

## Policy: Information and Records Management

### Equality Statement

The Office of the Police and Crime Commissioner (OPCC) is committed to the principles of equality and diversity. No member of the public, member of staff, contractor, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

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### Policy statement

This Policy covers our policy on records management and retention.

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### Information and Records Management

1. The policy covers the management of all records and information, regardless of medium or format, including electronic records, and it is applicable to all employees of the Police and Crime Commissioner for the West Midlands as well as the Deputy Police and Crime Commissioner, Victims Advocate, volunteers, consultants and partner organisations.
2. Records shared with other organisations or held on behalf of the Commissioner by other organisations should be managed in accordance with this policy.
3. The Commissioner recognises that having accurate and relevant information is essential to effective decision making and quality customer service. As an important public asset, records require careful management.
4. Good records management is essential to ensure that the Commissioner can comply with his legislative responsibilities and can act as a driver for business efficiency.

### Approach

5. We keep records for as long as required to:
  - comply with relevant legislation such as the Public Records Act, General Data Protection Regulation and Data Protection Act 2018, Freedom of Information Act 2000
  - conduct business in an orderly, efficient and accountable manner
  - deliver core functions in a consistent and equitable manner
  - support and document policy formulation and managerial decision-making
  - provide consistency, continuity and productivity in management and administration
  - provide continuity in the event of disaster
  - meet legislative and regulatory requirements
  - provide protection and support in litigation, and in the management of risks
  - protect the interests of the organisation and the rights of employees, students, clients, and present and future stakeholders
  - support and document current and future research, development activities and achievements, as well as historical research
  - provide evidence of business, personal and cultural identity, and
  - maintain corporate, personal or collective memory.
  
6. Our records management principles:
  - records and information are owned by the Police and Crime Commissioner not by the individual or team
  - keeping records is an integral part of all business activities
  - a complete record of all activities must be securely stored in a shared location, easily identified and accessible to those who need to see it
  - adequate storage accommodation is provided for the records
  - tracking and monitoring the movement and location of records should take place so that they can be easily retrieved
  - the complete record may be in any format, but preferably electronic – significant emails are held alongside other information and must not be stored solely in personal mailboxes or hard drives
  - information will be held only as long as required, and disposed of in accordance with the record retention schedule (at Annex 1)
  - information should be available to all unless there is a valid reason to restrict access. A large amount of the information held is placed on the website and available for public inspection
  - records of historical and administrative importance should be identified as archives and transferred to Birmingham City Council's Archives & Heritage section for permanent retention.
  
7. The Freedom of Information Act 2000, the Data Protection Act 2019 and UK GDPR provide members of the public with the right to request information held by public authorities. The Commissioner is fully committed to the provisions of these Acts and supports the underlying principles of openness and transparency.

## Retention of Records

8. With increasing public access to our records, it is important that disposal of records happens as part of a managed process and is adequately documented. Therefore, the document retention schedule in Appendix A sets out guidelines on how long we will retain documents. The retention schedule may be updated when the need arises, to reflect the types of documents held by the Commissioner, and to reflect current best practice. Disposal will take place in a secure manner to ensure that confidentiality and security is maintained.
9. Aside from the standard procedure set out below, whenever there is a known likelihood of litigation following a:
  - Request under the Freedom of Information Act 2000 or
  - A Subject Access Request under the GDPRrecords likely to be affected should not be amended or disposed of until:
  - the threat of litigation has ended,
  - the Subject Access Request has been actioned, or
  - the appeal processes under the Freedom of Information Act have been exhausted.
10. Partnership working – where records are created as a result of partnership working there needs to be clearly defined responsibilities between the Commissioner and the partner organisation for the creation and management of records. Where the Commissioner is the lead partner this Information and Records Management policy will be applicable, and the Commissioner will be responsible for the custody and ownership of the records.

Where another organisation is the lead partner:

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

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

11. Commissioned services and suppliers - the Commissioner will comply with the requirements of the Specified Information Order regarding publicising details of contracts. The Commissioner will ensure contracts place clear obligations on suppliers to manage records created or held by external agencies.
12. Project records - Where records, such as 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 records transfer(s) to the Commissioner once the activity has ended.

13. Individuals - The Commissioner, DPCC, Victims Advocate, employees, 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.

## Appendix A: Retention Schedule

### 1. Events, Board and Committee

| Information and description   | Timescale  |
|---|--|
| <b>Accountability and Governance Board</b><br>Agenda, Minutes and reports, and briefing notes | Permanently for historical interest  |
| <b>Joint Audit Committee</b><br>Agenda, Minutes and reports, and briefing notes               | Permanently for historical interest  |
| <b>Annual Reports</b><br>For reasons of historical interest                                   | Permanently for historical interest  |
| <b>Other meetings and committees</b>  | 6 years plus current financial year, unless items of historical interest - permanent |
| <b>Events</b>   | 3 years from date of event   |

### 2. Corporate Governance and Business Activity

| Information and description  | Timescale  |
|--|--|
| <b>Police and Crime Plan</b>   | Permanently for historical interest  |
| <b>Election of the Police and Crime Commissioner</b><br>Documents relating to election process | Permanently for historical interest (information is held by PARO)                    |
| <b>Correspondence</b><br>Enquiries and correspondence from members of the public               | 6 years from the date of the last contact with the member of the public              |
| <b>Risks</b><br>Risk records, Risk register  | Current financial year + 6   |
| <b>Business Continuity Plans</b><br>Plans for business continuity-people/places etc.           | Once new plans are finalised, previous versions can be disposed                      |
| <b>Declarations of interests</b><br>Made by PCC<br>Made by DPCC and AGB members                | End of term of office + 6<br>Current financial year + 6                              |
| <b>Gifts and Hospitality Register</b><br>Made by PCC<br>Made by DPCC and AGB members           | End of term of office + 6<br>Current financial year + 6                              |
| <b>Freedom of Information</b><br>FOI Disclosures   | 6 years from date of last correspondence   |
| <b>Subject Access Requests</b>   | 6 years from date of last correspondence   |
| <b>Complaints</b><br>Made against the Chief Constable<br>Made against staff or contractors     | Current financial year + 6<br>Current financial year + 6                             |
| <b>Press releases and Media Statements</b><br>Copies taken from media                          | Items of historical interest - permanent, other items term of office plus six years. |

