

## Retention and Disposal Policy

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# 1. Introduction and Scope

A general overview of our approach to records management is outlined in our [Information Management Policy](#). The aim of the Retention and Disposal Policy is to outline the ICO's approach to managing the retention and secure disposal of our information in line with our business requirements and legal obligations.

There are various pieces of legislation which outline retention requirements. These include, but are not limited to:

- Freedom of Information Act 2000 – including the Code of Practice Section 46 (FOIA)
- The UK General Data Protection Regulations (the UK GDPR)
- Data Protection Act 2018 (DPA 18)
- Public Records Act 1958
- Limitation Act 1980
- Inquiries Act 2005

The requirements outlined in this policy have been developed to provide a consistent approach to the retention and disposal of corporate information. This policy applies to all physical and digital information, regardless of storage location.

# 2. Roles and Responsibilities

All ICO staff are responsible for managing the information they create and receive as part of their normal daily business activities and should familiarise themselves with the Retention and Disposal Schedule.

Specific records management responsibilities are also allocated to individual staff members and various committees and boards across our corporate structure, as detailed in our [Information Risk Management Network](#). The following roles have additional responsibilities around retention and disposal:

**Information Asset Owners (IAO):** IAOs ensure that all assets under their control are following retention schedule rules. They have ownership of the assets and are therefore responsible for ensuring adherence to the Retention and Disposal Schedule. IAOs are responsible for authorising the destruction of information when required.

**Information Asset Managers (IAM):** IAMs assist the IAOs in their role and are operationally responsible for the upkeep of information assets, including adherence to the Retention and Disposal Schedule.

**Local Information Management Officer (LIMO):** LIMO monitor compliance with the retention schedule, whilst encouraging and working with staff to ensure ongoing conformity. Alongside this, the LIMO reports to the IAM and IAO on compliance with the schedule within Information Management & Compliance Retention and Disposal Policy  
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their team. They also need to implement any changes required to the schedule in accordance with ICO procedure and work to improve compliance with the schedule where needed.

**Local Asset Administrator (LAA):** LAA work with staff directly to ensure the retention schedule is adhered to, undertaking some work disposing of information and recording disposal where needed. The LIMO is likely to delegate instructions to the LAA to assist in improving compliance with the schedule.

More information about the responsibilities of individuals in the Information Risk Management Network can be found in our [Roles and Responsibilities guidance](#).

## 3. Retention Periods

Our retention periods are driven by legislation and/or business need. If there is no legally defined retention period for corporate information it is the responsibility of the relevant IAO(s) (with input from the Information Management & Compliance team) to determine an appropriate retention period.

We assign clearly defined retention periods to our information to ensure it is kept for the appropriate length of time. Each retention period has three elements:

- **Trigger** – the action which begins the retention period (e.g., 'End of Financial Year' or 'End of Employment')
- **Retention period** – the length of time the information will be kept
- **Action** – either 'review' or 'destroy'.
  - If the action is 'review' the information must be reviewed to ensure it is no longer required before destruction. Outcomes of a review may be – dispose, mark for permanent preservation, or temporary extension to review again at a future date.
  - If the action is 'destroy', this means the information can be destroyed without being reviewed in line with ICO procedure.

### 3.1. Retention and Disposal Schedule

Our Retention and Disposal Schedule sets out our retention periods. Information **must** be kept for the length of time defined in the Schedule unless there is a legal requirement to destroy it sooner.

The Schedule is arranged by function, rather than by directorate. By following a functional approach we can ensure that the Schedule will not need to change in the event of organisational restructures and that information held by multiple directorates is only captured on the Schedule once.

Any proposed additions or changes to retention periods must be captured on [this form](#) and sent through to the Information Management & Compliance team. Significant changes may need to be signed off by the relevant IAO(s).

The Schedule is reviewed on an annual basis by the Information Management & Compliance team with input from the Information Risk Management Network. Any queries about the Schedule should be raised with the Information Management & Compliance team.

## 3.2. Weeding

Not all information we create has long-term value. Our Retention and Disposal Schedule does not include redundant, obsolete or trivial (ROT) information. This should be destroyed periodically by each directorate as part of routine housekeeping. Approval or sign-off to delete ROT information is not required.

'Weeding' does not apply to corporate records included in the Schedule, which should only be destroyed when they have reached the end of their retention period.

Information should be weeded for two reasons:

- To ensure that we are not wasting money or space (either digital or physical) by storing ROT information.
- To make the process of reviewing and appraising records easier. Sifting through low-value records makes this process more time-consuming.

