



# Data Retention and Information Management Policy

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# Data Retention and Information Management Policy

## Introduction

1.1. To carry out its statutory purposes, the Broads Authority collects information from both individuals and organisations including personal data protected by legislation. Other information collected may range from that within the public domain to information which is held confidentially.

1.2 Data and information is stored in both electronic format and in more traditional formats, although the latter is significantly decreasing in line with current trends for paperless offices.

1.3 The purpose of this policy is to detail the procedures for the retention and disposal of information to ensure that we carry this out consistently and that we document any actions taken. This policy has been drafted to reflect the General Data Protection Regulation (GDPR) [Data Protection: The Data Protection Act - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/data-protection-the-data-protection-act-2018) and to assist in implementing the data processing principles:

- That data is adequate, relevant and limited to what is necessary.
- Accurate and where necessary, kept up to date.
- Retained only for so long as necessary.

1.4 References to data or personal data in this policy means any information relating to an identified or identifiable living person. A person may be identifiable directly or indirectly by a name, identification number, location data, online identifiers or other factors including genetic or biometric data.

## Roles and responsibilities

2.1 All staff and Members have responsibility for managing their records according to this policy. While the Authority is a Data Controller, each member of staff is a “data owner” for this policy.

2.2 Wherever possible, records will be managed electronically and should be stored, so that they can be shared easily with those having the appropriate level of access permission. The level of staff access and the identity of staff (by job description) having access will be recorded by the Authority.

2.3 Directors and Section heads in conjunction with IT and the Data Protection Officer shall support data owners and shall set the appropriate level of access to read, write or delete data. They shall also ensure that staff work to this Policy.

2.4 Records which contain personal data should be:

- Processed lawfully, fairly and transparently (Data Principle 1)
- Collected for specified, explicit and legitimate purposes (Data Principle 2)

- Adequate, relevant and limited to what is necessary (Data Principle 3).
- Accurate and kept up to date by data owners (Data Principle 4).
- Retained only for as long as necessary (Data Principle 5).
- Processed appropriately to maintain security (Data Principle 6)

2.5 The above principles mean, amongst other things, that where data is obtained for one purpose, care should be taken before using it for another purpose. The data subject should have been informed in a privacy notice given at the time of collection, what purposes the information and data will be used.

2.6 The Data Protection Officer will monitor the implementation and review of this Policy.

### **Do I need to keep it?**

3.1 Records should only be kept for as long as necessary to meet the operational needs of the Authority, together with its legal and regulatory requirements. If the records do not achieve these purposes, they should be deleted/destroyed.

3.2 The following guidance should assist in deciding whether data or information should be retained:

- If the document is a draft of something which has been finalised and is kept elsewhere or published elsewhere, delete the draft.
- If the document is a duplicate of something on another main database, the duplicate should be deleted.
- If the document does not relate to the business or operations of the Authority, it should be deleted.
- If the document contains data relating to a living individual on your local drive or device, it should not be there. Either delete it or move it to where it can be securely stored. If in doubt take advice from the Data Protection Officer.

3.4 You should also consider whether you need to keep the information in its current format. Could the key points be noted, a few key documents retained, and the rest of the file destroyed?

### **If I do need to keep it**

4.1 Personal data should be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and accidental loss, destruction or damage, using appropriate technical or organisational measures.

4.2 Therefore make sure that the data is not kept in an inappropriate file location, or on a local drive. Do not store it on any unencrypted device or any memory stick or CD ROM which is not authorised by IT. Where the transportation of

data is authorised, do not physically transport data via public transport or leave it unattended, or in an unattended vehicle.

### **Transferring of data**

5.1 Any transfer of large-scale personal data by e-mail or other data stream should be by an encrypted method and only then after a risk assessment has been carried out. The Data Protection Officer shall advise on whether a Data Protection Impact Assessment (DPIA) should be carried out, or some other “Light touch DPIA”, before any such transfers.

