

## West Sussex County Council Democracy and Governance Retention Schedule

### Introduction

The County Council's record retention and disposal schedule for Democracy and Governance has been developed by the Democratic Services department in collaboration with the Records Management Service. The schedule applies to both hard copy and electronic records.

This retention schedule identifies Democracy and Governance record types. Each of these record types has then been allocated a retention period based on legislation, business need, best practice, or a combination of these.

The schedule is a vital tool to ensure the council complies with the Data Protection Act 2018 and UK GDPR.

### Why this schedule is important

Democracy and Governance activities produce many types of record. It is vital that these are organised in a manner that makes them retrievable and retained for a suitable period of time.

The council has a legal duty not to retain information longer than is necessary, as outlined in the [Principle \(c\): Data minimisation](#) of UK GDPR. It is also important that council resources are not being used to store records and data that are no longer required, whilst also ensuring these are not destroyed or deleted too soon. Having a fully implemented, comprehensive and regularly updated retention schedule enables the council to meet these legislative duties.

A further explanation as to why a retention schedule is important can be found on the Information Commissioner's Office website as part of [Principle \(e\): Storage Limitations](#) of UK GDPR.

### Using the Record Retention and Disposal Schedule

The retention schedule is not based on the current directorates and business units of the council, but rather the overall functions and activities. This means it will remain relevant in the event of future re-structuring or renaming of directorates and business units.

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- Definition of terms

Term	Definition
Function	The top-level function within the County Council, e.g. Children's Services
Activity	The activity within the function, e.g. social care
Code	A unique code given to each record type
Record Type	The different types of record used to carry out the activity, e.g. case file
Retention Period	The number of years the record type should be retained before being reviewed for destruction or permanent archive
Retention Period Calculated From	The point at which the retention period begins. This may be the date of birth or the last contact with an individual, the end of a contract, or something else
Statutory Provision / Justification	The reason for the retention period. This is usually based on legislation, business need, best practice or a combination of these
Contains Personal Data?	Yes/No - Does the record type contain any of the following information about an individual: name, address, telephone number, email address or any other information that could identify the individual?
Action	A description of what happens once the retention period is up. This will usually be that the record will be reviewed for destruction or further retention, or appraised for permanent preservation in the County Archives
Additional Notes	Any additional information or caveats relating to the record type, the retention period or the action
Fileplan	List of functions, activities, and record types to form the main reference tool of the retention schedule

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- When should information be retained beyond agreed retention schedule?

Information may occasionally be retained beyond the agreed retention period. The 'Retention Period Calculated From' date may begin again if:

- a case has been re-opened;
- a new case activity has occurred;
- it is felt there is an ongoing business or care need to retain the record; or
- an inquiry or police investigation require a record or group of records to be retained

### **Destruction process**

Paper records authorised for destruction are confidentially destroyed. Electronic records are deleted from council systems.

### **What items go into permanent archive?**

When a record has been designated for destruction or deletion it may be randomly selected or appraised by an archivist from the West Sussex Record Office to determine if it holds historical value. If this is the case, it may be retained permanently in the council's corporate archive.

### **Limitations**

Many types of record do not have specified retention periods in law or in official local government guidance. To develop this schedule, departments have reviewed and provided updates for their areas to establish a 'best practice' retention period where there is not one in legislation. Further, a review of the best practices adopted by some other local authorities was conducted during the creation of the schedule.

Deleting information from a system is not always a straightforward matter. Where an IT system does not allow for part-deletion of a record, the Council will consider data protection legislation and guidance from the Information Commissioner's Office (ICO).

## The Retention Schedule

### Democracy and Governance

#### DG1 Decision Making

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.1	Committee Meetings, minutes, agendas and agenda papers: Principal set	Permanent	Date of meeting	Historical significance - Local Government Act 1972 s100c, Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	No	Permanent preservation in Record Office	
DG1.2	Committee Meetings, minutes, agendas and agenda papers: Drafts	3 months	Confirmation of principal / signed set	Business need	No	Destruction	
DG1.3	Committee Meetings, minutes, agendas and agenda papers: Background papers	4 years	Date of meeting	Local Government Act 1972 s100d, Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	No	Destruction	

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DG1.4	Corporate Management Team Meetings, minutes, agendas and agenda papers: Principal set	5 years	Date of meeting	Historical significance	No	Permanent preservation in Record Office	
DG1.5	Corporate Management Team Meeting, minutes, agendas and agenda papers: Drafts	3 months	Confirmation of principal / signed set	Business need	No	Destruction	
DG1.6	Webcasts of Council meetings	6 years	Date of meeting	To match the period of public access to the committee papers. Discretionary	No	Destruction	
DG1.7	Cabinet briefing papers	6 years	Date of meeting	Historical significance	No	Permanent preservation in Record Office	
DG1.8	Briefing material for cabinet members, chairmen or committee members	2 years	Date of briefing material	Business need	No	Destruction	

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DG1.9	Petitions to the County Council	2 years for full petition including signatories' details, 6 years for topic and contact details of petition organiser. Topics raised at County Council or committee meetings will be retained under DG1.1 above	Date of petition	Business need	No	Destruction	

**DG2 Elections**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG2.1	Voting papers (local elections only)	6 months	Close of poll	Representation of the People Regulations 2001	No	Destruction	
DG2.2	Declaration of results (Local elections only)	6 months	Date of election	Representation of the People Regulations 2001	No	Destruction	
DG2.3	Records relating to County Council elections	Permanent	N/A	Representation of the People Regulations 2001	Yes	Permanent preservation in Record Office	
DG2.4	Electoral registers - Summary certification of those eligible to vote. Hard copy held and sometimes electronic version.	Permanent	N/A	Electoral Registration and Administration Act 2013	Yes	Permanent preservation in Record Office	
DG2.5	Election expenses	2 years	Date of election	Representation of the People Regulations 2001	Yes	Destruction	