Below are common examples of information which are usually of limited value once they are no longer in use and can be weeded through housekeeping. This should not be seen as an exhaustive list.

**Drafts** - Draft documents lose value and can become obsolete once a final version has been published. However, on some occasions where significant changes or deviation have taken place, a draft may be retained to show how the final decision was made.

**Emails** - Outlook has an automated retention policy that retains emails for 12 months. It is important that information assets are saved to shared spaces, to provide evidence of decisions made or action taken. Once a conversation has reached a significant point, any earlier emails from this chain can be deleted.

**Duplicates** – We should not retain any duplications. Duplications can lead to multiple versions of information which can cause confusion.

**Research Material** – Whether developing policy or preparing to give advice, research material may be created or collected such as notes or copies of guidance from external organisations. The value of this information decreases once the final version has been created.

**Limited Long Term Operational Value** – Some information may be of importance for only a short period of time and then become redundant. This information should be weeded as soon as they are no longer required.

Weeding should be done on a regular basis to ensure that clutter does not build up over time. It is up to each team to decide a reasonable schedule for housekeeping, based on their resources and the amount of information they generate. IAOs should encourage weeding on a regular basis.

Weeding should cover all information the directorate stores, paper or digital, regardless of the system it is held on. This includes personal drives and desktops.

## 4. Disposal

### 4.1. Review

When information has reached the end of its retention period it may need to be reviewed to ensure that it is no longer required. Information that has an action of 'destroy' on the Schedule can be disposed of securely without a review. Where possible, automated retention rules should be built into corporate systems.

Where a review is required the IAO assisted by the IAM and LIMOs should consider the relevant information and decide whether it can be destroyed. If a high volume of information is being reviewed at once then this should be conducted at a macro level, i.e., not document by document. If information is marked for permanent preservation or subject to a legal hold it may be necessary to review every document.

Information should only be retained beyond its retention period in limited circumstances. When conducting a review, the following factors should be taken into account:

- Is the information required to fulfil statutory or regulatory requirements?
- Is the information relevant to ongoing litigation / subject to a legal hold?
- Is the information the subject of an information request or relate to information recently disclosed in a response?
- Is retention required to evidence events in the case of a dispute?
- Does the information fall under the selection criteria for permanent preservation and transfer to the National Archives outlined in the [Selection and Appraisal Methodology](#)?
- Is the information required for a Public Inquiry?
- Is there another demonstrable business need for retaining the information?

If the information is deemed to still be required, an extension of two years is given, the information needs to be reviewed again at the end of the extension.

The retention period must not be extended indefinitely. You should contact the Information Management & Compliance team if you still intend to keep the information after applying the two-year extension period.

## 4.2. Destruction

When records are no longer required by the organisation and do not have archival value they should be securely destroyed. Destruction of records should not proceed without sign off from the relevant IAO.

A record containing what has been destroyed, when it was destroyed and the individual who authorised the destruction should be created. A template Record of Destruction can be found [here](#).

Records should be destroyed with the level of security required by the confidentiality of their contents. For example, if records containing special category data or protectively marked papers have been shredded, the shredded paper should be handled securely and not dumped. Records awaiting destruction must be stored securely.

Paper records should be placed into the confidential waste bins and documents stored on electronic systems should be deleted, including back-ups. Deletions should be carried out by someone with appropriate access to the system from which they are being deleted. Digital documents should be deleted and not overwritten.

When information is destroyed, all copies of the information should be destroyed at the same time (both digital and physical). Information cannot be considered to have been completely destroyed unless all copies have been destroyed as well.

## 4.3. Permanent Preservation

Documents should be selected for permanent preservation if they meet the criteria specified in the [Selection and Appraisal Methodology](#).

Documents which have been marked for permanent preservation must not be destroyed. Any information which is selected for preservation should be clearly marked to ensure it is not destroyed accidentally.

## 4.4. Legal Holds

As a public authority the ICO is responsible for ensuring that any information under a legal hold is identified. A legal hold is the process of preserving all forms of information relevant to

legal proceedings. If a legal hold is in place there is a freeze on the destruction of any relevant material held by the organisation.

A legal hold might be required if information relates to a Public Inquiry or if it pertains to any litigation that the ICO is involved with, such as an FOI Complaint which is subject to appeal. If you are unsure whether information in your possession falls under a legal hold, contact the Information Management Service for advice.

When information falls under a legal hold it should be clearly marked as such so it is not accidentally included in any scheduled destruction.

