

Document Retention Schedule and Policy

September 2023

Contents

CHAPTER 1: INTRODUCTION.....	3
1.1 Aims and Objectives of the Policy.....	3
1.2 Policy Outcomes.....	3
1.3 Scope.....	3
1.4 (a) What is a Record?.....	4
(b) Why is Records Management Important?.....	4
(c) What is the Public Records Act (1999)?.....	5
(d) Retention.....	5
(e) Destruction.....	6
(f) Minute-taking - Draft and rough notes	6
CHAPTER 2: LEGISLATION.....	7
2.1 Information and Record Related Policies.....	7
2.1.1 Data Protection Act (2018).....	7
2.1.2 The Freedom of Information Act (2015).....	7
2.1.3 The Public Records Act 1999 and the Public the Public Records Order (2015).....	7
2.1.4 Legislation Related to all Areas of the Business.....	7
2.1.5 Legislation Related to a Specific Business Area.....	8
2.2 Information and Record Related Policies.....	8
2.3 The Public Records Act (1999).....	8
2.4 Complying with the Public Records Act (1999).....	9
CHAPTER 3: RECORDS MANAGEMENT.....	10
3.1 Creating.....	10
3.2 Maintaining.....	10
3.3 Storage and Security.....	11
3.4 Roles & Responsibilities.....	12
3.4.1 Chief Executive/Clerk.....	12
3.4.2 Chief Officers/Appointed Officer.....	12
3.4.3 All employees, contractors, consultants and third parties-.....	12
CHAPTER 4: OUTCOME.....	13
4.1 Record Disposal or Transfer.....	13
4.1.1 Disposal.....	13
4.2 Transferring to the Public Record Office – Permanent Preservation.....	14
4.3 Training and Awareness.....	15
4.4 Monitoring and Audit.....	15
4.5 Review.....	15
DEFINITION/ROLES.....	16
COUNCIL TO VARY THE PROCEDURE.....	16
Appendix 1	17
Summary Document Retention Schedule.....	17
Appendix 2	20



Guidance Notes for disposal of paper and electronic records.....	20
Appendix 3	22
Generic records retention schedule.....	22
Appendix 4	23
Internet and Email Policy.....	23
Appendix 5	24
Privacy Notice	24

Policy Review – History:

Please be aware that a hard copy of this document may not be the latest available version, which is available on the intranet, and which supersedes all previous versions.

Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

Effective from:	Replaces:	Originator:	Page X of Y
September 2023	New	Data Protection Officer	Pages 24 Policy 3 - 16 Appendices 17 - 24
Chief Officers' Management Team Approval			
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History or Most Recent Policy Changes – MUST BE COMPLETED		
Version:	Date:	Change:
1	July 2023	New Policy
2	September 2023	COMT Feedback incorporated

INTRODUCTION

1.1 Aims and Objectives of the Policy

Information and records created by the Council are public records under the Public Records Act (1999). Good records management is vital to any area of business. This policy describes how the Council manages information and records effectively and how we deliver a high standard of records management.

The policy will ensure compliance with GDPR (2018) and facilitate the effective administration of Freedom of Information (2015) and Data Subject Access requests.

1.2 Policy Outcomes

This policy will ensure that information and records are created, maintained and, stored securely. It will ensure that they remain usable, authentic and reliable for as long as required. It will ensure that information and records are disposed of appropriately, whether by transfer to the Isle of Man Public Record Office (PRO) for permanent preservation if required, or through an appropriate method of destruction. The policy will help the Council to:-

- Continue to deliver quality services and make informed business decisions;
- Continue transparency and openness;
- Continue good records management, whilst following correct procedures;
- Protect the rights of employees and the public;
- Comply with relevant legislation;
- Provide an audit trail to meet business, regulatory and legal requirements;
- and
- Promote our achievements.

1.3 Scope

This policy is driven by legislation and as a public authority the Council are required by law to manage our records and information effectively, in all formats and mediums, created and received by the Council within the remit of its business needs and activity. This policy applies to all members of staff, contractors, consultants and third parties who work for and on behalf of the Council.

This Policy will provide a corporate policy framework to govern management decisions on whether a particular document (or set of documents) should either be:-

- Retained – and if so in what format, and for what period; or
- Disposed of – and if so when and by what method.

1.4 (a) What is a Record?

