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Records Management Manual: Section 6

REVIEW, RETENTION AND DISPOSAL OF RECORDS

6.1. Review, Retention and Disposal Procedure

6.1.1. Introduction

6.1.1.1. The MPS approach to Review, Retention and Disposal (RRD) of records (for all media and formats) has been agreed by Management Board. The agreed procedure is deemed the best approach to ensure the MPS shows *due regard* to the Management of Police Information (MoPI) Guidance 2010 (2nd edition).

6.1.1.2. This approach is for all records to have pre-set disposal dates, based on the nature of the information. A MoPI Group will be applied to records. Please see the Retention Schedule for a breakdown of the groups (sec 6.1.5).

6.1.1.3. Consultation with the Information Commissioner's Office (ICO) has led to an agreement that all person records' retention periods will commence from 2006. This means Group 1 - 3 records will not be disposed of until 2018, at the earliest. All MoPI group 4 records that do not link to group 1-3 records should be disposed of in accordance with the retention periods set on the Retention Schedule.

6.1.1.4. MPS systems are not set to enable automated nominal based reviews. The current position is that systems are being designed to enable capability in good time for disposal to begin in 2018. Therefore no action is required by information system owners and business group representatives for records in MoPI groups 1 -3.

6.1.2. MoPI Group 1-3 Records

6.1.2.1. MoPI Group 1-3 records are person records detailing criminal offence allegations.

6.1.2.2. When a person record is created, its MoPI group (group 1-3) will be assigned to the individual record. From this, an automated disposal date will be set (based on the MPS' Retention Schedule - see sec. 6.1.5).

6.1.2.3. When an individual comes to notice (new information is recorded) and a record collection is already held on the individual, this record will be automatically linked to the record collection. All records will be kept until the last disposal date is reached when the entire record collection will be disposed of.

6.1.2.4. In cases where the retention period of a new record exceeds the current retention period for the record collection, the retention period for that record collection will be reset in line with this new record's retention period.

6.1.2.5. Records within MoPI group 2-3 will be retained based on a 'clear period'. This means a period of time where the individual does not come to notice.

6.1.2.6. For new records, a clear period will not commence until such time as sentence has been completed - including any period not served through early release. All instances of judicial fact e.g. convictions, acquittals, arrests, charges, penalty notices and intelligence reports will reset a clear period for existing records.

6.1.2.7. Intelligence products will form part of an individual's record collection and will reset any existing clear period. Where no record exists, the retention period will be based on offence code and MoPI grouping;

6.1.2.8. A record that contains multiple nominal details will be retained for the necessary period based on the individual's record collection with the most serious MoPI grouping.

6.1.2.9. At the end of the retention period a time-based disposal will automatically take place on a nominal's set of records. Time-based disposal of paper files will be automatically undertaken as part of this process. At this point records will be considered for transfer to The National Archives (see Section 6.2).

6.1.3. MoPI Group 4 Records

6.1.3.1. MoPI Group 4 records are records that are created: -

- Primarily for a policing purpose - excluding person records detailing criminal offence allegations (functional records)
- To evidence a decision / action to support the organisation in the delivery of a policing purpose e.g. financial records, personnel files, etc. (facilitative records)

6.1.3.2. These records are outlined below, on the Retention Schedule (Sec. 6.1.5).

6.1.3.3. Records have been categorised in subsets based on the function undertaken when the record was created, e.g. finance.

6.1.3.4. Each subset lists the types of records and their retention periods. The list of record types attached to each retention period is not exhaustive. This is to provide staff with better understanding of the breakdown of categories.

6.1.3.5. Group 4 records may form part of a Group 1-3 record and could be required to be retained in line with the group 1-3 retention period. Retention of these records should be extended for the life cycle of the Group 1-3 record collection.

6.1.3.6. Records that are identified before their Group 4 retention periods are completed as part of any Civil Proceeding or Inquiry should be retained for as long as required until these proceedings have been completed and then for 7 years from the completion date of the Civil Proceeding or Inquiry.

6.1.4. Other information relevant to RRD

6.1.4.1. Individuals should contact Records Management Branch if: -

- They are unable to establish the retention period for their record
- For new record categories that are required to be added to the Retention Schedule; this would require agreement at MoPI Board
- There is believed to be a need to override retention periods by a manual risk assessment; this would require agreement at MoPI Board

6.1.4.2. For audit purposes a record should be maintained of any decisions to retain or destroy records. This should exclude any personal information in the case of records that are destroyed.

6.1.4.3. The RRD process does not impact on the process for crime file registration. This procedure should continue to be actioned as per the Crime File Registration SOP.