Under the Inquiry Rules 2006 those responsible for public records have a duty to make arrangements for the selection of any and all information they hold which contains or may contain content as identified in relation to an investigation. [Appendix 1](#) shows the Public Inquiries that are currently open in the UK, or due to be opened soon.

Following the closure of the inquiry, the information should be reviewed to determine how long it needs to be retained.

## Version History

<b>Version</b>	<b>Date</b>	<b>Amended by</b>	<b>Comments</b>
<b>3.1</b>	20/01/18	Stuart Ashton	First Draft
<b>4.0</b>	24/05/18	Stuart Ashton	Final Version
<b>4.1</b>	14/08/18	Lesley Owen-Edwards	Final Version, updated with minor amendments
<b>4.2</b>	05/11/2019	Steven Johnston	Update to Retention Schedule – Assurance and Customer Contact (Breach Reports)
<b>4.3</b>	19/11/2019	Ben Cudbertson	Added general annual leave information to HR section
<b>4.4</b>	27/11/2019	Ben Cudbertson	Split 'Live Chat Transcriptions' into 'GCI/Touchpoint' and 'Goss' transcriptions. Changes retention of GCI/Touchpoint transcriptions from 2 years to 90 days.
<b>4.5</b>	06/01/2020	Steven Johnston	Update to live chat transcript retention period. Amended from 90 to 100 days.
<b>4.6</b>	03/02/2020	Steven Johnston	Removal of 'text messages' entry in schedule
<b>5.0</b>	07/04/2020	Steven Johnston	Annual review and schedule updates.
<b>5.1</b>	21/05/2020	Jennifer Matthews	Addition to HR (Security Clearance Correspondence, Declaration of outside interests)
<b>5.2</b>	16/06/2020	Ben Cudbertson	Addition of Data Protection Fee Information – Paper records. Changed the trigger for Data Protection Fee



Information – Electronic Records from  
'lapsed payment' to 'lapsed registration.'

<b>5.3</b>	24/06/2020	Steven Johnston	Addition of Webinar / live event recordings
<b>5.4</b>	13/10/2020	Ben Cudbertson	Added Case Study to Comms section
<b>5.5</b>	20/10/2020	Ben Cudbertson	Changed Maternity, Paternity, Adoption and Sick Leave retention period from 3 years to 4 years and changed trigger from 'end of financial year after return' to 'end of financial year'.
<b>5.6</b>	13/01/2021	Ben Cudbertson	Added digital direct debit scans
<b>5.7</b>	19/02/2021	Ben Cudbertson	Added car sharing information
<b>5.8</b>	02/03/2021	Tiffany Higgins	Changed Internal Guidance and LTT to date withdrawn from Creation.
<b>5.9</b>	04/03/2021	Jen Matthews	Added - Digital Mailroom instruction DP Fees scans
<b>5.10</b>	11/03/2021	Jen Matthews	Schedule under review - Updated: Legal Basis, Roles & Responsibility, IMS contact, Weeding
<b>6.0</b>	06/04/2021	Jen Matthews	Changes (including 2-year extension) confirmed
<b>6.1</b>	04/06/2021	Steven Johnston	Directorate name change throughout to Digital, IT and Business Services. Amendments to include this directorates IAO at 2.1, 2.2, 2.3, 2.4, 2.5, 2.9, 8.1, 8.16, 10.2, 10.3, 10.4. Name change from GCI to Nasstar at 1.8. Addition of 10.12. Retention period for 3.9 changed.
<b>6.2</b>	09/08/2021	Tiffany Higgins	Addition to HR section (MHFA Application Details and details of MHFA attendance to training)
<b>6.3</b>	23/08/2021	Steven Johnston	Addition of 2.10 and 2.11.
<b>6.4</b>	25/08/2021	Steven Johnston	Addition of 3.15, 3.16 and 6.21.
<b>6.5</b>	08/09/2021	Tiffany Higgins	Addition of 2.12 and 2.13.
<b>6.6</b>	22/09/2021	Tiffany Higgins	Removal of 1.9
<b>7.0</b>	28/09/2021	Ben Cudbertson	Major update of Retention and Disposal Policy following review. Amended retention periods for HPI inquiries (8.5-8.7)
<b>7.1</b>	04/10/2021	Ben Cudbertson	Change to retention period for communications with journalists (2.7) – increased from 12 months to 3 years
<b>7.2</b>	11/10/2021	Ben Cudbertson	Updated job titles for IAOs
<b>7.3</b>	01/12/2021	Steven Johnston	Addition of 6.22.
<b>7.4</b>	02/12/2021	Ben Cudbertson	Addition of 2.14.