5.2 All transfers of data to other external controllers or processors should in most cases only take place where there is an agreement in writing between the Authority and the recipient as to the retention, return or destruction of the data once the processing is complete.

5.3 DO NOT e-mail documents, whether they contain personal data or not, from your Broads Authority e-mail address to your personal e-mail address to work on them at home. This is strictly forbidden. Remote access to Authority documents should be by VPN link or other similarly approved secure access.

### **Record Retention and Disposal**

6.1 The approved methods of disposal of records are as follows:

- All confidential or sensitive paper records, which include those containing personal data should be either shredded or disposed of in a designated confidential waste bin.
- Other paper should where possible be recycled.
- Electronic media such as hard drives, CD-ROMs, memory sticks or older formats should be physically destroyed or overwritten by IT.

6.2 The Appendix sets out the periods for which documents should be retained. These are minimum periods, and it is done to ensure legal and regulatory compliance.

## Appendix – Data retention timescales

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
<b>1. Committee Meetings</b>		
Agendas, minutes, reports, and supporting papers for all statutory Committees.	Minutes – permanent Agenda/reports – 7 years <a href="http://legislation.gov.uk">Local Government Act 1972 (legislation.gov.uk)</a> Background papers – 4 years <a href="http://legislation.gov.uk">Local Government (Access to Information) Act 1985 (legislation.gov.uk)</a>	Senior Governance Officer
Audio-recordings of all statutory committee meetings	6 months	Senior Governance Officer
Video recordings of all statutory committee meetings held remotely	6 months	Senior Governance Officer
Audio recordings of all statutory committee meetings (exempt business)	Delete once minutes have been confirmed	Senior Governance Officer
Background papers to Committee reports.	4 years	Senior Governance Officer
Agendas, minutes and supporting papers for all non-statutory bodies (i.e. Forums).	7 years	Senior Governance Officer
Papers and minutes of meetings with external partners.	7 years	Senior Governance Officer
Past Members Interests	12 months since ceasing to be a member	Senior Governance Officer
Present Members Interests	For the duration of their membership	Senior Governance Officer

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
<b>2. Corporate Planning, Policy and Reporting</b>		
Broads Plan	Permanent	Head of Communication
Broads Annual Business Plan	5 years	Senior Governance Officer
Annual Reports and Best Value Summaries	Permanent	Head of Communication
Directorate Work Plans	3 years	Directors
Internal Audits	7 years	Director of Finance
Management Team/ Management Group minutes and records	3 years	Governance Officer
<b>3. Enquiries and Complaints</b>		
Complaints Register (Summary of complaints)	Permanent	Senior Governance Officer
Full Complaint File including Ombudsman Decisions	6 years	Senior Governance Officer
Freedom of Information Act Policy Records	5 years	Data Protection Officer
Freedom of Information Act Case Files	5 years	Data Protection Officer
General and webmail enquiries which do not enter a formal process	1 year	Senior Governance Officer
<b>4. Finance and Contracts</b>		
Annual Corporate Financial Reporting	Permanent	Director of Finance
Property Register	Permanent	Asset Officer
Statement of Accounts	Permanent	Director of Finance

<b>Type of Information</b>	<b>Retention Action and relevant legislation (where applicable)</b>	<b>Responsible Officer</b>
Books, deeds, contracts, bills, vouchers and receipts relating to the accounts	7 years	Senior Accountant
VAT records	7 Years	Senior Accountant
Invitations to tender	7 Years	Director of Finance
Identification of the receipt, expenditure and write-offs of public monies.	7 years	Director of Finance
Taxation Records	7 years	Director of Finance
Annual Accounts	7 years	Director of Finance
Rent Payments	7 years	Senior Accountant
Insurance Policies, Claims Records, Renewal Records and Correspondence	7 years after all obligations/entitlements are concluded.	Finance Assistant (Insurance)
Liability Policies	Permanent	Finance Assistant (Insurance)
Correspondence and documents relating to policy interpretation and extensions	Permanent	Finance Assistant (Insurance)
Property and Land Management - Management of the Acquisition and Disposal Processes	12 years after the property is sold	Asset Officer
Inventories relation to properties	Permanent	Asset Officer



Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
<b>5. Employment Practice and Procedure</b>		
Personnel and DMS files (including disciplinary records)	7 years after the employee leaves the organisation (Limitation Act 1980 plus 1 year) save for references which should be in line with insurance requirements.	Head of Human Resources
DBS check supporting documents	6 months	Head of Human Resources
Employee income tax records, NI returns and correspondence with HMRC.	3 years after the end of the financial year to which they relate (Income Tax (Employments) Regs. 1993 as amended and Income Tax (PAYE) Regs. 2003	Head of Human Resources
Payroll records	7 years after employment ends (Taxes Management Act 1970)	Head of Human Resources
Occupational Health Records	Permanent 7 years after the employee leaves the organisation unless the records relate to relevant regulations e.g. Control of Substance Hazardous to Health Regulations (COSHH), Control of Asbestos at Work Regulations and Control of Lead at Work Regulations	Head of Human Resources
Records relating to the recruitment process and applications for a particular post (successful applicants' documents will transfer to the personnel file).	6 months after notifying the candidate of the outcome of the recruitment exercise	Head of Human Resources

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
Recruitment of Statutory Officers: Advertisements, Applications, Referee Reports, Interview Reports, Unsuccessful Applicants (except for those relating to the appointed Statutory Officer)	2 years after appointment	Head of Human Resources
National Minimum Wage records	6 years after the end of the pay reference period following the one which the records cover (National Minimum Wages Act 1998) and The National Minimum Wage (Amendment) Regulations 2021)	Head of Human Resources
Statutory Maternity Pay records, calculations, certificates or medical evidence (also shared parental, paternity and adoption pay records)	3 years after the end of the tax year in which the maternity period ends) The Statutory Maternity Pay (General) Regs. 1986 (SI 1986/1960) as amended, Maternity & Parental Leave Regulations 1999).	Head of Human Resources
Statutory Sick Pay records, calculations, certificates or self-certificates and occupational health reports	6 years after the end of employment	Head of Human Resources
Records relating to working time	2 years from the date on which they were made: Working Time Regs. 1998.	Head of Human Resources
Pension plan and retirement records – records of notifiable events e.g. relating to incapacity	6 years from the end of the scheme year in which the event took place: The Retirement Benefits Schemes (Information Powers) Regs. 1986.	Head of Human Resources

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
HR policies	Until superseded	Head of Human Resources
Bank details for staff leaving employment	As soon after the end of employment as possible once final payments have been made	Head of Human Resources
Driving Offences	Once the conviction is spent under the Rehabilitation of Offenders Act 1974	Head of Human Resources
References	12 months after the outgoing reference is given	Head of Human Resources
Parental Leave	18 years from the birth of the child	Head of Human Resources
<b>6. Broads Management and Practical Conservation</b>		
Site Management Plans	Permanent	Ecology & Design Supervisor
Research reports	Permanent	Environment Policy Advisor
Agreements for practical work on land	Retained for 10 years after completion of works	Ecology & Design Supervisor
<b>7. Planning</b>		
Local Plans, Local Development Framework.	Permanent	Head of Planning
Consultation for Local Development Framework	Retain the background documents for the life of the document and then dispose of them when the document is superseded.	Head of Planning

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
Consultation Documents, Inquiries and Objections, Public Inquiry Documents	Retain the background documents for the life of the document and then dispose of them when the document is superseded.	Head of Planning
Planning and development guidance	Permanent	Head of Planning
Planning studies	7 years	Head of Planning
Weekly list of planning applications	6 months	Head of Planning
Planning application guidance	7 years	Head of Planning
Sustainable Development Guide	7 years	Head of Planning
List of conservation areas and listed buildings	Permanent	Head of Planning
Records of: Sites and Monuments, Historical Listed Buildings, Definitive Map	Permanent	Head of Planning
Land Use Surveys	Permanent	Head of Planning
<b>8. Navigation</b>		
Navigation, registration, speed and dimensions bylaws	5 years after the repeal of the bylaws	Head of Tolls
Tolls schedules	7 years from accounting period	Head of Tolls
Record books of contravention notices	7 years	Head of Ranger Services
IRIS incident entries	7 years	Head of Ranger Services

