

# Retention Schedule

## Retention Schedule

### **1 Purpose**

- 1.1 The retention Schedule sets out the length of time information should be retained in order to comply with legal regulatory and business requirements. Information is grouped in line with our document management structure and is used to ensure that we balance the requirement to not hold on to records unnecessarily with the need to prevent the premature disposal of information we need to keep

### **2 Scope**

- 2.1 The retention periods apply to physical and electronic assets in any system or physical location in which they are stored.

### **3 Using the schedule**

- 3.1 The schedule identifies the information we hold and includes:
  - 3.2 Information Asset
  - 3.3 Description of the asset
  - 3.4 Who owns the asset (Information asset owner)
  - 3.5 Retention period and rationale for why
  - 3.6 The disposal action to be taken

### **4 Disposal of information**

- 4.1 At the end of the designated retention period, appropriate action should be taken. This is either
  - 4.2 Destroy - The information is destroyed using the appropriate method
  - 4.3 Review - Information marked for review at the end of their retention period may be required for longer. Therefore, the information should be checked before any action is taken. Further information on Casework information can be found in Annex **A**

### **5 Further Information**

- 5.1 The information Assurance team own the retention schedule, which is managed by the Information and Records Manager.

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5.2 Please contact [redacted] for more details

### 6 Review

6.1 The retention schedule will be reviewed annually, or as required. Please contact the IRM if you wish to request that a retention period is reviewed.

Governance and Strategic Management					
Information Asset	Retention Trigger	Retain For	Action	Retention Source	IAO
Annual Report, content and Data	Published Report	6 Years	Archive	Business Use	Assistant Director of Governance
Annual Reports content and Data	Published Report	6 Years	Destroy	Business Use	Assistant Director of Governance
Audit Committee	Closed Folder	6 years	Archive	Business Use	Assistant Director of Governance
Quality Committee	Closed Folder	6 years	Archive	Business Use	Assistant Director of Governance
Remuneration and Nominations Committee	Closed Folder	6 years	Archive	Business Use	Assistant Director of Governance

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Internal Audit	Closed Folder	6 years	Archive	Business Use	Assistant Director of Governance
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Finance					
Financial Information	Closed Folder	6 Years	Destroy	HM Treasury Guidelines, National Audit Office advice, Companies Act 2006	Assistant Director of Finance
Contract Management	End of Contract	7 Years after contract end	Destroy	Limitations Act, 1980	Assistant Director of Finance

Facilities					
Health and Safety Assessments and Reports	Closed Folder	5 years	Destroy	Management of Health and Safety at Work Regulations 1999 / Control of Substances Hazardous to Health Regulations 2002	Assistant Director of ICT and Accommodation

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Risk Assessments and accommodation information	Closed Folder	5 years	Destroy	Management of Health and Safety at Work Regulations 1999	Assistant Director of ICT and Accommodation
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Casework					
Individual Casework	Closed Case	2 Years	Destroy	Parliamentary commissioners act 1967 and Health commissioners act 1993	Assistant Director Casework
Physical Copies of information received	Date received	3 Months	Destroy	Business Use	Assistant Director Intake and RAFT
Online Complaints form	Date created	1 Month	Destroy	Business Use	Assistant Director Intake and RAFT
Telephone recordings	Date created	1 Month	Destroy	Business Use	Assistant Director Intake and RAFT

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FOI/SAR casework	Closed Case	2 Years	Destroy	GDPR 2018 and FOI Act 2000	Assistant Director Information Assurance
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HR & People Management and Development					
Employee Files	Employee Leave date	1 Month	Move to Ex-Employee/Leavers Folder	Pension Administration	Assistant Director HR
Ex-Employee	Employee Leave date	6 years	Review	Pension Administration	Assistant Director HR
Recruitment and Selection	End of Campaign	1 year	Destroy	Business Use/Equality Act 2010	Assistant Director HR
HR Database Pay and Pension	Employee Leave date	Long as required	Archive	Pension Administration	Assistant Director HR
HR Database - Staff leave, absence, courses attended	Employee Leave date	6 years	Review	Business Use	Assistant Director HR

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HR Database- Employee Contact Details	Employee Leave date	6 Years	Destroy	Business Use/Limitations Act 1980	Assistant Director HR
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External Affairs and Insight					
External Affairs and Insight data	Closed Folder	3 years	Review and Delete	Business use	Assistant Director insight and public affairs

Legal Services					
Legal and Jurisdiction Advice	Closed Folder	6 years	Review and Delete	Business use	Senior Lawyer
Casework Litigation	Closed Case	6 Years	Archive	Business Use/Historic value	Senior Lawyer
General Legal Administration	Closed Folder	6 years	Review	Business use	Senior Lawyer

Version	Description	
1.0	Date sent:	10/09/2018

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	Version Notes:	<i>1<sup>st</sup> draft</i>
	Author:	<i>Information and Records Manager,</i>
	Reviewed by:	<i>FOI/DP Manager,</i>
	Approved by:	<i>N/A</i>

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	Author:	<i>Information Records Manager,</i>
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	Author:	<i>Information Records Manager,</i>
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	Author:	<i>Information Records Manager,</i>
	Reviewed by:	<i>SIRO</i>
	Approved by:	<i>Gill K</i>



## Annex A

### Overview and Background Information

All case file documents (paper and electronic) are retained for 2 years after a case has closed. 2 years has been selected as a suitable length of time to ensure that it meets business needs and complies with GDPR. At 2 years, most of the case file is destroyed, with the exception of Final Investigation Reports and limited Case Data. Cases which demonstrate long-term historical value and wider application (HIWA) must be brought to the attention of the Information Assurance team.

### Case Closure for Retention and Disposal

- When a case is formally closed by a caseworker.
- If a case returns to us (i.e. the original case was premature) the cases must be recorded as ‘connected’ to ensure the closure date for both cases will be the date of the most recent case.
- If a customer submits an FOI or Subject Access Request on a case, it must be recorded as ‘connected’ to ensure the closure date of the original complaint case is the same as the FOI/SAR case.
- When there is compliance on a case, the case is only deemed closed when compliance has been completed.

### Holdings

On rare occasions ‘holds’ can be applied to cases to postpone the disposal of the case. A hold can only be applied for the following reasons:

- A Judicial Review
- Request for a review of our decision

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- A Select Committee Inquiry
- Submission of further evidence or correspondence that suggests the case may progress beyond intake or assessment stages at a later date
- HIWA criteria met (see below)

A hold will be placed on the case file for 6 months, at which point it must be reviewed and released, or retained for a further 6 months. Once the hold has been released the date of case closure will apply as usual.

### **Potential historical importance and wider application cases**

Cases which fall into the HIWA criteria may be suitable for permanent preservation in PHSO's archive. Investigators are responsible for applying a hold to such cases.

HIWA criteria:

- High risk cases (e.g. Whistleblowing)
- High profile cases that are featured in PHSO campaigns or publications (except the Annual Report or summaries)
- Systemic cases (e.g. Unsafe Discharge from Hospitals)
- Strategic cases (those with significant impact e.g. Six Lives)