## Appendix 1 – Ongoing Inquiries

<b>Public Inquiry</b>	<b>Information to be retained</b>
Independent Inquiry into Child Sexual Abuse (IICSA) Also referred to as the Goddard Inquiry.	Any material including reports, reviews, briefings, minutes, notes and correspondence relating to the care of children in public or private care.
Scottish Child Abuse Inquiry	Any material including reports, reviews, briefings, minutes, notes and correspondence relating to the care of children in public or private care.
Undercover Policing Inquiry	Any material relating to undercover police operations conducted by English and Welsh police forces in England and Wales since 1968 in particular the collusion of the police in the blacklisting of trade union members.
Upcoming Covid-19 Inquiry	Further guidance yet to be issued by the Government.

## Appendix 2 – Retention Schedule

### 1. Communications Activities

		Retention Trigger	Retain For	Action	Retention Source	IAO
1.1	Staff Mailboxes and Outlook	Creation	12 months	Destroy	Business Need	Communications which may not directly fall under a function
1.2	Physical Correspondence	Once Scanned	6 months	Destroy	Business Need	
1.3	Internal Email Mailboxes	Creation	12 months	Destroy	Business Need	
1.4	Customer Email Boxes	Creation	12 months	Destroy	Business Need	
1.5	External Email Mailboxes	Creation	12 months	Destroy	Business Need	
1.6	Unified Comms Instant Messages	Creation	7 days	Destroy	Business Need	
1.7	Other Instant Messages	Creation	7 days	Destroy	Business Need	
1.8	Nasstar/Touchpoint Live Chat Transcriptions	Creation	100 days	Destroy	Business Need	
1.10	Calling Line Identification	Creation	90 Days	Destroy	Business Need	
1.11	Your Data Matters Pledge	Creation	Email Address: 1 month Name and Organisation: 12 months	Destroy	Business Need	

### 2. Corporate Communications and Marketing

		Retention Trigger	Retain For	Action	Retention Source	IAO
2.1	Market Research Reports, Press Releases, Campaigns and Projects, Informer, and Image Banks	Last Action	6 years	Review	Business Need	Director of Risk and Governance, Director of Digital, IT and Business Services
2.2	Staff Events and Briefings, Public Engagement and Political Monitoring	Last Action	3 years	Review	Business Need	Director of Risk and Governance, Director of Digital, IT and Business Services
2.3	Conference Delegate Lists	Last Action	400 days	Destroy	Business Need	Director of Risk and Governance, Director of

						Digital, IT and Business Services
2.4	Webinar / Live Event Registration	Webinar Completed	1 month	Destroy	Business Need	Director of Risk and Governance, Director of Digital, IT and Business Services
2.5	Webinar / Live event recordings	Event completed	12 months	Destroy	Business Need	Director of Risk and Governance, Director of Digital, IT and Business Services
2.6	Journalist Information	Request of the Journalist to remove their information	Instant once requested	Destroy	Business Need	Director of Risk and Governance
2.7	Communications with Journalists	Creation	3 years	Destroy	Business Need	Director of Communications
2.8	Requests for Publications	Creation	4 weeks	Destroy	Business Need	Director of Risk and Governance
2.9	Case Study	Publication date	3 years	Review	Business Need	Director of Communications, Director of Digital, IT and Business Services
2.10	E-newsletter contact profile	Last Action (ICO stops sending its e-newsletter)	6 months	Destroy	Business Need	Director of Communications.
2.11	E-newsletter analytics	Last Action	2 years	Destroy	Business Need	Director of Communications.
2.12	Records of emails to main contacts of DP Fees Register	Creation	18 months	Destroy	Business Need	Director of Digital, IT and Customer Services
2.13	Email the Register – suppression list	Completion of emailing main contacts of DP Fees Register	12 months	Destroy	Business Need	Director of Digital, IT and Customer Services
2.14	Customer Experience Survey contact information	Survey Closure	30 days	Destroy	Business Need	Director of Public Advice and Data Protection Complaints

