

West Sussex County Council Recycling & Waste Services Retention Schedule

Introduction

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

This retention schedule identifies Recycling & Waste Services 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

Recycling & Waste Services 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.

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

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

Recycling and Waste Services

WS1 Recycling

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
WS1.1	Recycling Credit payment documents / agreements	Current year + 2	Date of document / agreement	Environment Protection Act 1990	N	Permanent archive	Finance system holds history of actual payments made to each party.
WS1.2	Records of waste minimisation undertaken by the County Council	Current year + 5	Date of record	Environment Protection Act 1990	N	Permanent archive	n/a
WS1.3	All Records relating to the Recycling Waste Handling Contract (RWHC) including: Records relating to the management of Recycling Centre's, Transfer stations and Materials Recycling Facility. Maintenance reports submitted by contractors relating to the kit and equipment on sites. Information supporting payments made to the contractor monthly.	Start of OJEI, plus contract term + 6 years Contract term 2004 - 2033	From 01/11/2000 when the OJEU notice was issued	Environment Protection Act 1990, WDA duty DEFRA financed the contract under a PFI, so records need to be retained. Household Waste Recycling Act 2003 Environmental Permitting Regulations (England and Wales) 2010	N	Retain for six years from end of contract then secure disposal	n/a

WS2 Waste Disposal

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
WS2.1	Waste Transfer Notes	Current year + 6 years	Date note provided	The Environmental Protection (Duty of Care) Regulations 1991	N	Secure disposal	n/a
WS2.2	Weighbridge Tickets	Current year + 6 years	Date vehicle tipped at site	Environment Protection Act 1990, WDA duty Weights & Measures Act 1985 (Section 18)	N	Secure disposal	Spreadsheet sent to the Authority for payment purposes contain some details and are kept as per contract.
WS2.3	All Records relating to the Materials Recycling Management Contract (MRMC) including: Records relating to the management of the MBT. Maintenance reports submitted by contractors relating to the kit and equipment on sites. Reports made every month during the life of the contract. Information supporting payments made to the contract on a monthly basis	Start of OJEI, plus contract term + 6 years Contract term 2010 – 2035 Possible 5-year extension 2035-2040	From 22/09/2008 when Biffa was selected as the preferred bidder	Environment Protection Act 1990, WDA duty Environmental Permitting Regulations (England and Wales) 2010	N	Retain for 6 years from end of contract then secure disposal	n/a

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
WS2.4	All Records relating to the RDF Off-Take Contract	Start of OJEI, plus contract term + 6 years Contract term 2018 – 2023 Possible 5-year extension 2023-2028	OJEI 2017	Environment Protection Act 1990, WDA duty	N	Retain for 6 years from end of contract then secure disposal	n/a
WS2.5	All records relating to Abandoned Vehicles contracts	Contract term + 6 years Contract term 2014 – 2024 Possible x-year extension 2014-20xx	Last action on contract	Environment Protection Act 1990, WDA duty Clean Neighborhoods and Environment Act 2005	N	Retain for 6 years from end of contract then secure disposal	n/a

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
WS2.6	All records relating to Clinical Waste Disposal Contracts	Contract term + 6 years Contract term 2019 – 2022 Possible 3-year extension 2019-2025	Last action on contract	Environment Protection Act 1990, WDA duty	N	Retain for 6 years from end of contract then secure disposal	n/a

WS3 Waste Facilities

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
WS3.1	Records relating to the licensing and environmental control of closed landfill sites, transfer stations, recycling centres, MRF, MBT and any other sites used by the Recycling and Waste service undertaking its duty	Life of site	N/A	Environmental Permitting Regulations (England and Wales) 2010 The Local Government Act 1972	N	Permanent archive	n/a

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
WS3.2	Closed landfill after care files including: Estate Management. Gas and Environmental monitoring. Water sampling. Pump Maintenance	Contract term + 6 years	End of contract	Environmental Permitting Regulations (England and Wales) 2010 The Local Government Act 1972	N	Retain for 6 years from end of contract then secure disposal	n/a
WS3.3	Recycling Centre vehicle permit Applications (digital)	Data retained until customer advises they have changed vehicle/address or 10 years.	Date of application	To allow use of sites in certain vehicle types	Y	Data deleted	n/a
WS3.4	Recycling Centre booking system data (digital)	6 Months	Date of application	To ensure no more than 5 visits per month	Y	Data deleted	n/a