

GWENT POLICE AUTHORITY

FREEDOM OF INFORMATION ACT 2000

RECORDS MANAGEMENT POLICY STATEMENT AND RETENTION AND DISPOSAL SCHEDULE

All organisations generate records which must be collected, maintained and revised over time, but public authorities have an additional responsibility to be accountable for their actions to the public. Therefore, their records must be accurate, reliable and capture authentic details of transactions and the policy for management of those records must protect the rights of privacy, confidentiality and security. This applies to the management of records in all formats or media, whether created or received.

Effective records management is essential to support compliance with the Freedom of Information Act (“the Act”), the Section 46 Records Management Code issued under the Act and the Data Protection Act.

A public authority which does not know what information it holds, or which knows that it has it, but cannot find it, will not be able to respond properly to the requirements of the Act. Publication Schemes set out what information each public authority will make available to the public on a routine basis without waiting for a request to be received. If a class of information is in a Publication Scheme the public authority will be under a statutory duty to make it available according to the terms set out in the Scheme. Without good records management systems, public authorities will have difficulty meeting the commitment in their schemes.

A public authority that continues to hold personal information beyond its rightful use, because it does not have a robust mechanism for disposing of it at the correct time or for “retiring” it for preservation at the Public Records Office, will fall foul of the Data Protection Act.

An integrated approach to records must aim to manage them through their whole life from creation through to final disposal. The proper management of records will be the responsibility of everyone in the organisation, to the extent that they create them or use them in their daily work.

The attached Records Management Policy Statement and Retention and Disposal Schedule sets out how the Gwent Police Authority intends to fulfil its statutory obligations under the Act and Section 46 Code.

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RECORDS MANAGEMENT POLICY STATEMENT AND RETENTION AND DISPOSAL SCHEDULE

This is the Records Management Policy Statement for the Gwent Police Authority.

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1. Introduction

- 1.1 This document sets out an outline and statement of intention for a records management policy.
- 1.2 The policy statement will be kept under review as appropriate strategies are agreed and implemented in order to enable detailed records management systems to be designed.

2. Purpose of the Policy Statement

- 2.1 The goal of any statement/policy on records management should be: *“the creation and management of authentic, reliable and useable records, capable of supporting business functions and activities for as long as they are required...”* (ISO 15489-1, clause 6.2)
- 2.2 The Lord Chancellor’s Code of Practice on the management of records under the Freedom of Information Act 2000 is intended to support the objectives of the FOI legislation by outlining the practices which should be followed by public authorities in relation to the creating, keeping,

managing and disposal of their records. This policy intends to highlight the key areas that need to be considered in order to develop records management practices which are compliant with the Code.

3. Background

- 3.1 Records can be classed as: “recorded information, in any form, created or received and maintained by an organisation or person in the transaction of business or conduct of affairs and kept as evidence.”
- 3.2 The Gwent Police Authority holds a large amount of records all of which are important sources of information and are vital to the operation of the Authority. Management of these records is an administrative discipline which controls all aspects of the life cycle of the record from creation, through to disposal in an appropriate manner.

4. The Need for Records Management

- 4.1 There are a number of pieces of legislation which relate to the effective management of the Police Authority’s records, including:-
 - 4.1.1. The Freedom of Information Act (the FOIA) provides a statutory right of access to information held by public authorities (subject to exemptions). There is an associated Code of Practice on Records Management with which authorities are obliged to comply.
 - 4.1.2. The Data Protection Act 1998 (“the DPA”) entitles individuals to access their personal information which is being processed by another, upon request. Records should be managed in compliance with the procedures under the DPA audit policy.
 - 4.1.3. The Local Government Act 1972 (“the LGA”) provides that (*principal Council’s*) must make proper arrangements with respect to any documents which belong to or are in the custody of the (*Council*) or any of its officers.
 - 4.1.4. The Public Records Act (the “PRA”) ensures that all records are subject to effective management systems.

5. Aims of Records Management

- 5.1 A records management system should aim to ensure:
 - 5.1.1 that records are present:
 - 5.1.2 that they can be easily accessed;
 - 5.1.3 that they can be interpreted with ease;

5.1.4 that the record is a reliable representation of that which it is supposed to document;

5.1.5 that the qualities of the document can be maintained despite any alterations or adaptations over time.