6.1.4.4. B/OCUs should work with Property Services to ensure that all physical records that have the potential to be recalled for investigation purposes are stored locally to facilitate timely retrieval. Thereafter, taking into account the decrease in criticality, these records may be stored as appropriate for the remainder of their retention period.

6.2 MPS Retention Schedule

| MoPI Review Group | Offence/Record Type | Action |
|---|--|---|
| Group 1 | | |
| 'Certain Public Protection Matters' | 1. MAPPA managed offenders 2. Serious Specified Offences (CJA 2003) 3. Dangerous Offenders (as defined by CJA) | Retain for a period of 100 years, from date of creation |
| Group 2 Subset 1 | | |
| Other Sexual offences | Sexual offences listed in Schedule 3 Sexual Offences Act 2003 | Retain for a clear period of 30 years and carry out time-based disposal |
| Group 2 Subset 2 | | |
| Other Violent offences | Violent offences specified in the Home Office counting rules for recorded crime/ National Crime Recording Standard | Retain for a clear period of 12 years and carry out time-based disposal |
| Group 3 | | |
| All Other Offences | High-volume, low-level non-sexual, non-violent | Retain for a clear period of 12 years and carry out time-based disposal |
| Group 4 Subset 1: | Undetected Crime | |
| Serious Specified Offences (as defined in the CJA 2003) | | Retained for 100 years from the date of creation |

| MoPI Review Group | Offence/Record Type | Action |
|---|---|--|
| Other offences | | Retained for 30 years from the date of creation |
| Group 4 Subset 2: | Day-to-Day Administration of Operational Policing | |
| Functions of the Front Counter | Including: - 1. Evidence & Action Books. 2. Administration of property seized; or reported as lost / found (including pets) 3. Crime related Exhibit Vouchers 4. Administration of Warrants / Summonses 5. Records of civil proceedings and injunctions 6. Administration of Custody. 7. Administration of Prisoner transports (SERCO) | If the record supports the investigation / prosecution of a crime, retain in line with the offence's MoPI grouping If not, retain for 7 years |
| Firearm / Explosives Applications | Including: - Applications for authorised firearms dealers / licenses; Explosives certificates | Retain for 12 years from date of request |
| Records of issued of CS Aerosol and other defensive equipment | | Retain for 7 years |
| Stop and Search records | Person and vehicle | If the record supports the investigation / prosecution of a crime, retain in line with the offence's MoPI grouping If not, retain for 3 years |
| Licensed premises | Administration records of licenses for: pubs, clubs, off-licenses | Retain for the lifetime of the premises, Or; |

| MoPI Review Group | Offence/Record Type | Action |
|---|--|--|
| | | 7 years from the closure of the premises |
| Group 4 Subset 3: | Operational Planning | |
| Event Planning and Responses to Major Incidents | All Pre / Post – Op records (including risk assessments) for: - <ol style="list-style-type: none"> 1. Armed operations 2. Pre-Planned strategic and tactical deployment of Firearms 3. Armed Operations 4. Aid to other Borough / Police Agencies 5. Operational / Public Order records 6. Responses to Major Incidents 7. Hostage Negotiations 8. Diplomatic and Specialist Protection | 7 years from event / incident |
| Group 4 Subset 4: | Strategic / Policy / Procedures / Quality Assurance | |
| Corporate Policies / SOPs | This includes all: - <ol style="list-style-type: none"> 1. Policies 2. SoPs 3. Equality Impact Assessments (EIA) 4. Corporate Notices | Retain for 12 years from expiry of the policy or SoP |
| Local Work Instructions | All directives (including training manuals, lesson plans and email reminders) that evidence how members of staff are directed to undertake their work | Retain for 3 years from expiry of the guidance |
| MPS SMT Meeting Minutes | This includes (for example): - | 7 years from creation |

| MoPI Review Group | Offence/Record Type | Action |
|---|--|---|
| | 1. Management Board Minutes 2. All Directorate Level Board Minutes 3. Gold Group Minutes 3. Any minutes that evidence decision-making that may impact on the overall delivery of corporate services | |
| Risk Management | Including: - 1. Risk Registers / Risk Bowties 2. Business Continuity Plans / Disaster Recovery Plans | 7 years from creation |
| Group 4 Subset 5: | Managing Information | |
| Administrative Information Management Records | Including: - 1. Compliance Audits 2. Quality Reviews 3. Information Security Records | Retain for 3 years from date of creation |
| Publication Scheme | Any information published as part of the Publication Scheme | Retain each publication in line with specific guidance issued within this schedule for record types |
| Information Sharing Schemes | | Retain for 2 years from termination of agreement |
| MAPPA Disclosures | | As per MoPI Group 1 Retention Guidance |
| Group 4 Subset 6: | Traffic / Vehicles / Marine | |
| POLACCs Investigations | | Retain for 1 year from completion of |