All businesses create and keep information and records. They are integral to the operation of any organisation, they provide evidence of what decisions are made, services provided, what interactions and transactions occur, and what policies are developed and communicated. Records can occur in all formats, such as paper, digital, auditory or visual recordings. To define what a record is, the International Council on Archives state that, a record is “recorded information produced or received on the initiation, conduct or completion of an institutional or individual activity and that comprises content, context and structure sufficient to provide evidence of the activity”.¹

In summary a record can include:-

- Minutes of meetings;
- Diaries and calendars;
- Organisational policies and procedures;
- Internal and external emails;
- Internal and external paper correspondence;
- Digital files containing customer data;
- Photographs;
- CCTV recordings; and
- Audio recordings of a telephone call.

All Isle of Man public bodies create public records and are accountable to the public and to government; therefore it is important they keep reliable and authentic records, as it allows business continuity and provides evidence of openness, integrity and transparency.

(b) Why is Records Management Important?

Records Management sets out a comprehensive regime to ensure control over what information and records are created, maintained, stored, destroyed and permanently preserved under the Public Records Act (1999). By using policies, procedures, systems, processes and behaviours, Isle of Man public bodies can ensure that reliable evidence of actions and decisions are kept, and that these records remain available for reference and use for as long as needed.

Having good records management is also important:-

- To understand past business activities;
- To know what records you store;
- To use resources more effectively;
- To preserve the corporate memory; and
- To comply with legislation.

¹International Council on Archives (ICA) Committee on Electronic Records, 2005, p. 11

Risks of poor records management include:-

- Poor decision making and incomplete records;
- Inadequate security for confidential records;
- Loss of vital records;
- Financial loss due to unreliable evidence or fines for non-compliance;
- Legal prosecution due to non-compliance;
- Reputational damage; and
- Increase in costs in storage and staff time.

(c) What is the Public Records Act (1999)?

The Isle of Man Public Record Office is the National Archives of the Isle of Man. The Record Office selects, preserves and maintains records of Isle of Man public bodies that are of historic significance in order to preserve the Island's national and corporate memory for the future. The Public Record Act (1999) sets out the statutory basis for the work of the Public Record Office.

The Public Records Act's primary aim is to permanently preserve Isle of Man **public records** for historical purposes. The Act came into legislation in (1999) and it defines public records as being the administrative and departmental records of Tynwald, central government, other public bodies and the courts. The Public Records Act sets out statutory obligations which Isle of Man public bodies must follow in order to correctly administer the public records they hold.

The Act also highlights the core functions which the PRO will carry out, and it clearly establishes a principle of **partnership** between Isle of Man public bodies and the PRO. The Public Records Act further ensures that public records are properly looked after throughout their working life and that:-

- An informed and documented **process** for selecting public records for permanent preservation is followed;²
- Those records are then **transferred** to the Isle of Man PRO; and
- The public has **access** to public records at the appropriate time for those particular records, taking into account confidentiality and sensitivity.

Isle of Man public bodies have a legal obligation to work together with the PRO to ensure that the regulations set by the Public Records Act are being met.

(d) **Retention** of specific documents may be necessary to:-

- Fulfil statutory or other regulatory requirements;
- Evidence events/agreements in the case of disputes;
- Meet operational needs; and
- Ensure the preservation of documents of historic or other value.

Conversely, the permanent retention of all documents is undesirable, and appropriate disposal is to be encouraged for the following reasons:-

- There is a shortage of new storage space;
- Disposal of existing documents can free up space for more productive activities;
- Indefinite retention of personal data may be unlawful; and
- Reduction of fire risk (in the case of paper records).

There is evidence that the de-cluttering of office accommodation can be psychologically beneficial for many workers.

(e) Destruction – The untimely destruction of documents could cause the Council:-

- Difficulty in defending litigious claims;
- Operational problems;
- Embarrassment; and
- Failure to comply with the Freedom of Information (2015) or Data Protection Acts (2018).

Modern day records management philosophy emphasises the importance of organisations having in place systems for the timely and secure disposal of documents/records that are no longer required for business purposes.

(f) Minute-taking - Draft and rough notes

- Should be destroyed after the date of the confirmation of the minutes.

The Freedom of Information Act (2015) makes it important that the Authority has clearly defined policies and procedures in place for disposing of records, and that these are well documented.

