

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards NO	Mandatory	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Brian Long E-mail: cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: Audit Committee		
Lead Officer: Ray Harding E-mail: Ray.Harding@west-norfolk.gov.uk Direct Dial: 01553 616245		Other Officers consulted: Emma Duncan, Monitoring Officer Management Team		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 26 March 2019

RECORD RETENTION AND DISPOSAL POLICY REVIEW

Summary

The Record Retention and Disposal Policy was last reviewed and approved by Council in January 2012. Given developments in working practices, digitalisation and legislation the policy is due for revision.

The policy has two components; the policy and a detailed schedule of records with related retention and disposal information.

Audit Committee considered the policy at its January 2019 and November 2018 meetings.

Recommendation

That Cabinet recommend that Council approve the Record Retention and Disposal Policy.

Reason for Decision

To detail the Council's commitment to records management and provide a framework for the management of records including document retention and disposal.

1. Background

1.1 The Council is required by the Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000 to have and to implement a records retention and disposal schedule.

1.2 The Council's current policy was last reviewed and approved by Council in January 2012. The draft policy was considered by Audit and Risk Committee in November 2011 and recommended to Cabinet in 6 December 2011. The Council's Records Retention and Disposal Policy has two components; the policy and a detailed schedule of records with related retention information.

2. Record Retention and Disposal Policy

2.1 The Records Retention and Disposal Policy is a key element of the Council's governance framework and informs the requirements to keep particular records for prescribed time periods that are specified by legislation and recommended in guidance.

2.2 The policy defines the Council's obligations and responsibilities in the handling and storage of data in relation to the legislation such as the Data Protection Act 2018, Freedom of Information Act 2000 and the 2016 General Data Protection Regulation (GDPR).

2.3 Where there is an absence of legislation or guidance, service managers have used common practice across the sector or organisation as a guide to retention.

2.4 The policy and schedule reviews were undertaken by the Policy and Performance unit with input from the Systems and Administration Manager and input from Eastlaw and the ICT Manager. The drafting also considered current records management guidance and recently developed local authority policy and retention schedules. Service managers were consulted on the content of the retention schedule.

2.5 As an integral part of the Council's approach to information governance, the updated policy clarifies the Council's expected standards in relation to the management and disposal of records.

3. Retention Schedule

3.1 The Council has followed the retention periods recommended by the Local Government Classification Scheme, Retention Guidelines for Local Authorities, statute and local custom and practice.

3.2 The introduction of GDPR has further encouraged service managers and those responsible for the Council's information assets to review records and practices. As such, the retention schedule is a "living" document. The current policy and schedule are one document requiring Cabinet and Council approval. Accordingly, the refreshed policy has been split so that the policy framework alone is approved by Cabinet and Council and the schedule becomes an operational management tool.

4. Policy Implications

4.1 Given changes in legislation, the policy is due for revision.

5. Financial Implications

5.1 There are no direct financial implications, however failure to manage records effectively may have a financial impact. It is therefore essential that the policy and practice is fit for purpose.

6. Personnel Implications

6.1 There are no personnel implications.

7. Statutory Considerations

7.1 The introduction of the Data Protection Act 2018 and the 2016 General Data Protection Regulation (GDPR) have triggered a review of the current policy.

8. Equality Impact Assessment (EIA)

8.1 There are no EIA considerations.

9. Risk Management Implications

9.1 This report is designed to progress and enhance the Council's effective management of records.

10. Declarations of Interest / Dispensations Granted

10.1 None.

11. Background Papers

- Records Retention and Disposal Policy (Cabinet, 6 December 2011)
- Audit Committee reports 28 January 2019 and 12 November 2018