| MoPI Review Group | Offence/Record Type | Action |
|---|--|---|
| | | investigation |
| Management of Police Vehicles | Including: - 1. Fleet vehicles 2. Hire or Loan of Vehicles | Retain for 3 years from final log |
| Testing of Road Traffic Offence Equipment | Including the testing of: - 1. Alcometers. 2. Evidential Breath Testing Instruments 3. Calibration | Retain 1 year of test result data (until end of life) Retain for 1 year from end of life of equipment |
| Lost or Stolen Vehicle Records | Administrative records for: - Lost, found or stolen vehicles; management and disposal of vehicles in police custody | If the record supports the investigation / prosecution of a crime, Review according to crime type as outlined in MoPI Groups 1-3 If not, retain for 7 years. |
| Group 4 Subset 7: | Information Arising from Management of Crime | |
| Intelligence Products | Including: - 1. Target Profiles 2. Association Diagrams | Review according to crime type as outlined in MoPI Groups 1-3 |
| CTN's, PAC's Forms 78's & 72's. | Children coming to the Notice of Police or not achieving one of the 5 Key Outcomes | Whichever is longest: - Retain until the youngest child in the family attains the age of 18 years, Or; 6 Years from the last report |
| CCC | | Retain for 2 years from date of creation |
| Group 4 | Witness / Victim Information | |

| MoPI Review Group | Offence/Record Type | Action |
|---|--|--|
| Subset 8: | | |
| Victim/Witness Details | | Retain until the end of any period of sentence, Or; In line with undetected crime files. |
| Victim / Witness Support | Including: - 1. Witness full-needs assessment 2. Total victim care 3. Quality Call back | Retain for whichever is longest: - 1 year from completion of support, Or; 1 year from completion of offence investigation |
| Group 4 Subset 9: | Missing Persons | |
| Resolved | | Retain as MoPI Group3 (12 year clear period) unless a risk assessment suggests otherwise |
| Unresolved | | Retain for 100 years from the date of report to the police |
| Group 4 Subset 10: | Complaints Against Police | |
| Complaints investigations externally | Including: - 1. Civil Proceedings. 2. IPCC investigations. 3. Death in Custody records. | Retain for 7 year from completion date of investigation / proceedings |
| Complaints investigated internally | Including: - 1. Disciplinary investigations. 2. Fairness at Work 2. Right-Line (anonymous reporting of wrongdoing) | Retain for 6 years after last action |

| MoPI Review Group | Offence/Record Type | Action |
|------------------------------|---|--|
| Group 4 Subset 11: | Management of Resources | |
| Staff Career History | For Police Officers and Police Staff. Including: - <ol style="list-style-type: none"> 1. Personal file 2. Staff Recruitment 3. Sickness history and OH recommendations 4. Probationary period reports / PDRs 5. Training records | Retain until subject is 100 years old |
| Staff Pension records | For Police Officers and Police Staff | Whichever is longer: 5 Years from the death of employee, Or; 5 years for death of nominated beneficiary |
| Day to Day Working History | Including: - <ol style="list-style-type: none"> 1. Annual Leave card 2. Flexi sheets 3. Application forms 4. Shift Rosters 5. Registers 6. Audit logs | Retain for 2 years from the date of creation, Or; 6 years if part of disciplinary case papers |
| Dog and Horse Career History | Including: - <ol style="list-style-type: none"> 1. Selection process 2. Training history 3. Deployment history 4. Welfare history | Retain for 6 years from end of animal's operational service |

| MoPI Review Group | Offence/Record Type | Action |
|--|--|---|
| Group 4 Subset 12: | Finance and Procurement | |
| Financial Records | Including: - 1. Exchequer Services (incl. payroll & pensions) 2. Budget control 3. Account Management (general ledgers, etc) 4. Payment and income management 5. Allowances, expenses and overtime 6. Costings 7. Banking | Retain for 6 years from end of financial year |
| Procurement Records | Including: 1. ICT 2. Corporate Operational Policing (incl. transport, catering, travel, uniforms, Olympics, etc) 3. Supply chain management 4. Evidence of fair and open tendering and purchasing | Retain Sealed Contracts for 13 years Otherwise; Retain for 6 years from end of financial year |
| Group 4 Subset 13: | Property / Estate | |
| Asset Management and Estate Management | Including: - 1. Acquisitions and disposals 2. Capital budget 3. Property valuation 4. Estate Management (Operational / Residential) | Retain for 6 years from end of financial year |

