

Freedom of Information Act 2000

STAFFORD BOROUGH COUNCIL

Retention Guidelines

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Purpose of the Guidelines

These Retention Guidelines are issued to support Stafford Borough Council in the areas of Data Protection Act, Freedom of Information and the Local Government Act.

These Guidelines have been developed to reflect an understanding of the administrative process that give rise to record creation. It is intended to make the Guidelines independent of any particular format of record that might be historically created (e.g. card, register) or media (e.g. paper, electronic) and therefore prolongs the Guidelines period of application.

These Guidelines are intended to cover the continuum of records and information from creation through to destruction or for retention for historical or research purposes.

Records for destruction under the Guidelines may be destroyed in accordance with the provisions of the Guidelines. Backup copies stored on alternative media (server / microfilm / paper) should also be destroyed. This is vital to ensure compliance with the requirements of Data Protection and Freedom of Information legislation.

Stafford Borough Council or an Agency acting for it will hold notification of the records destroyed in accordance with these Guidelines.

Stafford Borough Council will pass records for permanent preservation to its Archivist or its agency's place of deposit (i.e. local Record Office).

Limitation of Purpose

These Guidelines are only to be used by Stafford Borough Council for the disposal of common functional and housekeeping records as described in the Guidelines.

Objectives of the Retention Guidelines

The aims of the Guidelines are to:

- Assist in identifying records that may be worth preserving permanently as part of Stafford Borough Council's archives.
- Prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration.
- Provide consistency for the destruction of those records not required permanently after specified periods.
- Promote improved Record Management practices within Stafford Borough Council.

Transfer of Records to Archival Storage

Stafford Borough Council wishing to transfer permanent records to archival custody will contact the Archivist/Local History Officer at the appropriate County Record Office/Archive for further information on transfer procedures. It should be noted that the collection policies of individual archives vary.

The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely, provided specific requirements are met. It is the responsibility of the Archivist to ensure that this is so.

Records identified in this schedule as '**permanent**' are marked '**Offer to Archivist**'. The Archivist may choose to select a sample of the records for permanent preservation in the archives; the remainder should be destroyed as specified in the Guidelines. The sample may be random, selective or purposeful.

'**Offer to Archivist for review**' is used to indicate record classes where the Archivist will not usually be interested in retaining the class of records, but may wish to retain those concerning high profile or controversial policies / projects.

Records no longer required for administrative use may still retain sensitive information. The Archivist should be informed of sensitivity at the time of transfer of the material to the archives, and an appropriate closure period agreed. The closure period should comply with Freedom of Information legislation and Stafford Borough Council policy.

Enactment of Standard for Stafford Borough Council

As there is no legal basis for the enforcement and support of these Guidelines, Stafford Borough Council will ensure that the actions shown in the Guidelines are ratified internally within the Council.

The authorisation signature of the Chief Executive Officer and/or the Chief Internal Auditor will achieve ratification.

Destruction of Records

Whenever there is the possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

When records identified for disposal in the Guidelines are destroyed, a register of such records needs to be kept. For records not covered by the Guidelines contact the Council's Freedom of Information Manager for further advice. It is not sufficient to document that a quantity of records are destroyed on a certain date. Enough details should be retained to identify which records were destroyed.

Standard Operating Procedure (SOP)

There are some records that do not need to be kept at all; Standard Operating Procedure define types of records, which staff may routinely destroy in the normal course of business. However, the retention and disposal schedule must still contain reference and instructions referring to them.

SOP usually applies to information that is duplicated, unimportant or only of short-term facilitative value. Unimportant records or information include:

- 'With compliments' slips
- Catalogues and trade journals .
- Telephone message slips
- Non-acceptance of invitations
- Trivial electronic mail messages or notes that are not related to agency business
- Requests for stock information such as maps, plans or advertising material
- Out-of-date distribution lists
- Working papers which lead to a final report

Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed under SOP. Electronic copies of documents where a hard copy has been printed and filed, and thermal paper facsimiles after making and filing a photocopy, are also covered.

SOP should not be applied to records or information that can be used as evidence. If you are in doubt about what information is required consult with the Legal Department.

Reviewing the Schedule

This Guideline prescribes minimum and permanent retention periods. This guideline should be reviewed at regular intervals.

Relevant Web Addresses

- Records Management Society of Great Britain <http://www.rms-gb.org.uk>
- Public Record Office <http://www.pro.gov.uk>
- Society of Archivists <http://www.archives.org.uk>

Glossary of terms

Administrative Use. When business use is ended or the file is closed.

Closure. ' Destroy 'x' years from closure '. A record / file is closed when it ceases to be active. After closure, no new papers / information should be added to the record. Triggers for closure of a file include: reaching an unmanageable size; covering a period of 'x' years or more; no records added for 'x' period of time; no action taken after 'x' period of time.

Closure period. Specified period of time during which the record is subject to restrictions on provision of access to staff and / or the public may be dictated by statutory requirements or by Stafford Borough Council's policy. Any closure period should comply with current legislation on access to local government information - including the Data Protection and Freedom of Information Acts.

Common practice. Standard practice followed by those local authority records managers who are members of the Records Management Society.

Last action. 'Destroy 'x' years after last action'. Date of most recent amendment / addition / deletion of information.

Permanent. Records which must be kept indefinitely [or for approximately 100 years] for legal and / or administrative purposes, and / or are of enduring value for historical research purposes and so suitable for transfer to Stafford Borough Council's archive or place of deposit.

Place of deposit. Usually the Stafford Borough Council's Record Office.