

Worcestershire Trading Standards Service

RECORDS MANAGEMENT POLICY

And

RETENTION AND DISPOSAL SCHEDULE

1 Revision History

Version	Status	Reason and Changes	Author	Date
1	Final	Agreed Final Version	Bob Charnley	21/07/21
2	Final	Added reference to data entered on SID	Bob Charnley	12/04/23

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1. INTRODUCTION

Worcestershire Trading Standards Service has a statutory duty to make arrangements for the safekeeping and eventual disposal of its records. The primary function of this Policy is to provide a framework for the management of records, with regard to their preservation, retention and destruction.

A record is any recorded information regardless of medium including paper, microform, electronic, audio-visual and record copies of publications. As an organisation, Worcestershire Trading Standards Service recognises that its records are an important key resource to its effective operation and accountability. Therefore, careful management is required and this policy provides a structure and sets out Worcestershire Trading Standards Services' responsibilities and processes with regard to the management and retention of its records.

The retention schedule is a guide to all the records we create and an instruction as to when these records should be destroyed or if they are to be permanently preserved. This schedule sets out the retention periods; that is the length of time a record must be retained before it is destroyed. Worcestershire Trading Standards Service will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and provision of services. The suggested retention periods are a guide based on best practice or in some cases legislatively specified and apply to all records

2. PURPOSE

The purpose of this policy is to ensure that necessary records and documents are adequately protected and maintained and that records of no further use to Worcestershire Trading Standards Service are discarded at the proper time and in the correct manner. This Policy is also for the purpose of aiding Worcestershire Trading Standards Service staff understand their obligations in regard to managing their records.

3. AIMS AND OBJECTIVES

1. To retain important documents for reference and future use:
2. Delete documents that are no longer necessary for the proper functioning of Worcestershire Trading Standards Service:
3. Organise important documents for efficient retrieval:

4. Ensure that all staff know which documents should be retained, the length of their retention, means of storage, and when and how they should be destroyed:
5. To ensure compliance with legislative requirements concerning proper management of records including Freedom of Information Act 2000, Data Protection Act 1998, and Environmental Information Regulations 2004:
6. All records are clearly marked with title, reference and index numbers and where necessary security marked:
7. Ensure all staff are trained and understand their record management responsibilities including their obligations regarding Freedom of Information and Data Protection:
8. To ensure that high confidentiality, quality, and availability standards of information are maintained:
9. 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:

4. DEFINITION OF RECORDS AND DOCUMENTS

This policy is relevant to records which are electronic, paper or records which have been transferred to another format. Records can take many forms and include, but are not limited to, the following:

- Hard copy data printed or written on paper
- Data stored electronically
- Communications sent by post/courier or using electronic means
- Recorded Audio, Video & Still photography
- GIS
- Desktop Applications
- Intranet and Public Website

5. STANDARD OPERATING PROCEDURE (SOP)

There are some records that do not need to be kept at all. "The Standard Operating Procedure" defines types of records that can be routinely destroyed in the normal course of business. 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

- Telephone message slips
- Non-acceptance of invitations
- Trivial email messages or notes that are not related to Worcestershire Trading Standards Service business
- Out-of-date distribution lists

SOP should not be applied to records or information that can be used as evidence to prove something has happened.

6. RETENTION AND DISPOSAL

Retention periods must be determined and recorded for all records in accordance with the Retention Schedule attached. This will be posted on the Worcestershire Trading Standards Service intranet and website for staff use and public information respectively. This is a controlled document which will be reviewed annually by the Head of Service.

At the end of the retention period records must be assessed to determine whether further retention is necessary beyond the specified period.

Once it has been determined that a record is no longer required, it must be securely disposed of in accordance with the disposal procedure specified for that particular type of record: i.e.:

- All archived hard files will be stored in the Archive Room at Wyre Forest House. Once a file has been transferred, the file's Uniform record will be updated.
- Emails – Those relevant to Service Requests should be saved on EDRMS which will be cleansed in compliance with this policy. All other emails will be subject to the WFDC Retention Schedule for Emails.
- All audio recordings of Police and Criminal Evidence Act 1984 interviews are retained for a minimum of two years with the exception that prosecution tapes are retained for 6 months from the date of completion of the prosecution process
- Disposal procedures for paper records can include shredding; use of the confidential waste disposal system; and/or contractual arrangements with offsite storage facilities and the disposal of electronic storage. Records must not be placed into waste bins other than those specifically for confidential waste for disposal
- All prosecution exhibits are to be retained for 28 days from completion of the prosecution process

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.

7. WHERE A REQUEST FOR ACCESS TO THE RECORDS HAS BEEN REFUSED

Where there has been a refusal of a request for information under the Freedom of Information Act 2000 or other legislation which, if granted, would have led to that record being disclosed, the record must be retained until the end of the period in which an appeal can be made, or the end of the appeals procedure, whichever is the later. These records will be maintained by WCC.

8. ADDITIONS/AMENDMENTS TO THE SCHEDULE

The record keeping requirements will change over time and it will be necessary to update this Schedule to reflect this. The Disposal Schedule will be reviewed and updated where necessary.

9. RECORDS OF HISTORIC OR INTRINSIC VALUE

In most cases this consideration will not be applicable. However, it is certainly possible that some documents currently held may be of historic interest and/or even have some monetary value. Where it is suspected that the document falls within this description appropriate enquires should always be made before taking any further action. The Information Manager of WCC should be contacted for advice and guidance in the first instance.

Even if the document is of historical or monetary value, disposal rather than retention by the Council, may well be the appropriate option – but in the form of transfer to, say, the County Records office; or even sale to an external body.