LEGISLATION

2.1 Information and Record Related Policies

The Council is bound by a legal framework on managing information and records appropriately, efficiently and with transparency. It is important to recognise that there are many statutes and regulations relating to public records, which can affect the type of records created, the length of time they are kept and the access restrictions on them. Laws which apply specifically to records and information management are outlined in 2.1.1 to 2.1.3 below:

2.1.1 - The Data Protection Act (2018) and the EU General Data Protection Regulation (2017) – this legislation regulates how personal information should be collected, how it should be managed and for what business purposes personal data can be kept.

2.1.2 The Freedom of Information Act (2015) – this provides Isle of Man residents a legal right to request access to information created from October 2011 onwards and held by Isle of Man public bodies, subject to appropriate exemptions to protect sensitive information. It is important that information and records are discoverable and managed correctly to ensure compliance.

2.1.3 The Public Records Act (1999) and the Public Records Order (2015) – this legislation requires that the Council keeps its public records safe, it works in conjunction with the PRO to select records for permanent preservation, and arranges the transfer of said records³ and the PRO provides public access to the records; usually when they are 30 years or older.⁴

2.1.4 Legislation Related to all Areas of the Business

Some legislation is applicable to all public bodies, and will apply to some or all record types created by the Council. This legislations includes:-

- **Health and Safety legislation** – such as the Health and Safety at Work etc. Act (1974);
- **Financial legislation and regulations** – such as the Treasury Act (1985), the Audit Act (2006) and the Accounts and Audit Regulations (2018);
- **Employment legislation** – such as the Employment Act (2006) and the Rehabilitation of Offenders Act (2001);
- **Limitations Act (1984)** – this establishes the maximum period of time after certain events that legal proceedings can be taken; and

² i.e. providing advice and assistance to public bodies and the use of record retention schedules to make record selection decisions.

³ Records being transferred are usually 30 years or older, however there are sometimes exceptions - Please contact the Isle of Man Public Record Office for guidance.

⁴ There are exceptions in relation to public access restrictions through the Public Records Order 2015.

- **Electronic Transactions Act (2000)** – this is to enable electronic commerce to be put on the same legal footing as paper based commerce, as well as removing any legal impediments to the use of electronic communications with public authorities.

2.1.5 Legislation Related to a Specific Business Area

Some legislation is applicable specifically to the Council, and will apply to some or all records types. This legislation includes:-

- Local Government Act (1985);
- Housing Act (1955);
- Building Control Act (1991);
- Town and Country Planning Act (1999);
- Representation of the People Act (1995);
- Elections Act (2020);
- Audit Act (2006) and Accounts and Audit Regulations (2018).

2.2 Information and Record Related Policies

The Council will follow various policies alongside the legislation outlined in sections 2.1.1-2.1.5. Following these policies will benefit the organisation and help us to manage and operate our information and records efficiently.

- ### 2.3 The Public Records Act (1999) (PRA) gives the authority to the Registrar General [Chief Registrar] to make selection and permanent preservation decisions on public records. The Registrar General is also responsible for guiding, co-ordinating and supervising all arrangements of said selection.⁵

The Public Record Office acts on behalf of the **Registrar General [Chief Registrar]**, and Public Record Office is the place of deposit once public records have been selected for permanent preservation:-

- The PRO provides advice and guidance to the Council on safe-keeping of records and the selection process; and
- The PRA also gives any officer of the Record Office (authorised by the Registrar General [Chief Registrar], permission to examine any public records, for the purposes of permanent preservation, regardless of whether the records are restricted or confidential.⁶

⁵The Public Records Act 1999, S3 (2)

⁶ Ibid S3 (3)

2.4 Complying with the Public Records Act (1999)

To comply with the Public Records Act the Council will:-

- **Safeguard** its records by ensuring that information and records are managed well and stored securely;
 - Work in conjunction with the PRO to select records for **permanent preservation**;
 - Transfer selected records to the PRO at a date mutually agreed between both parties; and
 - Agree on any **access** restrictions to records transferred to the PRO. Public records are usually open to the public once they have reached 30 years old.⁷
- The Council is responsible for documenting (and justifying as required) where records are open before transfer or where they meet the criteria for extended/special closures.

Under the Public Records Act the **PRO** will:-

- **Work** with the Council to guide, coordinate and supervise their work in delivering their responsibilities under the Public Records Act (1999);
- Maintain and **preserve** the transferred records; and
- Provide appropriate **access** to the transferred records to the public.

