



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET – 3 OCTOBER 2022
Report Number	AGENDA ITEM 7
Subject	DATA RETENTION POLICY
Wards affected	All
Accountable member	Cllr Lisa Spivey – Cabinet Member for Corporate Services Email: <a href="mailto:lisa.spivey@cotswold.gov.uk">lisa.spivey@cotswold.gov.uk</a>
Accountable officer	Claire Hughes, Business Manager for Corporate Responsibility Email: <a href="mailto:claire.hughes@publicagroup.uk">claire.hughes@publicagroup.uk</a>
Summary/Purpose	This report seeks approval for an updated Data Retention Policy to ensure compliance with the Council's statutory obligations whilst at the same time being open and transparent in relation to records management.
Annexes	Annex A – Data Retention Policy October 2022
Recommendation(s)	<i>That Cabinet approve the Data Retention Policy attached at Annex A</i>
Corporate priorities	Delivering our services to the highest standards
Key Decision	NO
Exempt	NO
Consultees/ Consultation	No external consultation required



## 1. BACKGROUND

- 1.1 Information is one the Council'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 Council, together with legal and regulatory requirements. It is essential that the Council stores only the information that it needs to and increases its ability to deliver value for money, customer focused services for the benefit of the District, its customers and the Council.
- 1.2 A Data 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
- 1.3 The Data Retention Policy attached as Annex A covers all areas of the Council 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.

## 2. MAIN POINTS

- 2.1 To ensure compliance with Data Protection legislation, data retention must be applied across the whole Council and to all types of record. Without due process in place the Council be at risk of fines from the Information Commissioners Officer.
- 2.2 Retention periods vary depending on the type of data being processed, the purpose of the processing and any legal requirements that apply to that particular data. Therefore to assist in the Council's proper management of data the attached Policy sets out the retention periods that should be applied.
- 2.3 The Data Retention Policy aims to define the Council's obligations and responsibilities in the handling and storage of data. It establishes and verifies retention periods for the Council's data depending on the type of data and the purpose of the processing to ensure that the Council:



- Creates and captures accurate, authentic and reliable records;
- Maintains records to meet the Council's business needs;
- Disposes of records that are no longer required in an appropriate manner;
- Protects vital records;
- Conforms to any legal and statutory requirements

**2.4** 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.

### **3. CONCLUSIONS**

**3.1** The revised Data Retention Policy updates previous versions to ensure that the Council remains compliant with all relevant legislation and is open and transparent around its processes for the retention of data.

### **4. FINANCIAL IMPLICATIONS**

**4.1** There are no financial implications arising from this report.

### **5. LEGAL IMPLICATIONS**

**5.1** There are no legal implications arising directly from this report.

### **6. RISK ASSESSMENT**

**6.1** Failure to adhere to the statutory retention periods could result in the Council being subject to fines from the Information Commissioner.

### **7. EQUALITIES IMPACT**

**7.1** There are no equality implications arising from this report.

### **8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

**8.1** There are no climate change implications arising from this report

### **9. ALTERNATIVE OPTIONS**

**9.1** Cabinet could choose not to approve the updated Policy. However, this would increase the Council's risks around data management.



## 10. BACKGROUND PAPERS

10.1 The following documents have been identified by the author of the report in accordance with section 100 D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- Current Data Retention Procedures:  
<https://www.cotswold.gov.uk/media/y1tji4lr/corporate-data-retention-procedures-v9-december-2021.pdf>

These documents will be available for inspection online at [www.cotswold.gov.uk](http://www.cotswold.gov.uk) or by contacting democratic services [democratic@cotswold.gov.uk](mailto:democratic@cotswold.gov.uk) for a period of up to 4 years from the date of the meeting.

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