POLICY

Review, Retention and Disposal of Non-Crime Related Information

Policy Owner	Norfolk and Suffolk ACOs
Policy Holder	Records Manager
Author	Records Manager

Policy No.	198

Approved by

Legal Services	✓12.02.16.
Policy owner	✓ 07.03.16.
JJNCC	✓ 04.01.16.

Note: *By signing the above you are authorising the policy for publication and are accepting responsibility for the policy on behalf of the Chief Constables.*

Publication date	08.03.16.
Review date	08.03.20
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Note: *Please send the original Policy with both signatures on it to the Norfolk CPU for the audit trail.*

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Legal Basis

(Please list below the relevant legislation which is the legal basis for this policy). You must update this list with changes in legislation that are relevant to this policy and hyperlink directly to the legislation.

Legislation/Law specific to the subject of this policy document

Section	***Act (title and year)***
	Data Protection Act 2018

Other legislation/law which you must check this document against (required by law)

Act (title and year)
Human Rights Act 1998 (in particular A.14 – Prohibition of discrimination)
Equality Act 2010
Crime and Disorder Act 1998
Health and Safety at Work etc. Act 1974 and associated Regulations
General Data Protection Regulation (GDPR) and Data Protection Act 2018
Freedom Of Information Act 2000
The Civil Contingencies Act 2004

Other Related Documents

- Review, Retention and Disposal of Crime Related Information Policy

- Review, Retention and Disposal Schedule
- Government Security Classification
- College of Policing Code of Ethics
- Norfolk and Suffolk Constabularies' Standards of Professional Behaviour
- APP on Information Management

1. Introduction

1.1 Norfolk and Suffolk Constabularies are required to effectively manage the creation, capture and retention management and destruction/deletion of records.

1.2 This policy outlines how Norfolk and Suffolk Constabularies will Review, Retain and Dispose (RR&D) of their non-crime related information.

1.3 The retention periods for records held within all Norfolk and Suffolk Constabulary records management systems are detailed within the Review, Retention and Disposal (RR&D) Schedule. This policy and the RR&D Schedule applies to all records in whatever format, e.g. paper, electronic, tapes, CDs/DVDs unless a distinction is specifically mentioned.

1.4 The RR&D Schedule is a 'living' document and will be amended as and when necessary. Any requests for changes to this retention and disposal schedule should, in the first instance, be emailed to the Records Manager. The Records Manager will consult with the relevant Head of Department or his/her representative and other interested parties. Agreement of the proposed change(s) will be the final decision of the Joint Information Management Strategy Board as chaired by the Senior Information Risk Owner (SIRO). The Records Manager will manage the change process and ensure all decisions are documented and held within the appropriate records system and will update the RR&D Schedule.

1.5 The RR&D Schedule will be subject of an annual review by the Records Manager which takes into account additions and amendments made during the year and any changes in legislation and/or codes of practice. The revised RR&D Schedule is ratified by the Joint Information Management Strategy Board.

1.6 The primary purpose of this Review, Retention and Disposal of Non-Crime Related Information policy is to manage all policing records (other than those covered by the Review, Retention and Disposal of Crime Related Information Policy) ('business information'), enabling them to be reviewed in order to ensure that they either remain necessary for the provision of necessary services to support the policing purpose ('business purpose') (and are relevant, adequate and up to date) or confidentially disposed of.

1.7 Reviewing information to determine its adequacy and continuing necessity for a policing or business purpose is a reliable means of meeting the requirements of the General Data Protection Regulation (GDPR) and Data Protection Act (DPA). Review procedures will ensure that information held by the police service is held lawfully and will help prevent Constabularies being overloaded by the volume of information captured and recorded.

1.8 Additionally, a failure to review and retain information appropriately may constitute a breach of legislation and inefficient policing performance, ultimately undermining public confidence in the police service.

2. Benefits

2.1 The benefits of a Review, Retention & Disposal Schedule (RR&D) schedule and policy include:

- Reduced unnecessary burden on storage facilities and resources;
- Comprehensive audit trails of decisions;
- Reliable records of information;
- Reduction in loss of important evidence;
- Confidence and ability to meet the Freedom of Information Act 2000 (FoIA) and the Data Protection Act 2018(DPA);
- Efficient and effective processes for locating information held;
- All information being handled in an appropriate and consistent manner, in line with national guidelines;
- Compliance with statutory, regulatory and legal requirements;
- Aiding operational policing

3. Scope

3.1 This policy applies to all police information other than that covered by the Review, Retention and Disposal of Crime Related Information Policy (available from both Constabulary intranets).

3.2 The review process outlined in this Policy relates to **business information** only (e.g. administrative, financial and personnel records) and excludes those held on the Police National Computer (PNC).

3.3 This document applies to all business information held by Norfolk and Suffolk Constabularies whatever their format, including hard copy as well as electronic and digital formats on magnetic, digital, photographic and optical media.

3.4 This document specifies the procedures and responsibilities within Norfolk and Suffolk Constabularies for the process of reviewing business

information and either retaining or disposing of it in accordance with business purposes.

4. Exclusions

4.1 This policy does not cover information as described in the Review, Retention and Disposal of Crime Related Information Policy (available from both Constabulary intranets).

5. Roles and Responsibilities

5.1 The person with overall responsibility for the risk associated with the management of police information for each Constabulary is the Constabularies' Senior Information Risk Owner (SIRO).

5.2 Norfolk and Suffolk Constabularies have a corporate responsibility to ensure:

- The protection of information, which it needs in order to function effectively;
- The appropriate disposal of information that is no longer required, justified through the review process; and
- That this policy conforms to legal and statutory requirements.