⁷ Extended closure periods can be implemented through the Public Records Order 2015.

RECORDS MANAGEMENT

3. Creating and Maintaining Good Records

3.1 Creating

When creating records in any format, the Council's employees will follow set procedures and create records which have appropriate and sufficient:-

- **Content** – the information and data contained within the record;
- **Context** – the record needs to relate to other corresponding records and to the organisation and to its specific area of business; and
- **Structure** – the record must be constructed in a logical way, and the information must be able to be interpreted.

By following these values, newly created records will be authentic, reliable, useable, evidential (of business actions) and complete.

The Council will implement the following policies and procedures in relation to the creation of records:-

- Internet and Email Policy

3.2 Maintaining

The Council will maintain good records by creating an **information asset register** and a records **retention schedule**. Each Department will nominate Retention Officers to maintain their register.

The Information Asset Register will:-

- Allow identification of information and records held by the Council and document how they are currently managed;
- Highlight any inadequacies in information security and document which record types are liable for legislative restrictions;
- Identify vital business information and records and how they are protected;
- Help legislative compliance and highlight which records will fall under such Acts; and
- Provide control over information and records, which will enhance the Council's business effectiveness, reduce the time it takes to conduct record-keeping tasks and reduce the costs in storing records.

The records retention schedule will:-

- Provide knowledge/control over the records we create – which in turn enhances business effectiveness;
- Set out a plan for each record during (and after) its business lifetime; and

- Ensure legislative compliance and assist us in avoiding financial repercussions.

The Council will follow the Internet and Email Policy, and the Privacy Notice, to further maintain good records within the organisation.

3.3 Storage and Security

The Council will store information and records securely. This will help ensure:-

- Records are stored appropriately and safe from physical harm;
- Records are found quickly and efficiently;
- Records cannot be used inappropriately or without authorised access;
- Records are organised, easily retrievable for business use and easily shared between the appropriate, authorised parties; and
- The risks of information and records loss, destruction or misuse are minimised.

To store information and records effectively, the Council will:-

- Store all information and records (of all formats) in the appropriate manner to provide a controlled environment where information and records can be easily shared and retrieved for business purposes, and an auditable trail of record transactions is provided;
- Store and maintain information and records in conjunction with the Council's **other record management policies** to ensure continuing access to information;
- Follow the actions set out by the Council's record retention schedule to ensure efficient and economical storage of records;
- Store information and records securely and where appropriate, in accordance with data security classifications (and any Information Security Policies);
- Provide a safe working environment for members of staff; any equipment used to store (all formats of) records will prevent unauthorised access and follow Health and Safety and Fire Regulations;
- Store records in accordance with our business continuity policies, to safeguard all records (including vital records) and provide a continuation of functions within the organisation in times of disruption; and
- Keep full and accurate documentation about destroyed records and records transferred to the Public Record Office for permanent preservation as required to comply with Public Records Act (1999).

3.4 Roles & Responsibilities

3.4.1 - Chief Executive

The CEO has overall responsibility and accountability for records management within the Council. They will ensure that:-

- The appropriate policies, procedures and mechanisms are in place to support service delivery and continuity;
- Appropriate and accurate information is available when required;
- The Council is complying with its statutory functions under the legislation relating to good records management; and
- Monitoring and auditing is carried out as outlined in Section 4.4.

3.4.2 – Chief Officers/Directors

The relevant Director is responsible for ensuring good and controlled records management throughout their sector/area of work. They will:-

- Work alongside the CEO and construct further records management policies and procedures to suit their business needs;
- Assess any potential record management risks;
- Review policies and make the appropriate amendments when needed; and
- Ensure the relevant legislation is being followed and that the Information and Records Management Policy is being implemented throughout the Council.

The Chief Officer/Director will appoint a point of contact for information and record management matters/queries within their department.

3.4.3 – All employees, contractors, consultants and third parties, who create, receive, maintain or have access to the Council's information and records, are responsible for ensuring that they act in accordance within the set policies, guidance and legislative procedures:-

- They must use the relevant policies and procedures for guidance;
- Ownership of any information and records created and held by the Council lies with the organisation, and any unauthorised transfer should not happen under any circumstances;
- If an employee leaves, any information and records in all formats must stay with the Council; and
- In the event of an employee moving roles, agreements must be made to ensure the relevant information and records remain with the outgoing team/position.