| MoPI Review Group | Offence/Record Type | Action |
|-----------------------------------|--|---|
| | 5. Property income generation | |
| Facilities Management | Including: - 1. MPIC 2. Architectural plans 3. Maintenance 4. Furniture 5. Cleaning 6. Security guarding | Retain for 5 years after facility has been disposed |
| Programme / Project Delivery | Including: - 1. Construction 2. Modernisation 3. Capital works | Retain for 16 years records relating to construction, Or; Retain for 13 years all Deeds completed under seal of MPS/MoPAC and associated documents. |
| Group 4 Subset 14: | Disclosure / Vetting | |
| CRB Disclosures | Information disclosed under Part 5 of the Police Act 1997 | Retain for 12 years from date of request |
| ISA Disclosures | | Retain for 12 years from date of request |
| Vetting Disclosures / Decisions | | Retain for 11 years from date of request |
| Disclosures to Insurance Industry | | Retain for 2 years from date of request |
| Fol and DPA Requests | Including: - | Retain for 2 years from date of request |

| MoPI Review Group | Offence/Record Type | Action |
|------------------------------|--|--|
| | 1. Freedom of Information (Fol) requests 2. Subject Access requests | |
| Group 4 Subset 15: | CCTV | |
| Operational CCTV | Including: - 1. Front counter 2. Custody suit 3. Public order 4. Interview 5. Evidential 6. Public space (incl. TFL, Motorway, street CCTV, etc) | If information supports a criminal investigation review according to crime type as outlined in MoPI Groups 1-3 If not, retain for 1 year from date of creation If identified (within 1 year retention period) as being required as part of Civil Proceedings, retain as long as required until all proceedings are completed |
| Security / Estate CCTV | Internal and External Building CCTV (that is not specified in Operational CCTV subset) | If information supports a criminal investigation review according to crime type as outlined in MoPI Groups 1-3 If not, retain for 30 days from date of creation |
| Group 4 Subset 16: | Sex Offenders | |
| Sex Offender Records | Including: - 1. Civil orders / Sexual Prevention Orders (SOPO) 2. Violent and Sexual Offenders register (ViSOR) 3. Wanted / Missing Sex Offenders | Retain for 100 years from date of creation |

| MoPI Review Group | Offence/Record Type | Action |
|---|--|--|
| Group 4 Subset 17: | Private Office Functions | |
| Correspondence that supports a policing purpose | Including: - 1. Supporting evidence for the protection or detection of crime 2. Fol / DPA requests 3. Complaints against police | If information supports a criminal investigation review according to crime type as outlined in MoPI Groups 1-3, Or; Retain in line with specific guidance issued within this schedule for record types |
| Correspondence that does not support a policing purpose | Including: - 1. Thanks you letters 2. Invitations to events 3. Personal communications (including emails), etc 4. Diary / schedules for staff up to Management Board level | Retain for 1 year from date of creation / receipt |
| Diary / Schedules (Management Board level) | | Retain for 7 years from date of creation |
| Group 4 Subset 18: | Legal Documents | |
| Legal Reports | Including: - 1. Results of civil proceedings 2. Inquiry reports / recommendations 3. IPCC reports | Retain for 7 years from date of creation |

6.2 Transfer of Records to The National Archives

6.2.1 The Public Records Act 1958 requires records over 20 years old that are of historical value, to be selected and transferred to The National Archives (TNA). This review is carried out by Records Management Branch, in accordance with the agreed Operational Selection Policy.

6.2.2 Where records are required to be retained beyond 20 years of creation an application to do so must be submitted to the Lord Chancellor's Advisory Council on National Records and Archives. This will be completed by RMB

6.2.3 These records may be sent as either 'closed' or 'open' records.

6.2.4 Closed records are those records where the content is of continuing sensitivity and cannot be made available for public inspection. Closed records are accompanied by a date by which all sensitivity concerns will have passed and the record is opened by the TNA on that date. Where no sensitivity exists records are open for public inspection and are included in TNA's catalogues which are available on the Internet.

6.2.5 Information about MPS records in TNA (both closed and open) is available from Records Management Branch (ext 783622) who can recall the record if access is required for official purposes.

6.2.6 Information about TNA can be obtained from their website on www.nationalarchives.gov.uk