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
Memorandum of Navigational Warning entries	3 years where no prosecution	Head of Ranger Services
Information on the display of plaques and registration numbers.	Permanent	Head of Tolls
Tolls Register including DMS entries	7 years following the end of the financial year following the last financial transaction.	Head of Tolls
Prosecutions and Court Correspondence	7 years after completion of the case. – maintain a simple record thereafter	Head of Ranger Services/Head of Tolls
Scanned boat safety certificates and RCD Documents of Conformity	7 Years	Head of Tolls
Scanned letters not relating to prosecutions	7 years	Head of Ranger Services/Head of Tolls
Scanned Transfer of ownership forms	Permanent	Head of Tolls
Scanned Application/ Registration forms	Permanent	Head of Tolls
<b>9. Services to the Public</b>		
Media Relations, Press Cuttings, Media Reports	3 years	Head of Communications
Marketing: The process of developing and promoting of the Authority's campaigns and events	3 years	Head of Communications
Press Releases	3 years	Head of Communications

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
<b>10. Grants</b>		
Grant Applications to and from Authority	7 years after project completion	Director of Finance
Grant Scheme Information	Until the scheme has ended	Director of Finance
Register of Successful Grants from Authority	7 Years after project completion	Programme Manager
EU projects	Permanent or as project guidance if shorter	Director of Finance
<b>11. Procurement records</b>		
Contracts awarded following procurement	7 years after the performance of the contract has concluded.	Director of Finance
Documentation relating to the award of contracts	7 years.	Director of Finance
<b>12. Legal records</b>		
Environmental studies	Permanent	Director of Finance
Insurance claims/applications	Permanent	Director of Finance
Insurance disbursements and denials	Permanent	Director of Finance
Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers' Compensation)	Permanent	Director of Finance
Trademarks registrations, evidence of use documents	Permanent	Director of Finance
Warranties	Duration of warranty + 7 years	Director of Finance

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
<b>13. Health and Safety</b>		
Accident database	Permanent	Head of Safety Management
RIDDOR incidents	Retained for three years. If Occupational Health requires records to be permanently held.	Head of Safety Management
Personal Protective Equipment issued	Permanent	Head of Safety Management
Insurance audits of toll payers and spreadsheet	3 years	Head of Safety Management
Event Management Plans	3 years (permanent if the event resulted in injury to a member of staff/volunteer/member of the public.	Head of Safety Management
Accident reports and form entries for near misses	Permanent	Head of Safety Management
Hazardous boat checks inspection books	3 years from the date of the last entry	Head of Safety Management
Occupational Health screening	Permanent	Head of Safety Management
Health and Safety - Accident Books/records, Risk Assessments and training records	Permanent	Head of Safety Management
First Aider Qualification	Retention 6 years after employment	Head of Safety Management
<b>14. Volunteer practice and procedure</b>		
Volunteers' Bank details	1 month after ceasing to be a volunteer	Senior Accountant
Application details	6 months	Volunteer Coordinator

Type of Information	Retention Action and relevant legislation (where applicable)	Responsible Officer
Leavers' files	3 years after ceasing as a volunteer.	Volunteer Coordinator
Expenses forms	3 years after ceasing as a volunteer.	Volunteer Coordinator
HAVS monitoring data and Training Records	3 years after ceasing as a volunteer.	Volunteer Coordinator
Volunteer Handbook	Until version superseded	Volunteer Coordinator
<b>15. General e-mails and correspondence</b>		
Uncategorised general e-mail correspondence	E-mails within the general Inbox or sent box should be deleted within 1 year or moved to another database category, in which case the appropriate deletion period within this Appendix shall apply.	All staff with email accounts.