

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

30 JANUARY 2018

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

DATA RETENTION POLICY

1. Purpose of Report

- 1.1 The purpose of this report is for Cabinet to approve the Data Retention Policy which will set out the Council's responsibilities and activities in respect to the data it holds with an emphasis on the introduction of a data retention schedule agreed by all Directorates.

2.0 Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The report links to the following improvement priorities in the Corporate Plan:-
Smarter use of resources

3. Background

- 3.1 Information is one of the Authority's greatest assets and its usage is a major responsibility. Records should be kept for as long as they are needed to meet the operational needs of the Authority, together with legal and regulatory requirements. It is essential that the Authority only stores the information that it needs to and increase its ability to deliver value for money, customer focused services to the benefit of the Borough, its customers and the Authority.
- 3.2 A retention policy is a key document in the management of records and information. Disposal schedules will generally fall into two main categories:
- Destroy after an agreed period – where the useful life of the records can be easily predetermined (for example destroy after two years)
 - Automatically select for permanent preservation – where the records/information can be readily defined as worthy of permanent preservation and transferred to an archive.
- 3.3 The Data Retention Policy attached as **Appendix 1** covers all areas of the Authority and all information, documents and data that is created and collected in paper and electronic format and accessed by the public, staff, Elected Members and partners. Schools are expected to develop their own data retention policies.
- ##### 4. Current proposal / proposal
- 4.1 The General Data Protection Regulation will come into force in May 2018 and introduce additional requirements around the retention of personal data compared to the current Data Protection Act 1998. Given that breach of these provisions can

lead to the imposition of considerable fines, data retention is not simply a matter for IT but the whole Authority with potentially significant financial impact if it is not right.

4.2 Generally personal data held by the Authority should only be retained for as long as necessary. The retention periods will differ based on the type of data being processed, the purpose of the processing or other factors. Issues to consider include whether there any legal requirements apply for the retention of any particular data, for example employment, social services. In the absence of any legal requirements, personal data should only be retained as long as necessary for the purpose of the processing.

4.3 To date, the Authority has always followed the retention periods recommended by the Local Government Classification Scheme and Retention Guidelines for Local Authorities.

4.4 The Data Retention Policy attached as **Appendix 1** aims to define the Authority's obligations and responsibilities in the handling and storage of data in relation to the Data Protection Act 1998. The policy establishes and verifies retention periods for the Authority's data depending on the type of personal data and the purpose of the processing to ensure that the Authority:

- Creates and captures accurate, authentic and reliable records
- Maintains records to meet the Authority's business needs
- Disposes of records that are no longer required in an appropriate manner
- Protects vital records
- Shares information in accordance with guidelines and legislation
- Conforms to any legal and statutory requirements

4.5 The Retention Schedule which forms part of the Policy is based on the Local Government Classification Scheme and Retention Guidelines for Local Authorities. It will be for all officers and Elected Members to have responsibility and accountability for the maintenance and use of information.

4.6 The Policy and the retention schedule will be reviewed annually by the Corporate Information Governance Board which has representation from each Directorate.

5. Effect upon Policy Framework and Procedure Rules

5.1 There will be no direct effect on the Policy Framework & Procedure Rules. All policies will be updated as necessary to meet the requirements of the General Data Protection Regulation.

6. Equality Impact Assessments

6.1 There are no equality implications arising from this report.

7. Financial Implications

7.1 Any cost of implementation will be met from within current revenue budgets.

8. Recommendation

- 8.1 It is recommended that Cabinet approve the Data Retention Policy attached as Appendix 1.

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10. Background documents:

- 10.1 Local Government Classification Scheme and Retention Guidelines for Local Authorities