6. Key Requirements of Records Management and Gwent Police Authority Commitments

6.1 The Gwent Police Authority is committed to the creation, storage, management and eventual disposal of records in a manner which accurately documents the functions of the Police Authority and is compliant with this policy.

6.2 The Police Authority is committed to providing a programme for records management and making it a key function within the authority. The programme should cover responsibility for all types of records from creation to disposal and will be, as far as is reasonably possible, adequately resourced and supported. The programme will encompass records in all media and will be organisation wide. Once appropriate strategies have been devised, it will be possible to design the management systems in details.

6.3 Effective records management will also enable the Police Authority to: -

- make better use of space and storage facilities, both physically and electronically;
- make better use of staff time;
- have improved control over records;
- comply with best practice and other Police Authority policies; and
- reduce costs

6.4 Responsibility for Records Management

6.4.1 It is the role of the Chief Executive and Clerk of the Police Authority to endorse this policy, support the resultant policies and provide resources. The Assistant Clerk to the Authority will have a duty to ensure that the Police Authority complies with the legislation concerning records management.

6.4.2 The Authority's Administration Manager will be designated as taking the lead role and being responsible for the function of records management. The Police Authority will appoint/designate staff to assist with this function and they shall have appropriate skills and receive relevant training. **All staff who create, receive and use records will have records management responsibilities at some level.**

6.5 Records Registration

- 6.5.1 When establishing a records management programme and system of registration it is first necessary to establish the activities, functions and structures of the Police Authority. Information surveys/audits will, therefore, be carried out in order to determine what is required in order to implement a system for managing records. The audit will assess the main series of records held and relate them to the functions etc. carried out by each of the relevant Sections of the Police Authority.
- 6.5.2 The Police Authority will ensure that it has, in place, adequate mechanisms for documenting its activities and registering its records. Rules will be developed to ensure that records can be quickly and easily accessed and this will include the implementation of systems to register, index and classify documents. This system will be implemented across the various areas of the Police Authority work to achieve uniformity.
- 6.5.3 The system of record keeping will include rules for referencing, indexing and, where necessary, security marking records. In designing a management system regard should be had to both existing records as well as planning for records which will be created in the future.
- 6.5.4 In order to maintain records efficiently there should be a tracking system in place so that the location of particular records can be established and they can be easily retrieved.
- 6.5.5 The person responsible for the maintenance of this policy statement will develop guidance on the indexing and registration of records.

6.6 Retention/Disposal of Records

- 6.6.1 Disposal of records will take place in accordance with the attached Schedule for the Retention and Disposal of Records. This schedule has been compiled to meet all statutory obligations of the Police Authority.
- 6.6.2 Once records are selected for disposal in accordance with the Schedule the method of disposal should be appropriate to the confidentiality of the record. Where documents are destroyed then this should be done in a secure manner and a record should be kept, containing the reference, a description and the date of destruction.

6.6.3 A system will be developed to record the decisions that have been made in relation to the disposal of records and appraisal of those decisions.

6.6.4 All records should be accurate and not kept longer than is necessary and, in any case, should only be retained for one (or more) of the following criteria: -

- legal requirement
- public interest
- business need

6.6.5 Where a record which is due for destruction becomes the subject of a request for information then destruction should be delayed until the request has been satisfied or, in the case of a refusal, until any complaint and appeal mechanisms have been exhausted. However, before a request for information has been received routine amendments or even deletion can take place.

6.7 Electronic Records

6.7.1 In relation to the management of the Police Authority's electronic records the principles of this policy are of equal application. There are, however, different means of addressing compliance where the information has been captured electronically.

6.7.2 Effectively managing these records will require: maintaining structured folders which logically group information together; security arrangements to ensure that the integrity of the records can be maintained i.e. operating password systems so that unauthorised users cannot access material; protections from loss or destruction etc. It should be remembered that it may be necessary for electronic records to be transmitted from one system to another and their format should be consistent with this. It should also be possible to cross reference electronic records to the corresponding paper records.

6.8 Security of Records and Maintenance

6.8.1 Records management systems will be designed so that records can be maintained securely, with appropriate safeguards and access controls in place. Staff will be trained how to use the systems to their best advantage so that all the potential benefits are realised.

6.8.2 The Police Authority undertakes to regularly audit its records management procedures to ensure compliance with this policy statement and the resultant policies and to incorporate any major changes that need to be made.