10. RETENTION ACTION

It is recommended that each TS Team includes retention actions in it's Annual team plan as a scheduled action as follows:

- Cleanse Shared Drives in compliance with Retention Schedule
- Remind Officers not to use Home Drives to store work related material
- Cleanse Archive Room in compliance with Retention Schedule

Action to be taken by WRS Information Management & Technology Officer (IMTO) on the following:

- Ensure WFDC IT is complying with Email retention schedule
- Remind 'Actioning Officers' as specified below of duty in relation to schedule as required by schedule timetable.

11. RETENTION SCHEDULE

Function Description	Retention Period	Retention action	Responsible Officer (For action)
Information created relating to business premises records and associated visit information.	Details held that a business exists should be held for 6 years after the service is made aware that the business has ceased to trade Visit history not linked to service requests can be treated in the same way as a service request. And be removed 6 years after the date closed.	Cleanse UNIFORM & EDRMS TSSR and Legal Module (with exceptions listed below)	WRS Uniform team
All Service requests (with the following exceptions listed below)	6 years from 'request closed' or 'Date closed' field. All records relating to Service Requests (including relevant emails and paper documents when scanned to be maintained on UNIFORM (with exceptions below)	Cleanse UNIFORM & EDRMS TSSR and Legal Module (with exceptions listed below)	WRS Uniform team & Legal Administrator (Legal Module)
Notices - objections, appeals, extensions, completion. Enforcement activity notices:	6 years after the date of objection, appeal, extension, completion or notice.	Cleanse UNIFORM and EDRMS using complied with field on Notice module in compliance	WRS Uniform team

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Notice of powers and rights Search with consent	These notices will be part of a case file and can be treated in the same way; 6 years.	Cleanse with prosecution files and other case files	Legal Admin Officer in consultation with Team Manager
Data entered on Sanctions Information Database to meet authorities' statutory notification requirements.	6 years	Review records on data base and cleanse	Legal Admin Officer in consultation with Team Manager
Explosive licence application	3 years	Cleanse Uniform and EDRMS	WRS Uniform team
Petroleum licence applications/licences etc	Permanent		Technical Services Team
Notifiable animal disease outbreak action log	Permanent	Paper copies to County Archivist	Animal Health team
Poisons Master Register	3 years	Cleanse Uniform and EDRMS, and shared drives	WRS Uniform team and assigned Trading Standards staff
Sampling pads	3 months	Cleanse paper copies	Trading Standards staff
All flags of persons with threatening, intimidating, violent, aggressive behaviour and dangerous premises	Retain whilst issue remains current only	Quarterly liaison with Districts and cleanse in compliance	WRS Uniform team
Budget final accounts Budget reporting actual vs. planned revenue and expenditure Developing annual budget:	6 years, unless held in same form elsewhere. Destroy after next year's budget has been adopted 2 years after budget adopted	Cleanse shared drive annually in compliance	Management Team
Expenditure	Undertaken by WCC in compliance with their policy	Check with WCC that complying	Management Team
Performance and Activity Reports	3 years from closure	Cleanse Shared Drive, EDRMS and Website annually in compliance	Intel Unit
Business plans	3 years from closure	Cleanse shared drive and EDRMS annually in compliance	Management Team

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Committee reports/agendas/minutes	Permanent, background papers 1 year	Cleanse Shared Drive in compliance	Management Team
Complaints against the service	6 years	Cleanse Shared Drive in compliance	Management Team
Contracts let	6 years from completion of contract	Cleanse Shared Drive and paper files in compliance	Management Team
Contracts awarded to TS	6 years from completion of contract	Cleanse Shared Drive and paper files in compliance	Management Team
Tenders received	1 year from letting contract	Cleanse Hard copies and shared drive in compliance	Management Team
Tenders submitted	6 years from close of Tender window	Cleanse Hard copies and shared drive in compliance	Management Team
Computer back up records	Undertaken by WFDC in compliance with their policy	Check with WFDC that complying	Paul White
Emergency planning - plan	Destroy when superseded	Ensure EDRMS and Shared Drive cleansed in compliance	Management Team
Emergency planning - tests	10 years after closure	Ensure EDRMS and Shared Drive cleansed in compliance	Management Team
Equipment inspection/calibration records	6 years after disposal of the equipment	Ensure EDRMS cleansed in compliance	WRS Uniform team
Media releases/press cuttings	3 years	Cleanse Shared Drive and EDRMS in compliance	WRS Uniform team
Meeting reports/agendas/minutes – internal	3 years (except Licensing where it is Permanent)	Cleanse Shared Drive in compliance	All TS staff – reminder by WRS Uniform team
Officer Personal note books	6 years from last action	Cleanse secure store	Legal Administrator
Prosecution– case files	6 years from determination of case (25 years where a minor is involved)	Cleanse secure store in compliance	Legal Administrator in consultation with Team Manager

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RIPA including Communications Data Applications and Directed Surveillance	3 years or until decision not to prosecute 6 months from date of conviction or end of sentence	Cleanse Hard copies and Shared Drive in compliance	Legal Administrator in conjunction with WCC Legal who hold central record.
Public consultation –Minor Significant	1 year from closure 5 years from closure	Cleanse Shared Drive in compliance	Management Team
Receipt books	2 years	Cleanse hard and electronic copies in compliance	Finance Assistants
Risk assessments	3 years after last assessment	Cleanse Shared Drive in compliance	Management Team
Statutory returns/returns to govt.	6 years unless held by other organisation	Cleanse UNiform and EDRMS and Shared Drive in compliance	WRS Uniform team Management Team
Surveys and questionnaires	Retain whilst relevant to current needs	Cleanse hard copies and shared Drive in compliance	Management Team
Training/qualification and employment records including PDRs	During currency of employment	Cleanse hard copies and shared drive in compliance	Management Team