5.3 The Policy Owner has responsibility for ensuring the development, implementation and maintenance of common RR&D standards and working practices across all relevant business areas which are in line within the Joint Information Management Strategy, including:

- The overall review process within Norfolk and Suffolk Constabularies;
- Ensuring staff whose responsibilities include elements of review, retention and disposal of records clearly understand their responsibilities in accordance with this Policy and working practices and have access to relevant guidance;
- Conducting regular audits to ensure that the review process is being carried out in accordance with this Policy;
- Ensuring those staff responsible for undertaking reviews are appropriately trained.

5.4 The Policy Owner also has responsibility for setting standards for RR&D, in conjunction with business needs.

5.5 Every member of Norfolk and Suffolk Constabularies have a responsibility to be aware of this RR&D Policy and to contribute to its effectiveness by ensuring that information is recorded and evaluated correctly and accurately from the outset.

6. Relationship With Existing Procedures

6.1 This policy has been drawn up within the context of:

- Norfolk and Suffolk Constabularies Joint Information Management Strategy;
- Norfolk and Suffolk Constabularies' Information Risk Management Policy; and
- Links with other legislation, statute and common law, regulations or national and local policies and procedures affecting Norfolk and Suffolk Constabularies.

7. Key Principles

7.1 The key principles of this policy are as follows:

- Records will be reviewed in line with this policy in order to ensure that they remain necessary for a business purpose, are relevant, adequate and up to date;
- The review process will be documented for audit purposes; and
- Records will be disposed of when there is no longer a business purpose to retain them.

8. Key Definitions

Review

8.1 To examine a business information to ensure:

- There is a continuing business purpose for holding the information;
- The information is relevant, adequate, up to date and not excessive.

Evaluation

8.2 To determine the provenance, accuracy, continuing relevance to a business purpose the organisation of information being evaluated and action to be taken. It involves searching and making connections between records and systems.

Retention

8.3 The continued storage of, and controlled access to, information held, which has been justified through the evaluation and review process.

Disposal

8.4 The removal of information from all police systems, justified through the evaluation and review process, to the extent that the information cannot be restored.

9. Regulatory Environment

9.1 All business records retained are done so with due regard to relevant legislation, regulations or policies affecting Norfolk and Suffolk Constabularies and the rationale for retention dates are shown, where appropriate, within the Review, Retention and Disposal Schedule.

10. Process Overview

10.1 The RR&D process is outlined in flowchart format at Appendix A and is the application of three key principles:

a) Retaining records for a period determined by the Review, Retention and Disposal Schedule;

b) Disposing of information/records where:

- They are not necessary for a legitimate police purpose;
- They are not amendable to comply with legal requirements;
- Retention is no longer necessary (risk-based).

c) Assisting Norfolk and Suffolk Constabularies to achieve and maintain a workable approach to the management of information.

11. Initial Evaluation

11.1 The evaluation process will be conducted at the point of input; this will be done in the normal course of work within the existing core systems. It will be the responsibility of the systems users and supervisors to ensure that all data entered into the records is to the highest possible quality to:

- Ensure that information is recorded for a business purpose;
- Ensure information is recorded in the appropriate format for the business area in which it is held;
- Ensure information is recorded according to the data quality principles – accurate, adequate, relevant and timely;
- Ensure checks are made to avoid creating duplicate records;
- Ensure correct Government Security Classification.

12. Review Of Material With Potential For Disposal

12.1 In relation to information retained by the Records Management Unit on behalf of a business area (e.g. at the secure off-site storage facility), these records will be annually reviewed and a spreadsheet detailing boxes containing material that has been identified as requiring review/destruction will be submitted to the business owner.

12.2 Departments/Sections are required to check spreadsheet entries applicable to their locations against the relevant box/file records on the TranSearch database.

12.3 If all the contents of a box can be destroyed, authorisation needs to be emailed to the Records Management Unit by a post holder of at least Inspector level (or police staff equivalent).

12.4 If a box needs to be retained for a further period, then the person who is checking the TranSearch database needs to edit all the file records relating to the box contents, ensuring that the review date for each record has been updated to reflect the new review date accordingly.

13. Secure Disposal

13.1 The Records Manager has responsibility for ensuring that all records marked for disposal following the review process are disposed of in accordance with the ACPO/ACPOS Information Systems Community Security Policy as well as the appropriate Government Security Classification.

13.2 The Records Manager has responsibility for ensuring that all information/records marked for disposal following the review process are removed from all relevant systems to the extent that they cannot be operationally retrieved. In addition, instructions regarding the disposal of hard copy documents from Records Management must be made and this also applies to any duplicate records held electronically or saved onto disk.

14. Audit and Compliance

14.1 Information Asset Owners/System Owners are responsible for records held in their business area, to ensure that the RR&D process outlined in the policy is being adhered to.

14.2 Audit trails will be maintained for all reviews and decision-making in the form of spreadsheets and e-mails, detailing boxes containing documentation that has been identified for review and the business areas they relate to, as well as the subsequent authorisations from Information Owners for either destruction or further retention. They should be retained in the Records Management departmental area of the W Drive and be available for inspection upon request. Audit trails will be managed

since they may be of critical importance to both Norfolk and Suffolk Constabularies.

14.3 The audit trail will be secure. If an audit record can be maliciously or inadvertently altered then the whole audit trail may be discredited; claims of compliance may also be discredited if the audit trail is not treated correctly and cannot be interpreted unambiguously.

14.4 The audit trail will include a record of all relevant occurrences. If any significant occurrence is not audited, then the whole audit trail can be discredited and as a direct result all, or any, information held within the system will also be able to be discredited. For all audit trail data, it will be possible to identify the processes, enabling technology and individuals involved and the time and date of the event.

Appendix A – Review, Retention and Disposal Process Flowchart