### 3. Financial Information

| Information and description  | Timescale  |
|--|--|
| <b>Accounts</b><br>Statement of accounts rendered and payable accounts, outstanding accounts, and orders | Permanently  |
| <b>Budgets</b><br>Information relating to annual budgeting process                                       | Current financial year + 6   |
| <b>Revenue Outturn</b><br>Revenue outturn  | Current financial year + 6   |
| <b>Details of Credit Card Expenditure</b><br>PCC Credit Card<br>For office credit cards                  | End of term of office + 6<br>Current financial year + 6                |
| <b>Equipment and supplies</b><br>Stationery etc.   | Current financial year + 6   |
| <b>Audit information</b><br>Audit reports  | 10 years, destroy any personal details in working papers after 6 years |
| <b>DPIA Documents</b>  | Length of project/activity +6 years                                    |
| <b>Information Sharing Agreement Documents</b>   | End of agreement +6 years  |

### 4. Grants and Commissioning

| Information and description   | Timescale            |
|---|----------------------|
| <b>Grants</b><br>Information relating to grant expenditure processes including applications, monitoring, approvals, decisions and evaluations | End of Contract + 6y |
| <b>Contracts</b><br>Contracts with external organisations and suppliers   | End of Contract + 6y |

### 5. HR Information – Staff

| Information and description  | Timescale                       |
|--|---------------------------------|
| <b>Personal details</b><br>Personal details update   | Length of employment + 6 years  |
| <b>Discipline /Complaints Records</b><br>Misconduct and Complaints records and procedures  | Length of employment + 6 years  |
| <b>Employment Tribunals</b><br>Employment Tribunal Records and Files   | Length of employment + 6 years  |
| <b>Grievances</b><br>Equal opportunities & sexual/racial harassment etc. reports and statements- not just about people                         | Length of employment + 6 years  |
| <b>PDR forms</b><br>Performance indicators and individual progress record forms  | Length of employment + 6 years  |
| <b>Sickness and health Records</b><br>Sickness Forms, Doctors Notes, Occupational Health records   | Length of employment + 6 years  |
| <b>Acting up payments</b><br>Temporary salary payments/Acting up payments  | Length of employment + 6 years  |
| <b>Change of circumstances</b> Change of circumstance e.g. marriage/divorced etc., impacts on pensions   | Length of employment + 6 years  |
| <b>Pay variation</b><br>Supporting documents-E.g. Maternity application, maternity certificate/change of hours/pay increase/decrease           | Length of employment + 6 years  |
| <b>Pay variation</b><br>Change in hours  | Length of employment + 6 years  |
| <b>Vetting (inc. temporary staff)</b> Personnel vetting, local intelligence checks, references, referee checks, counter terrorist checks, etc. | Length of employment + 6 years  |
| <b>Time sheets and Flexi Time</b><br>Time sheet registers  | Length of employment + 6 years  |
| <b>Trade Union Agreements</b>  | 10 years after agreement ceases |

## 6. HR Information – Contractors

| Information and description   | Timescale                  |
|---|----------------------------|
| <b>Contracts</b>  | Current financial year + 6 |
| <b>Expenses</b>   | Current financial year + 6 |
| <b>Invoices</b>   | Current financial year + 6 |
| <b>Vetting (inc. temporary staff)</b><br>Personnel vetting, local intelligence checks, references, referees checks, counter terrorist checks etc. | Current financial year + 6 |

## 7. HR Information – Volunteers

| Information and description | Timescale |
|-----------------------------|-----------|
|-----------------------------|-----------|

|   |   |
|---|---|
| <b>Custody Visiting</b><br>Details of rota, reports submitted by custody visitors, Panel meetings and other miscellaneous information | Current financial year + 6                    |
| <b>Volunteer Personnel information</b><br>Details of the volunteer recruitment and HR records   | Same retention periods as used for OPCC staff |
| <b>Work Experience Placement</b><br>Personal details of individual who spent time with OPCC   | Current financial year + 1                    |
| <b>Work Experience Placement</b><br>Admin details and correspondence to arrange the placement   | Current financial year + 1                    |

## 8. Health and Safety

| Information and description   | Timescale   |
|---|---|
| <b>Accidents at work</b><br>PCC Accident at work<br>Accident Report Forms, Reportable injuries, diseases and dangerous occurrence | End of term of office +6 years<br>Length of employment +6 years |
| <b>Accidents at work- Employers</b><br>Employers Liability Claims   | Length of employment +6 years                                   |
| <b>Health &amp; Safety Records – Inspections Reports</b><br>Inspection Reports  | Current financial year + 6                                      |
| <b>Health &amp; Safety Records – Risk Assessments</b><br>Risk Assessments   | Current financial year + 6                                      |
| <b>Safeguarding</b><br>Safeguarding log   | 6 years from initial registration on log                        |

## 9. Performance/Data

| Information and description                | Timescale                  |
|--|----------------------------|
| <b>OPCC, WMP and external partner data</b> | Current financial year + 6 |
|  |                            |
|  |                            |
|  |                            |

## 10. Personal Diary Management

All staff should manage their diary appropriately and should be aware of who has access to their diary and the type of access they have. Access should be limited to only those who require access,