OUTCOME

4.1 Record Disposal or Transfer

The Council will use the Isle of Man Public Record Office record retention schedule to document the Isle of Man Public Record Office legal and business retention periods, the Isle of Man Public Record Office's selection decisions (as discussed and agreed with the Public Record Office) and the actions required. Once the retention periods have ceased the Council will follow the actions set out for each record series, either:-

- **Disposal;**
- Selected for **permanent preservation** and transferred to the Public Record Office;
- Or **review** if there is a continued business need.

All Douglas City Council's disposed records will be recorded in a **disposal log** as required to comply with the Public Records Act (1999).

4.1.1 – Disposal

There are two principal options: to transfer (e.g. by passing to another organisation) or to destroy. Managers in operational areas are responsible, within good governance and according to quality management process⁸ for making sure that records are periodically and routinely reviewed to determine what can be transferred or destroyed in line with the Policy. Please refer to Appendix 2 'Guidance Notes for Disposal of Paper and Electronic records'.

There are some records that do not have to be kept at all and staff may routinely destroy such "unimportant" information in the course of their duties. Please refer to the Policy and Appendix A which provides specimens of typical data of this type.

Disposal can be achieved by a range of processes:-

- Confidential waste – i.e. making available for collection by a designated refuse collection service;
- Physical destruction on site (paper records – shredding);
- Deletion – where computer files are concerned; and
- Migration of document to external body.

Chief Officers/Directors/appointed officers should take into account the following considerations when selecting any method of disposal:-

- Under no circumstances should paper documents containing personal data or confidential information be simply binned or deposited in refuse tips. To do so could result in the unauthorised disclosure of such information to third parties, and render the Council liable to prosecution or other enforcement action under the Data Protection Act.

⁸ Process – define activities, checks and delivers intended outputs.

Such documents should be destroyed on site (e.g. by confidential waste like Doxbond).

- Deletion – If steps are taken to make data virtually impossible to retrieve, then this will be regarded as equivalent to deletion.
- Migration of documents to a third party (other than for destruction or recycling) is unlikely to be an option in most cases. However, this method of disposal will be relevant where documents or records are of historic interest and/or have intrinsic value. The third party here could well be the Public Record Office (“PRO”). “Migration” can, of course, include the sale of documents to a third party. The CEO is the point of reference in cases where migration to the PRO or other external archive is considered a possibility.
- Recycling – wherever practicable disposal should further recycling, in line with the Council’s commitment to their waste disposal strategy.

4.2 Transferring to the Public Record Office – Permanent Preservation

The Council’s records that are 30 years or older which have been selected for permanent preservation will be transferred to the Isle of Man Public Record Office (PRO). Both institutions have a statutory responsibility under the Public Records Act (1999) to **work together** to ensure public records of historic value are preserved, transferred and made accessible to researchers.

To start this process, the Council will contact the PRO to discuss their records and their retention schedule periods. A collective decision will be made on what is selected for permanent preservation and transferred to the PRO. Before transfer the Council will provide the PRO with:-

- A listing of the relevant records for transfer;
- Contextual information regarding the records;
- Agreed closure periods on any records;
- A signed transfer agreement, authorised by the appropriate Chief Officer identified in section 3.3.; and
- Secure physical transportation of the records to the PRO.

The Council will decide the fate of any un-selected records in accordance with our records retention schedule and create a disposal list for future reference.

4.3 Training and Awareness

Relevant training and awareness in information/records management and Public Records Act (1999) compliance will be available for all relevant Council employees. Engaging in training, and having established lines of communications (with relevant parties), will ensure that employees are aware of their obligations to the various policies, procedures and legislation in their area of work.

4.4 Monitoring and Audit

Implementation of this policy and all related policies and procedures will be monitored primarily by the nominated retention officers in each department with the support of the Data Protection Team and periodically monitored by the Data Protection Team.

Audits play a valuable role in maintaining good governance, integrity and attaining specific business objectives. Successful auditing is only possible if there is good records management – following record management policies, procedures and legislation will protect our business values, enhance our reliability and transparency during the auditing process.

Information and records management will be included within the management and governance arrangements.

The Council will conduct an audit every 2 years.

External audits may be conducted by external bodies on the request of the Council or as required by relevant authorities, for example, the Isle of Man Information Commissioner.

4.5 Review

This information and Record Management Policy will be reviewed every 3 years and amendments will be made in accordance to current best practice and procedures.

