

# ESTATES RETENTION SCHEDULE

## Introduction

This Retention Schedule identifies processes which records support, rather than identifying individual types of records. This is for two reasons: -

- To make the retention period apply to all records independent of any format, i.e. the same rules apply to a paper file, an email, or another electronic document
- To allow flexibility in developing the Schedule to cover new processes and amend existing ones over time

The Schedule is intended to cover the lifecycle of records and information from creation through to destruction or permanent preservation.

Records intended for destruction may be destroyed in accordance with the provisions of the Schedule. Backup copies stored on alternative media (server/microfilm/paper) should also be destroyed. This is vital to ensure compliance with the requirements of the Data Protection Act 2018 (DPA 2018), UK General Data Protection Regulation 2016 (UK GDPR), Freedom of Information Act 2000 (FOI) and Environmental Information Regulations 2004 (EIR).

Records for permanent preservation should be offered to the public archive office.

## Limitation of Scope

Very few types of records have specified time periods for retention in law or in official government guidance. In order to develop this Schedule, key business areas were contacted in order for them to review and provide updates for their areas. Further, a review of the best practices adopted by other Local Authorities was conducted prior to the Schedule being created.

## Objectives of the Retention Schedule

The aims are to: -

- 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
- Provide consistency for the destruction of those records not required permanently after specified periods in order to reduce the costs of unnecessary storage
- Promote improved Records Management practices which gives the public confidence that when information is destroyed it is done so according to well-considered rules
- Assist in identifying records that may be worth preserving permanently as part of the authority's archives

## Headings Description and types of

### record retained

The Schedule provides a description of a process or an activity that the records support. The Schedule may also include instructions or guidelines relating to weeding, sampling, instructions on disposal, information on duplication of record content in other classes and cross-reference to other entries within the Schedule. The section will also provide common examples of the types of records included within the particular function.

### Retention Period

This field shows the length of time for which a record should be kept. This period (usually in years) can be applied from the date a record is created, closed, or tied into another specified activity. This field will also specify whether a type of record should be transferred to a public archive for permanent preservation.

## Glossary of Terms

### Administrative Use

When business use has ended, or the file has been closed.

Closure Example: Destroy 'x' years from closure

A record/file should be closed when it ceases to be active. After closure no new papers/information should be added to the record.

Records/files can be closed when: -

- They reach an unmanageable size (a new volume should be created)

- They cover 'x' years i.e. a maximum time period
- No more records have been added in 'x' years or another specified set period of time
- No action has taken place after 'x' period of time

## Retention Maximum Years

Specified period of time during which the record is subject to restrictions on provision of access to staff and/or the public may be dictated by statutory requirements or by the authority's policy. Any closure period should comply with current legislation on access to local government information – including the Data Protection and Information Access laws.

## End Action

This explains what should happen to the information at the end of the retention period specified.

<b>Subject Areas</b>	<b>Trigger</b>	<b>Retention Maximum Years</b>	<b>End Action</b>	<b>Description and included record types</b>	<b>Authority/ Legal requirement for retaining the information</b>
Lease/ Licence	Lease / Licence expiry	7 years from date tenant leaves or property sold	Delete/ Destroy	Any legal papers relating to the occupation of a property. If the tenant continues in occupation by way of a further lease/ licence than all papers are to be retained from the initial point of occupation	Landlord and Tenant Act 1954 Law of Property Act 1925
Occupier/ Licensee/ Lessee	Expiry of occupation document (Lease/ Licence/ Tenancy at Will)	7 years from date tenant leaves or property sold	Delete/ Destroy	Any legal papers relating to the occupation of a property. If the tenant continues in occupation by way of a further lease/ licence than all papers are to be retained from the initial point of occupation	CPBC Retention Policy
General Emails	Receipt / Issue of Email	7 years	Delete/ Destroy	Emails and letters	CPBC Retention Policy