### 3. Corporate Functions

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
3.1	Health and Safety Inspections, Property Management and Asset Records	Last Action	6 years	Review	The National Archives Retention Scheduling: Departmental Accounts, Health and Safety at Work Act 1974 and supporting Regulations, Limitation Act 1980	Director of People and Workforce Planning
3.2	Documents relating to IT system integral to their running and long-term use	End of System Life	12 months	Review	Business Need	Director of Digital, IT and Business Services
3.3	Records and Information Management	Last Action	3 years	Review	Business Need	Director of Risk and Governance
3.4	IT Infrastructure	Last Action	3 years	Review	Business Need	Director of Digital, IT and Business Services
3.5	Information Security	Last Action	6 years	Review	Business Need	Director of Risk and Governance, Director of Digital, IT and Business Services
3.6	Information Requests <i>(Including MP request not dealt with directly by the Commissioner)</i>	Case Closed	2 years	Destroy	Business Need	Director of Risk and Governance
3.7	Projects and Corporate Programmes	Last Action	3 years	Review	Business Need	Director of Digital, IT and Business Services
3.8	Building Reports, Risk Assets, Helpdesk and Security Reports	Last Action	3 years	Review	Limitation Act 1980	Director of People and Workforce Planning
3.9	IT Back ups	Last Action	Up to 12 months	Destroy	Business Need	Director of Digital, IT and Business Services
3.10	System Audit Logs	Last Action	12 months	Destroy	Business Need	Director of Digital, IT and Business Services
3.11	Casework Performance Management Information	Last Action	2 years	Destroy	Business Need	Director of Digital, IT and Business Services
3.12	CCTV	Last Action	1 month	Destroy	ICO CCTV Policy	Director of People and Workforce Planning
3.13	Reception Sign in Book	End of Year	2 years	Destroy	Business Need	Director of People and Workforce Planning

3.14	Google Analytics Reports	Last Action	38 months	Destroy	Business Need	Director of Digital, IT and Business Services, Director of Risk and Governance
3.15	IT incident management reports from 3 <sup>rd</sup> parties	Last Action	3 years	Review	Business Need	Director of Digital, IT and Business Services
3.16	IT helpdesk incident reports, service requests and knowledge base	Last Action	3 Years	Review	Business Need	Director of Digital, IT and Business Services

#### 4. Corporate Governance

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
4.1	Memorandum of Understanding	End of Understanding	6 years	Destroy	Business Need	Director of Risk and Governance
4.2	Internal Committees and Groups minutes	Minutes Agreed	6 years	Review	Business Need	Director of Risk and Governance
4.3	Commissioner's Delegated Authority, Briefings, Decision Notes and Legal Advice	End of Commissioner's Term	6 years	Review	Business Need	Director of Risk and Governance
4.4	Corporate Governance Support	Last Action	3 years	Review	Business Need	Director of Risk and Governance
4.5	Organisation wide Corporate Plans, Policies, Business Continuity, Risk Management and Strategies	Superseded	3 years	Review	Business Need	Director of Risk and Governance
4.6	Elected Members Correspondences to the Commissioner	End of Commissioner's Term	3 years	Review	Business Need	Director of Risk and Governance
4.7	Corporate Roles and Responsibilities	Superseded	6 years	Review	Business Need	Director of Risk and Governance

## 5. Finance

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
5.1	Financial Information	End of Financial Year	6 years	Destroy	HM Treasury guidelines, National Audit Office advice, Companies Act 2006	Director of Finance
5.2	Payroll Capita Reports	End of Financial Year	6 years	Destroy	HM Treasury guidelines, National Audit Office advice, Companies Act 2006	Director of Finance

## 6. Human Resources

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
6.1	Employee Files and Personal Development Records	End of Employment	6 years	Destroy	The National Archives Retention Scheduling: Employee Personnel Records and CPID	Director of People and Workforce Planning
6.2	Disciplinary and Grievance, Examination and Testing, Accident, and Ill Health	Last Action	6 years	Destroy	Limitation Act 1980	Director of People and Workforce Planning
6.3	Job Descriptions and Terms & Conditions	Last Action	6 years	Destroy	Limitation Act 1980	Director of People and Workforce Planning
6.4	Training Material	Superseded	6 years	Destroy	Limitation Act 1980	Director of People and Workforce Planning
6.5	Political Declarations	Superseded or End of Employment	6 years	Destroy	The National Archives Retention Scheduling: Employee Personnel Records and CPID	Director of People and Workforce Planning
6.6	Industrial Relations	Last Action	6 years	Destroy	Limitation Act 1980	Director of People and Workforce Planning
6.7	Payroll Sheets	End of Financial Year	6 years	Destroy	HM Treasury guidelines, National Audit Office advice, Companies Act 2006	Director of People and Workforce Planning