The PRO will be notified of all revisions to this policy and all related policies, procedures and retention schedules. Agreement and approval will be sought to these revisions to ensure the requirements of the Public Records Act (1999) are met.

DEFINITIONS:

This policy provides information and advice about record retention, transfer and destruction. It applies to ALL records held by the Council regardless of the media on which they are held.

ROLES:

All

AUTHORITY TO VARY THE PROCEDURE:

Chief Executive Officer/Head of Paid Service

Appendix 1

Summary Document Retention Schedule

Indefinitely

- (a) Council and Committee agendas and minutes (review after 25 years if they can be transferred), includes Partnership and External Meetings;
- (b) Register of delegations to Committees;
- (c) Process of finalising annual budget;
- (d) Summary management of loans;
- (e) Summary management reporting on the overall assets;
- (f) Corporate planning;
- (g) Conveyancing (review after 25 years if they can be transferred to the public records office);
- (h) Leases to the Council (review for destruction after 25 years);
- (i) Personnel Information (refer to HR Schedule), Occupational Health Records 75 years;
- (j) Property History (rate books and rate cards);
- (k) Register of Housing Applications;
- (l) Rateable values and valuations;
- (m) Disposal of Assets & Land;
- (n) Transfer and adoption of assets & land;
- (o) Health and Safety policies & training records (destroy after 50 years);
- (p) Work with asbestos (destroy after 40 years);
- (q) Prosecutions;
- (r) Civic and Royal Events;
- (s) Summary Certificate of those eligible to vote;
- (t) Marketing campaigns, publications and newsletters (one print into archive);
- (u) Process to develop Emergency/disaster plan;
- (v) Activities that report on all major incidents;
- (w) Bye-Law's enactment;
- (x) Summary management systems for location of burials and identity of deceased individuals;
- (y) Recording information on historical buildings, monuments and ecology; and
- (z) Building control registers.

12 years

- (a) Contracts under Seal, (includes Tenancy Agreements);
- (b) Process for Managing Tenancy of individual Tenants;
- (c) Disposal Certificates;
- (d) Specification process under Seal; and
- (e) Process of inspecting building work (destroy 10 years after the issue of a certificate of final inspection).

7 years

- (a) Legal Action;
- (b) Leases from the Council (destroy 7 years from the termination or expiry);
- (c) Complaints / claims and enquiries Summary (7 years after all obligations/entitlements concluded (allowing for claimant to reach 25 years of age);
- (d) Department planning;
- (e) Media Release;
- (f) Applications for Social Housing after allocation or withdrawal;

- (g) Social housing records (after tenancy comes to an end);
- (h) Legal Advice;
- (i) Staff Training (after left);
- (j) Rent payments;
- (k) Rate appeals;
- (l) Building Maintenance (after disposal of building);
- (m) Vehicle documents (after vehicle disposal);
- (n) Process of recording drivers usage;
- (o) Process of insuring property, vehicles and equipment against negligence, loss or damage;
- (p) Health and Safety Assessments;
- (q) Activities that report on all minor incidents in the local community (accidents or near misses that has acceptable consequences but which recurring events warrant an investigation);
- (r) Reports to central Government (i.e. Climate Change, Housing);
- (s) Organisational charts;
- (t) Policy implementation;
- (u) Process of recording vehicle usage for the lifetime of the vehicle;
- (v) Asset Management; and
- (w) Classification Schemes Register.

6 years

- (a) Staff Accident Information;
- (b) Council actions/policy/procedure reports/correspondence and Ombudsman;
- (c) Final Specification;
- (d) Tenders (successful);
- (e) Contracts (includes Tenancy Agreements);
- (f) Management and amendment to contract;
- (g) Process of termination of staff;
- (h) Summary management of insurance arrangements;
- (i) Identification of the receipt, expenditure and write offs of public money;
- (j) Budgeting, monitoring and review;
- (k) Salary and wages records;
- (l) Invoices and Receipts;
- (m) Bank statements;
- (n) Loans;
- (o) Budgets;
- (p) Grounds maintenance;
- (q) Insurance claims; and
- (r) Process of inspecting equipment.

