

Information Management Guidelines:

Democracy

Central Information Team
Version 2.2 Draft



North Tyneside Council

DOCUMENT CONTROL SHEET

Document Title: Information Management Guidelines:
Democracy

Revision History

Issue Number	Date	Reason for issue
1.0	Dec 2006	New guidelines replacing '2004 Retention Policy'
2.2	March 2016	New guidelines

Document Authorisation

Issue Number	Date	Group
1.0	Dec 2006	Rob Worrall Head of Policy and Performance
2.2	March 2016	Viv Geary Head of Law and Governance

DISTRIBUTION LIST

Issue No:	Issued to
1.0	All staff via intranet
2.2	All staff via intranet

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Class / Activity	Scope Notes	Retention action	Rationale
6 Democracy			
6.1 NTC – Preparation agenda and reports	Agenda and reports	Destroy 6 years after the date of the meeting.	Statutory
6.2 NTC – Preparation background documents	Background documents	Destroy 4 years after the date of the meeting.	Statutory
6.3 NTC - Recording decisions	The process of recording the decisions of Council, Cabinet, a Committee or Sub-Committee of the Council such as minutes of meetings	Permanent. Transfer to archive store 6 years after the date of the meeting.	Statutory
6.4 NTC – filmed meetings	Filmed recordings of Council meetings.	Permanent transfer to website/ YouTube channel. Destroy hard copy.	NTC practice
6.5 NTC - Minute taking	Handwritten notes Draft minutes	Destroy after date of confirmation of the minutes	Common practice
6.6 NTC - Overview and scrutiny in-depth investigations.	Correspondence Notes of fact finding meetings, interviews or site visits Surveys Written evidence.	Destroy 4 years after the publication of the scrutiny report.	Statutory

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Class / Activity	Scope Notes	Retention action	Rationale
6.7 Partnership and ext – Preparation agenda and reports	<ul style="list-style-type: none"> • Agendas • Reports 	Destroy 6 years after the date of the meeting.	NTC practice
6.8 Partnership and ext – Preparation background documents	<ul style="list-style-type: none"> • Background and supporting documents 	Destroy 4 years after the date of the meeting.	NTC practice
6.9 Partnership and ext - Recording the decisions of partnerships	<ul style="list-style-type: none"> • Documents establishing the committee • Minutes 	Permanent. Transfer to archive store 6 years after the date of the meeting.	NTC practice
6.10 Partnership and ext - Meetings	<p>The process of preparing business for external committees' consideration, and making the record of discussion, debate and resolutions, where the local authority does not own the record.</p> <ul style="list-style-type: none"> • Documents establishing the committee • Agenda • Reports • Minutes • Supporting documents 	Destroy 3 years after the date of the meeting.	Common practice

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6.11 Statutory appointments - Appointment files	List of statutory appointments of the council.	Permanent - offer to archivist	LGCS (2007) refers to RGLA (2003) 6.24, which refers to common practice.
6.12 Statutory appointments - Vacancy files	The process of selection of an individual for a statutory position. Vacancy files	Destroy - 2 years after date of appointment	LGCS (2007) refers to RGLA (2003) 6.25, which refers to common practice.
6.13 Constitution	The constitution of the council.	Permanent - offer to archivist	LGCS (2007) refers to RGLA (2003) 1.4, which refers to common practice
6.14 Member - Gifts and hospitality	Register of gifts and hospitality.	Destroy - 18 months after member leaves office	LGCS (2007) states 18 months
6.15 Member - Register of Interests	Members' disclosure of any involvement in organisations and income received from other bodies, which may affect their actions as council members.	Destroy - 6 months after member leaves office	Neither LGCS (2007) or RGLA (2003) provide guidance.
6.16 Forward Plan	The list of items to be considered by the cabinet over the next four months.	Working document rather than a record	NTC practice
6.17 Elections - European	European election ballot papers.	Destroy 1 year after election	European Parliamentary Elections Regulations 1999
6.18 Elections -	Local election ballot papers.	Destroy 6 months from close of poll	Representation of the People Regulations 1986 and Local Elections (Parishes and Communities) Rules 1986. RGLA 1.2

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Class / Activity	Scope Notes	Retention action	Rationale
6.19 Elections - results	Consolidated returns of votes received	Destroy 6 months from close of poll	LGCS (2007) refers to RGLA (2003) 1.3, which states it is statutory
6.20 Elections - Summary certification	Summary certification of those eligible to vote.	Permanent - offer to archivist	Representation of the People Regulations 1986

Information Management Guidelines

1. Introduction

This document covers democracy records and information no matter which service holds or uses them.