6.8	General Annual Leave Information	End of Financial Year	3 years	Destroy	The National Archives Retention Scheduling: Employee Personnel Records	Director of People and Workforce Planning
6.9	Maternity, Paternity, Adoption and Sick Leave	End of Financial Year	4 years	Destroy	Statutory Sick Pay (General) Regulations 1982 Statutory Maternity Pay (General) Regulations 1986 Statutory Paternity and Statutory Adoption Pay (Administration) Regulations 2002	Director of People and Workforce Planning
6.10	Successful Recruitment Candidate Information <i>(including third party referee details provided by the applicant)</i>	End of Employment	6 months	Destroy	The National Archives Retention Scheduling: Employee Personnel Records and CPID	Director of People and Workforce Planning
6.11	Unsuccessful Recruitment Candidate Information <i>(including third party referee details provided by the applicant)</i>	Last Action	6 months	Destroy	Limitation Act 1980	Director of People and Workforce Planning
6.12	Staff Pension, Pay History, and Termination Reasons	From DOB	100 years	Destroy	The National Archives Retention Scheduling: Employee Personnel Records	Director of People and Workforce Planning
6.13	Health Surveillance	Last Action	40 years	Destroy	Health and Safety at Work Act 1974	Director of People and Workforce Planning
6.14	Third party emergency contact details provided by the staff member	End of Employment	Immediate	Destroy	Business Need	Director of People and Workforce Planning
6.15	Equality and Diversity Published Information	Last Action	6 years	Review	Public Sector Equality Duty	Director of People and Workforce Planning
6.16	Marriage Certificate and Documents relating to Civil Registration	From DOB	100 years	Destroy	The National Archives Retention Scheduling:	Director of People and Workforce Planning



					Employee Personnel Records	
6.17	Medical/Self Certificates – unrelated to industrial injury	End of absence	4 years	Destroy	The National Archives Retention Scheduling: Employee Personnel Records	Director of People and Workforce Planning
6.18	Security Clearance Correspondence	End of Security Clearance	6 years	Destroy	Business Need	Director of People and Workforce Planning
6.19	Secondary Employment and Outside Interests Declaration	Superseded or End of Employment	6 years	Destroy	Business Need	Director of People and Workforce Planning
6.20	Mental Health First Aiders Application Form and Details of Attendance to MHFA Training	Acceptance to MHFA Scheme	3 years	Destroy	Business Need	Director of People and Workforce Planning
6.21	TMP profiles	Last Action	1 year	Destroy	Business Need	Director of People and Workforce Planning
6.22	Responses to recruitment process feedback surveys	Last Action	6 months	Destroy	Business Need	Director of People and Workforce Planning

## 7. Legal

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
7.1	Legal Advice	Last Action	6 years	Review	Limitation Act 1980	Director of Legal Services (Regulatory Enforcement), Director of Legal Services (Regulatory Advice and Commercial)
7.2	Enforcement Legal Cases	Case Closed	6 years	Review	Business Need	Director of Legal Services (Regulatory Enforcement)
7.3	Contracts	End of Contract	6 years	Review	The National Archives Retention Scheduling: Contractual Records	Director of Legal Services (Regulatory Advice and Commercial)
7.4	Unsuccessful Tenders	Last Action	400 Days	Review	The National Archives Retention Scheduling: Contractual Records	Director of People and Workforce Planning

7.5	Building Contracts and Leases	End of Contract	12 years	Review	Limitation Act 1980	Director of Legal Services (Regulatory Advice and Commercial)
7.6	Non-disclosure agreements	Last Action	2 years	Review	Business Need	Director of Legal Services (Regulatory Advice and Commercial)
7.7	Trademark documents	Last Action	6 years	Review	Business Need	Director of Legal Services (Regulatory Advice and Commercial)
7.8	Case summaries and background documents	Last Action	6 years	Review	Business Need	Director of Legal Services (Regulatory Advice and Commercial)

## 8. Regulatory

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
8.1	Appeals Information Tribunal	Case Closed	6 years	Review	Limitation Act 1980	Director of Legal Services (Regulatory Enforcement)
8.2	All Criminal Enforcement Case	Case Closed	6 years	Review	Limitation Act 1980	Director of Investigations, Director of High Priority Investigations & Intelligence
8.3	Civil Enforcement case where action was taken	Case Closed	6 years	Review	Limitation Act 1980	Director of Investigations, Director of High Priority Investigations & Intelligence
8.4	Civil Enforcement Case where no action taken	Case Closed	2 years	Destroy	Business Need	Director of Investigations, Director of High Priority Investigations & Intelligence
8.5	HPI inquiry where regulatory action was taken	Inquiry Closed	6 years	Review	Limitation Act 1980	Director of High Priority Investigations & Intelligence
8.6	HPI inquiry where no regulatory action was taken	Inquiry Closed	6 years	Review	Business Need	Director of High Priority Investigations & Intelligence
8.7	HPI scoping activity that is not progressed to an inquiry	Scoping activity ceased	2 years	Destroy	Business Need	Director of High Priority Investigations & Intelligence

