

Retention Policy

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Revision history

Date	Version	Summary of action	Author
15/10/15	0.1	Historic and departmental schedules pulled into one document.	Leila Ridley
28/11/16	0.2	Updated version to be presented to CGG for approval	Antoinette Carter
13/03/17	0.3	Updated version to be presented to CMB for approval following Legal Approval	Antoinette Carter
14/06/24	1.0	Updated advisory notes. Separated policy and retention periods.	Lisa Essoo

Table of Contents

Retention Policy.....	1
1. Purpose of this document	2
2. What is a Retention Schedule?.....	2
2.1 Personal Information	3
3. Destruction of Records	3
3.1 Records that can be destroyed after their effective use.....	4

1. Purpose of this document

This document sets out Islington Council's Retention Policy. This Policy outlines what the Retention Schedule is and the destruction of records in compliance with the relevant legislation. This document should be read in conjunction with the Records Management Policy, Information Asset Owner Procedure, as well as the Retention Schedule document.

2. What is a Retention Schedule?

The Council's Retention Schedule is a 'living document' that will be amended and modified as and when retention details change or regulations and legislation that govern information and its use are introduced or changed. The retention schedule applies to all records irrespective of the format in which they are maintained or the media on which they are held.

The council stores many documents and creates more every day. The retention schedule is a tool to ensure best practice by:

- Assisting in identifying records that may be worth preserving permanently as part of a local authority's archives.
- Preventing the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration.
- Providing consistency for the destruction of those records not required permanently after specified periods.
- Ensuring that the council does not hold on to information or records for longer than is necessary.

The retention schedule does not look at individual records but at a group of records, records series or a collection of related records that are stored and used together and, for retention purposes, evaluated together. This is done to:

- Assess their value as a source of information in relation to the business of which they are the output.
- Determine their importance as evidence of the council's business activity and/or decision making.
- Determine whether there are any legal or regulatory requirements in relation to the records, and to assess the risks of not complying with those requirements.

The Retention Schedule provides the minimum periods of retention of records of all types.

The retention schedule makes no distinction between hard copy records and records held electronically and applies to all formats that may have been historically created.

2.1 Personal Information

Unless otherwise stated, personal data should not be held for longer than 6 years after the data subject's last contact with the Council. This period reflects the general time within which, under the Limitation Act 1980, a civil action could be brought before the courts. It should also be noted that, under this Act, civil action can be taken for up to twelve years following certain events. Full details of the Limitation Act are available from Legal Services.

Exceptions to the six-year period occur when records:

- are held in legal documents 'under seal' where they may have to be retained for up to twelve years.
- need to be retained because the information contained in them is relevant to legal action which has been started.
- are required to be kept for longer or shorter period by statute
- are archived for historical purposes
- consist of a sample of records maintained for the purpose of retrospective comparison
- involve the transfer of significant information, with subject identification, on to aggregated files
- relate to individuals and providers of services who have, or whose staff have been judged unsatisfactory are held in order to provide for the subject, aspects of his/her personal history

If the council's Legal Department were to become aware of any pending legal action a note should be attached to the file confirming that the file should not be destroyed.

3. Destruction of Records

Proper retention and destruction of information is essential to assist the council achieving compliance of the Freedom of Information Act 2000 (FOIA) together with the Environmental Information Regulations 2004 (EIR), The Data Protection Act 2018, UK General Data Protection Regulations (GDPR) 2018 and the Local Government Act 1972.

The destruction of records is an irreversible act. Many records contain sensitive and/or confidential information, and their destruction must be undertaken in accordance with Islington Council policy and, where possible, proof of secure destruction should be obtained.

Any records transferred to off-site storage should be destroyed by the relevant records company. The company should contact the relevant officer at the appropriate time and request confirmation that the records can be destroyed. A certificate of destruction must be provided.

Secure destruction of ICT equipment is carried out by Digital Services.

3.1 Records that can be destroyed after their effective use

As a rule, the following types of records have no significant operational, informational, or evidential value. They can therefore be destroyed as soon as they have served their primary purpose.

- Announcements and notices of meetings and other events, and notifications of acceptance or apologies
- Requests for, and confirmations of, reservations for internal services (e.g., meeting rooms) where no internal charges are made.
- Transmission documents: Letters, fax cover sheets, routing slips, compliments slips and similar items which accompany documents but do not add any value to them.
- Message slips
- Superseded address lists and distribution lists
- Duplicate documents such as cc and FY copies
- Unaltered drafts of documents and reports
- Snapshot printouts or extracts from databases.
- Day Files (chronological copies of correspondence)
- Personal diaries, address books etc.
- Working papers, where the results have been written into an official document and which are not required to support it
- Stocks of in-house publications which are obsolete, superseded or otherwise not required.
- Published or referenced materials received from other parts of the council, from vendors or other external organisations, which require no action and are not needed for record purposes, e.g. trade magazines.