5 years

- (a) Complaints about Members (5 years after the subject has left the Council);
- (b) Equal Opportunities;
- (c) Honours and submissions;
- (d) Process of monitoring strategic plans;
- (e) Quality and performance, best value review;
- (f) Staff Performance and monitoring;
- (g) Consultation working papers and responses;
- (h) Process of renewing insurance policies; and
- (i) Process of regulation of burials and cremation.

3 years

- (a) Reports / Recommendations / supporting documents;
- (b) Designing publications;

- (c) Process and interaction with media;
 - (d) Process of providing legal advice on a point of Law;
 - (e) Cross Department consideration / discussion / debate; and
 - (f) Enforcing building or land regulations (after compliance with enforcement notice).
- 2 years**
- (a) Contract operation and monitoring;
 - (b) Process of developing annual budget;
 - (c) Routine responses on Council actions / policy procedure (printed material and formal letters);
 - (d) Assessing quality and performance process (Assessment form);
 - (e) Expressions of Interest;
 - (f) Process of arranging the collection or transportation of household waste;
 - (g) Preparing business for external meetings; and
 - (h) Process of administering and enforcing bye-laws after the matter is complete.
- 1 year**
- (a) Election documents (applies only to materials left after submission of significant items to Registry);
 - (b) General correspondence (including e-mails and any other electronic communication);
 - (c) Application forms and interview notes;
 - (d) Tender issuing (1 year after start of contract);
 - (e) Unsuccessful Tender (post tender negotiation);
 - (f) Consulting public and staff in minor policy development;
 - (g) Ballot Papers, 6 months from close of Poll; and
 - (h) Declaration of Results, 6 months from date of Election.
- 12 - 24 months** - Final Written Warning
- 12 months** - Formal Written Warning
- 6 - 12 months** - Oral Warning
- 0 months** - Draft / rough minutes and audio tapes, destroy after date of confirmation of minutes.

Appendix 2

Guidance Notes for Disposal of Paper and Electronic Records

These guidance notes are to be used in conjunction with the Retention of Records Policy.

In this context records include, paper and electronic records, emails, plans, charts, images, as well as videos, DVDs, CDs, USB drives, floppy disks, audio recordings all of which should be considered within the policy.

1. Under the Public Records Act (1999), records cannot be destroyed without reference to the retention policy and schedule.
2. In order to retain an audit trail of records which have been transferred or destroyed, a register will be retained within the Council's Intranet System.
3. Where the retention policy is not clear or where clarification is required as to whether a record should be transferred or destroyed the CEO or Assistant Chief Officer (Democratic Services) should be consulted. The Chief CEO or Assistant Chief Officer will in turn seek clarification from the Public Record Office before a decision to destroy, transfer or retain is made.
4. Any records which are identified for destruction will be examined by the relevant team manager who will authorise the destruction and sign-off the Disposal of Record Form.



5. The Disposal of Record Form will be forwarded to Central Secretarial Support Service who will update the register for transferred and disposed records accordingly.

Table 1 below summarises the type of record which may be routinely destroyed, subject to exceptions identified by the retention schedule.

Table 1

<ul style="list-style-type: none">▪ Compliment Slips.▪ Externally provided catalogues and magazines such as sales literature, industry magazines, specifications and the likes.▪ Telephone slips where the information has been transferred to a file note.▪ Trivial e-mail or notes not related to the core business of the Council.▪ Out of date distribution lists, address books and telephone directories.▪ Early and incomplete draft documents which have not been shared outside the Council.▪ Duplicated data, which is repeated elsewhere.
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Table 2 below summarises the principal reasons why information **should not** be destroyed.

Table 2

<p>The record is to be retained as the result of legal requirement or falls within the retention period set out in the policy.</p> <p>The record might be called upon as evidence to prove that something has happened. For example, it may be required for possible legal proceedings or investigation.</p> <p>The record forms part of a live Freedom of Information request.</p> <p>There is doubt as to whether the record can be destroyed and a response from the Public Record Office is required.</p>

All records that have been identified for destruction must be checked for personal data, confidential or business sensitive content and should be destroyed in as secure manner as appropriate to the level of confidentiality associated with the record. For example: shredding or disposal by a reputable waste company.

Appendix 3

**Generic records Retention Schedule
for Isle of Man Local Authorities
issued by the Public Record Office**

Available at: <https://www.gov.im>

Appendix 4

Digital Information Services Usage and Security Policy (2023)

Available on DBC Intranet

Appendix 5

Privacy Notice

Available at: <http://douglas.gov.im>