8.8	Gathered Intelligence	Entered onto Intelligence Log	6 years	Review	Business Need	Director of High Priority Investigations & Intelligence
8.9	Data Protection and FOI Complaints	Case Closed	2 years	Destroy	Business Need	Director of Public Advice & DP Complaints, Director of FOI and Transparency
8.10	Data Protection and FOI Complaints Physical items <i>(items which cannot be scanned or returned)</i>	Case Closed	6 months	Destroy	Business Need	Director of Public Advice & DP Complaints, Director of FOI and Transparency
8.11	Cases relating to Section 159 of the Consumer Credit Act 1974	Case Closed	6 years	Destroy	Limitation Act 1980	Director of Public Advice & DP Complaints
8.12	Audit, Advisory and Engagement Reports	Case Closed	6 years	Review	Business Need	Director of Regulatory Assurance, Director of Digital, IT and Business Services
8.13	Audit and Engagement supporting audit documents	Case Closed	6 years	Destroy	Business Need	Director of Regulatory Assurance
8.14	Audit and Engagement supporting project documents	Case Closed	3 Years	Destroy	Business Need	Director of Regulatory Assurance
8.15	IPA audits and supporting audit documents	Case Closed	6 years	Review	Business Need	Director of Regulatory Assurance
8.16	IPA related documents and correspondence	Document created	6 years	Review	Business Need	Director of Regulatory Assurance
8.17	NIS related documentation	Document created	6 years	Review	Business Need	Director of Regulatory Assurance, Director of Digital, IT and Business Services
8.18	Data Protection Fee Information – Electronic Records	Lapsed registration	2 years	Destroy	Business Need	Director of Digital, IT and Business Services
8.19	Data Protection Fee Information – Paper Records	Date of payment	2 years	Destroy	Business Need	Director of Digital, IT and Business Services
8.20	Data Protection Fee Information – Digital Mailroom Scan (copy of paper records)	Date Processed in digital mailroom	9 months	Destroy	Business Need	Director of Digital, IT and Business Services
8.21	Digital Scans of Direct Debit Mandates	Date of payment	6 years	Review	Business Need	Director of Finance
8.22	Breach Report - No action taken	Case Closed	2 years	Destroy	Business Need	Director of Digital, IT and Business Services
8.23	Breach Report – where action was taken	Case Closed	6 Years	Review	Limitation Act 1980	Director of Digital, IT and Business Services

8.24	Communications Data	Document created	5 Years	Review	Home Office: Communications Data Code of Practice	Director of Investigations, Director of High Priority Investigations & Intelligence
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## 9. Regulatory – Internal Activities

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
9.1	Information created in relation to new policies, guidelines, and research. This information has been created internally to guide decision making. This relates to any final drafts and significant supporting information	Last Action	6 years	Review	Business Need	Director of Regulatory Strategy, Director of Regulatory Futures, Director of Legislative Reform, Director of Technology and Innovation Service, Director of High Priority Investigations and Intelligence and Director of Regulatory Assurance

## 10. Stakeholder Engagement

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
10.1	First Line Advice Services	Case Closed	2 years	Destroy	Business Need	Director of Digital, IT and Business Services, Director of Regulatory Strategy, Director of Public Advice & DP Complaints
10.2	Engagement with significant stakeholders: <i>This will include government departments, large companies, and charities as well as international work.</i>	Last Action	6 years	Review	Business Need	Director of Regulatory Strategy, Director of Regulatory Futures, Director of Legislative Reform, Director of Technology and Innovation