This retention & disposal schedule has been produced in consultation with departments primarily responsible for the business activities and key stakeholders in the processes to establish the legal and regulatory requirements, and business needs on which record retention and disposal policies are based.

This document is part of framework of policies, procedures and guidelines that aim to ensure the Council manages information and records appropriately.

2. Retention periods

A key part of managing information and records is ensuring that they are retained for as long as necessary. Necessary relates to not only the local use by staff but also relates to: -

- use by other parts of the Council. For example internal audit, insurance and legal activities
- compliance with legal and regulatory obligations and responsibilities placed on the Council as a whole
- accounting for decisions made which affect the public or relate to spending public money

The following tables provide recommended retention periods for document types based on the functions/activities they relate to. They should be read in conjunction with the procedure for reviewing and appraising records.

There are some types of information that do not constitute a record and do not need to be kept at all. For example information that is duplicated, unimportant or only of short-term facilitative value.

This may include:

- 'with compliments' slips
- catalogues and trade journals
- telephone message slips
- non-acceptance of invitations
- trivial electronic mail messages or notes that are not related to official business
- requests for stock information such as maps, plans or advertising material
- out-of-date distribution lists
- working papers which lead to a final report

3. Explanation of headings and terms

Class:

Records relating to an activity or function and their position within the classification scheme.

ICO Employment Practices DP code:

Employment Practices Data Protection Code Part 1: Recruitment & Selection (March 2002)

<http://www.ico.gov.uk>

LGCS (2007):

2007 Local Government Classification Scheme 2.03, which incorporates retention periods.

Scope Notes:

An explanation of what types of records should fit within the class.

Records:

Records are defined as: -

information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations, or in the transaction of business.

Retention Action:

This entry provides a retention period specifying how long the records should be kept prior to destruction (or transfer to permanent archive), as well as the activity/transaction/event to which the retention period should be tied to (e.g. "destroy 3 years after last action")

Rationale:

This section provides reasons for the retention period.

RGLA (2003):

2003 Retention Guidelines for Local Authorities; A guide produced by the Local Government Group of the Records Management Society.

TNA RDG (guidance number):

The National Archives - Retention and Disposal Guidance

<http://www.nationalarchives.gov.uk/recordsmanagement/retention-disposal-schedules.htm>

4. Independent Inquiry into Child Sexual Abuse

On Thursday 12 March 2015 the Home Secretary established a statutory inquiry under the 2005 Inquiries Act with the aim of conducting an overarching national review of the extent to which institutions in England and Wales have discharged their duty of care to protect children against sexual abuse.

The Inquiry is independent of government. The Chair is Professor Alexis Jay OBE, who is supported by a Panel, Victims and Survivors Consultative Panel, and other expert advisers. The Inquiry will cover England and Wales. A wide range of public institutions will be investigated including local authorities, the police, the armed forces, schools, hospitals, children's homes, churches, and charities.

On 2nd July 2015 the Inquiry wrote to every Chief Executive of a Local Authority in England and Wales, requesting that the organisation :

'retain any and all documents; correspondence; notes; emails and all other information – however held – which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care. For the purposes of this appendix, the word "children" relates to any person under the age of 18.'

We must not destroy, and must make available for inspection, all reports; reviews; briefings; minutes; notes and correspondence in relation to:

- allegations (substantiated or not) of individuals, organisations
- institutions, public bodies or otherwise who may have been involved in, or have knowledge of, child sexual abuse, or child sexual exploitation
- allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children
- institutional failures to protect children from sexual abuse or other exploitation
- statutory responsibilities for the care of children in public or private care
- the development of policy on child protection
- the development of legislation on child protection
- the determination of the award of Honours to persons who are now demonstrated to have had a sexual interest in children or are suspected of having had such an interest.

All of these document types – in whatever format – must be “retained pending further requests from the Inquiry”

The instructions received by the Inquiry constitute a legal hold as defined by section 12.3 of the code of practice issued under Section 46 of the Freedom of Information Act. As such all records that fall within the above categories are retained, and not destroyed, until we are directed otherwise.