advice should be sought from the Data Protection Officer or their duly authorised deputy if in doubt regarding the appropriate time to destroy or dispose of a record.

## **5. Appendix A - Re-opening High Streets Safely Fund West Suffolk Council – Document Retention Policy**

### **How long should records be kept**

All documents and electronic records will be retained for two years after the Audit Authority submits the Annual Control Report in which the final expenditure for the completed project is included (not two years after submission of final claim).

Documents will be made available to the European Commission and European Court of Auditors upon request with Article 140(1) of Regulation (EU) No 1303/2013.

In addition to this rule:

- document retention requirements under any applicable State Aid rules (either GBER (Commission Regulation (EU) No 651/2014) or De Minimis (Commission Regulation (EU) No 1407/2013) will be adhered to. Detailed records and supporting documentation will be kept for 10 years after the last aid is granted under the scheme until 2023 meaning documents will be retained until at least 2033.
- local authorities will need to retain documents to evidence compliance with the EU Regulations governing European Regional Development Fund, ERDF, Funding.

Prior to destruction of any documents, confirmation will be sought from the managing authority.

### **What should records show**

Core documentation will include:

- all ERDF related documentation including work carried out during development, pre application, application and during and after the project.
- the GFA including any revised versions with supporting correspondence of approval of changes.
- correspondence from and to MHCLG
- quarterly claim forms
- working paper claim calculations, FRIC methodologies
- audit trail for any procurement undertaken for the project
- if applicable, any state aid approved scheme
- if applicable, an asset register

In addition:

- all project expenditure – invoices, bank statements or equivalent showing how payments were made
- evidence of open and fair procurement of goods and services – retain all documentation including advertising and contract notices, quotes or tenders, scoring methodology. Refer to National Procurement Guidance for further information: [ESIF \(European Structural and Investments Funds\) National Procurement Requirements \(ESIF-GN-a-001\)](#)
- compliance with publicity requirements – copies of all publicity materials including press releases and marketing.
- compliance with equal opportunities and environmental sustainability requirements
- all documentary evidence substantiating outputs and results declared in claims and on completion of project.

## **Acceptable forms of documentation**

Any copies of original versions will be certified by the project manager as conforming to the original document. An example below will be used.

**I certify that this is a true copy of the original document:**

**Signed**

**Date**

**Position in organisation**

**Name of organisation**

All electronic documents will be kept for the same duration as required for paper copies.

Exchanges of data and transactions will bear an electronic signature compatible with Directive 1999/93/EC.