**DG3 Governance**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG3.1	Constitution	Permanent	N/A	Best Practice	No	If superseded pass to Record Office for permanent archive	
DG3.2	Delegation Schemes	Permanent	N/A	Local Government Act 2000	No	If superseded pass to Record Office for permanent archive	
DG3.3	Register of compliance with Code of Conduct under the Local Government Act 2000	1 year	End of term of office	Local Government Act 2000	No	Destruction	
DG3.4	Register of officer interests	2 years	End of employment	Local Government Act 1972	Yes	Destruction	
DG3.5	List of politically restricted posts	2 years	When superseded by a new or amended version	Local Government and Housing Act 1989; Local Democracy and Construction Act 2009	No	Appraisal by Record Office	



### DG4 Honours and Awards

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG4.1	Nominations for Honours	10 years	Date of nomination	Business need	Yes	Preservation in Lieutenancy Office	
DG4.2	Receipts of national awards other than Honours	10 years	Date of receipt	Business need	Yes	Preservation in Lieutenancy Office	
DG4.3	Congratulations letters from Chief Executive to people or organisations in West Sussex that have been awarded Honours	6 years	Date of letter	Business need	Yes	Preservation in Lieutenancy Office	

**DG5 Members**

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG5.1	Personal contact details of people corresponding with senior members (the Chairman, Leader and Cabinet Members)	2 years	When information is obtained	Best practice - to enable the County Council to respond to the correspondent, possibly after detailed investigation. Records are then held in case the correspondent needs to make contact again, to maintain a clear audit trail of a case. MPs' correspondence can be kept for up to 5 years if a topic is of ongoing significance.	Yes	Destruction	Carried out annually
DG5.2	Personal contact details of people making community initiative fund applications (CIF fund closed in 2020, so final records can be deleted in 2026)	4-6 years	When information is obtained	CIF spend can be monitored and audited	Yes	Destruction	Application forms are included in committee papers / background papers

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DG5.3	Personal contact details of members of the Council	As long as that member remains a member of the Council	Cessation of membership	Consent given by members upon election by them submitting a contact details form	Yes	Destruction	Many are published on the website as members are based in their local communities
DG5.4	Identification documents for members of the Council	1 year - any documents solely required for DBS checks can be destroyed after the certificate has been issued.	When information is obtained	Part of is Disclosure and Barring Services checks	Yes	Destruction	
DG5.5	Personal contact details of former members of the Council	4 years	Cessation of membership	Keeping former members in touch with certain council news, including the deaths of members and former members	Yes	Destruction	Written check carried out to all former members on database after 4 year period

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DG5.6	Personal contact details of parish council clerks	1 year or up to 5 years if a response isn't received.	Cessation of time as clerk	Consent given by clerk	Yes	Destruction	Check done every year by emailing all parish clerks. Information to be made public on the website and details for internal use only
DG5.7	Personal contact details of parish council chairmen	1 year or up to 5 years if a response isn't received.	Cessation of time as chairman	Information provided by parish clerk - for internal use only	Yes	Destruction	Check done every year by emailing all parish clerks.
DG5.8	Member Panels for senior staffing matters	30 years	Date of panel	Local Government Act 2000 (Section 15)	Yes	Permanent preservation in Record Office	
DG5.9	Register of members interests, gifts, hospitality and related party transactions	6 years	Date of next election	Local Government Act 1972 Section 94 (1)	Yes	Destruction	

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG5.10	Witness contact details, including public speakers at Planning and Rights of Way Committee	2 years	Date of committee or meeting	Consent given by witnesses following their agreement to be a witness to a committee or other meeting. Held to enable follow-up contact	Yes	Destruction	
DG5.11	Records relating to the creation and maintenance of the members Code of Conduct	6 years	When superseded	Best practice	No	Review for permanent preservation by Record Office	
DG5.12	Records relating to the investigation of complaints about breaches of the Members Code of Conduct	6 years after the ending of the member's period as a councillor	Date investigation completed	Best practice	Yes	Destruction	
DG5.13	Member Training Records	4 years after the ending of the members' period as a councillor	Election where the member ceases to be a member	Best practice	Yes	Destruction	

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DG5.14	Independent Remuneration Panel working papers, agendas and minutes	8 years	Date of Governance Committee that considers the IRP's recommendations	The need to refer to previous methodology in future reviews.	No	Destruction	

**DG6 Planning**

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
DG6.1	Planning application comments	6 years	Date of application	Consent given by commenters when they leave comments on website	No	Destruction	

**DG7 Policy**

<b>Code</b>	<b>Record Type</b>	<b>Retention Period</b>	<b>Retention Period Calculated From</b>	<b>Statutory Provision / Justification</b>	<b>Contains Personal Data?</b>	<b>Action</b>	<b>Additional Notes</b>
DG7.1	Records of meetings between Cabinet and MPs	6 years	Date of meeting	Business need	No	Destruction	
DG7.2	Responses to Consultations (when not a cabinet member or committee decision in line 4 above)	6 years	Date of consultation response	Business need	No	Destruction	
DG7.3	Devolution Project	Permanent	N/A	Business need and potential use in future projects	No	Permanent preservation in Record Office	

### DG8 Wards and Boundaries

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG8.1	Records created by the process of managing wards and boundaries	Permanent	N/A	Business need and historical significance	No	Permanent preservation in Record Office	