						Service, Director of International Regulatory Co-operation, Director of Investigations, Director of High Priority Investigations and Intelligence, Director of Regulatory Assurance, Director of Public Advice & DP Complaints, Director of FOI and Transparency, Director of Digital, IT and Business Services.
10.3	Engagement with less significant stakeholders: <i>Advice provided to smaller organisations with the advice only affecting small numbers.</i>	Last Action	3 years	Review	Business Need	Director of Regulatory Strategy, Director of Regulatory Futures, Director of Legislative Reform, Director of Technology and Innovation Service, Director of Investigations, Director of High Priority Investigations and Intelligence, Director of Regulatory Assurance, Director of Public Advice & DP Complaints, Director of FOI and Transparency, Director of Digital, IT and Business Services.
10.4	Guidance for External Use	Superseded	6 years	Review	Business Need	Director of Regulatory Strategy, Director of Regulatory Futures, Director of Legislative Reform, Director of Technology and Innovation Service, Director of Regulatory Assurance, Director of Digital, IT and Business Services.
10.5	Data Privacy Impact Assessments	Last Communication	6 years	Review	Business Need	Director of Technology and Innovation Service

10.6	Finalised Binding Corporate Rules	End of Contract	6 years	Review	GDPR (Article 47(2)(k))	Director of Regulatory Assurance
10.7	BCR Initial Assessment Supporting Documents	National Authorisation	2 years	Review	Business Need	Director of Regulatory Assurance
10.8	BCR Point of Contact and Legal Representation details	After each annual update	12 months	Review	Business Need	Director of Regulatory Assurance
10.9	Consultations: <i>The ICO gathers information externally through an open consultation in relation to a policy they are developing</i>	Policy Published	As soon as policy published	Destroy	Business Need	Director of Regulatory Strategy, Director of Regulatory Futures, Director of Legislative Reform, Director of Technology and Innovation Service and Director of Regulatory Assurance
10.10	Sandbox – key documents	Last Action	7 years	Review	Business Need	Director of Regulatory Assurance
10.11	Sandbox – supporting documents	Last Action	1 year	Review	Business Need	Director of Regulatory Assurance
10.12	Consultations: SME feedback	End of consultation	1 year	Destroy	Business Need	Director of Digital, IT and Business Services

## 11. Organisation Wide

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
11.1	Significant Draft Versions: <i>The draft versions of policies, advice, and guidelines for significant areas of work</i>	Last Action	3 years	Review	Business Need	These are generic documents which sit within all departments for filling similar roles. Therefore, there isn't a specific Information Asset Owner for this set of information, each owner's departments will have their own versions of these documents for which they will be the owner of.
11.2	Less Significant Draft Versions: <i>General drafts of documents created for less significant work</i>	Last Action	12 months	Review	Business Need	
11.3	Internal Audits	Creation	3 years	Destroy	Business Need	
11.4	Internal Guidance and Lines to Take	Date Withdrawn	6 years	Destroy	Business Need	
11.5	Templates, Procedures, Team Information and Team Meetings	Last Action	3 years	Review	Business Need	

11.5	Annually Renewed Documents	End of Financial Year	3 years	Review	Business Need	
11.7	Department Logs and Registers	Last Action	12 months	Review	Business Need	
11.8	Team Administration	Creation	3 years	Review	Business Need	
11.9	Management Information	End of Financial Year	6 years	Review	Business Need	
11.10	General Content Types (SharePoint)	Last Action	12 months 3 years 6 years	Review	Business Need	
11.11	Mobile device information for visitor Wi-Fi use	Creation	90 days	Destroy	Business Need	
11.12	Car Sharing Information	Last Modified	12 months	Destroy	Business Need	

## 12. Transfer to The National Archives (For preservation)

		<b>Retention Trigger</b>	<b>Retain For</b>	<b>Action</b>	<b>Retention Source</b>	<b>IAO</b>
12.1	Information detailing what has been sent to the National Archives (not transferred)	Last Action	6 years	Review	The National Archives Information Management Guidance	Director of Risk and Governance
12.2	Section 170 DPA and Section 77 FOI	Case Closed		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.3	Publications and Material	Creation		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.4	Management Board Minutes	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance

12.5	Senior Leadership Team Minutes	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.6	Executive Team Minutes	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.7	Upper Tribunal Case and Court of Appeal	Case Closed		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.8	ICO Constitution	Superseded		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.9	Office Wide Strategic Plans	Superseded		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.10	Department of Culture, Media and Sport	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.11	Delegated Authority	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.12	Legal Advice to Commissioner (where it is directly relevant to information rights policy)	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.13	High Profile Casework (Further guidance provided)	Case Closed		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.14	PECR Breach Logs	Superseded		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
12.15	Interactions with key stakeholders in relation to interpreting Data Protection and Freedom of Information Act, Code of Practice relating to acts, legislative development, and significant internal advice	Last Action		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance



12.16	Civil Monetary Penalty Cases	Case Closed		Prepare for Transfer	The National Archives Collection Policy, Public Records Act 1958	Director of Risk and Governance
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