

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).

Council processes may mean that there is some duplication of documents (e.g. where items are reported through several different forums, e.g. informal and formal meetings), but this will be avoided as far as possible.

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The Retention Schedule

Democracy and Governance

DG1 Meetings and Decision Making

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.1	All formal committee and task and finish group meeting minutes and agenda papers (principal set) and executive decision records (Including officer key decisions)	Permanent	Date of meeting or publication of decision	Historical significance - Local Government Act 1972 s100c, Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	No, but may contain exempt details (known as "Part II")	Permanent preservation of hard copies in Record Office (with any Part II papers clearly identified by Democratic Services in the submission form to the Record Office, so that access to these can be restricted)	Electronic versions should be deleted from the website via Modern.gov after 6 years and from SharePoint after 10 years (as useful for internal admin purposes). N.B. See sections DG1.12 for other records relating to the Planning & Rights of Way Committee; section DG1.13 for the Forward Plan; DG1.14 for records of key decision approvals; and section DG5.10 for details of complaints dealt with by the Standards Committee

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.2	Drafts of all formal committee meeting minutes and agenda papers and executive decisions reports	3 months	Confirmation of principal / signed set or publication of decision	Business need	No	Destruction	This includes papers for pre-agenda meetings (PrAMs)
DG1.3	Background papers for all formal committee meeting agenda papers and executive decisions	4 years	Date of meeting or publication of decision	Local Government Act 1972 s100d, Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	No	Destruction	Background papers are held electronically in the Mod.Gov library

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.4	Appointing Committee Records, including details of those selected for interview for senior officer positions	6 months for unsuccessful applicants selected for interview; permanent for those appointed to senior officer positions (to be held on their personal file)	The date of the Appointing Committee meeting	In line with HR procedures	Yes	Records are held and will be deleted by the HR Resourcing Team	All records held by Democratic Services are forwarded to the HR Resourcing Team and are removed from DS systems within one month of the Appointing Committee meeting. The HR Resourcing Team will delete records for unsuccessful applicants after 6 months; records for those who are appointed will be held on their personal file.
DG 1.5	School Transport and Staff Appeals Panel papers (agendas, reports, notes)	6 years	The date of the Appeal hearing	In case of any further appeal or clarification required	Yes	Records are held and will be deleted by Legal Services.	Any records held by Democratic Services are forwarded to Legal and are removed from DS systems within one month of the Appeals hearing.

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.6	Final reports of task and finish groups carrying out key decision preview that are not reported as part of a formal Cabinet or committee meeting	6 years	Date of reporting or publication	Historical significance - Local Government Act 1972 s100c, Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012	No, but may contain exempt details (known as "Part II")	Permanent preservation of hard copies in Record Office as part of decision record (with any Part II papers clearly identified by Democratic Services in the submission form to the Record Office, so that access to these can be restricted)	Electronic versions should be deleted from the website via Modern.gov Library after 6 years and from SharePoint after 10 years (as useful for internal admin purposes).

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.7	All informal member meeting minutes and agenda papers, including for cabinet member round-ups and 1 to 1s, task and finish groups and business planning groups	4 years	Date of briefing or meeting	Business need	No	Destruction	Electronic copies saved on the Democratic Services SharePoint site and Mod.Gov where relevant
DG1.8	Executive Leadership Team Meetings, minutes, agendas and agenda papers: Principal set	6 years	Date of meeting	Business need and to match retention period for formal decisions reviewed	No	Destruction	Delete from Modern.gov and SharePoint after 6 years Managed by the Policy Team
DG1.9	Webcasts of Council meetings	6 years	Date of meeting	To match the period of public access to the committee papers. Discretionary	No	Destruction	

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DG1.10	Agenda papers for Cabinet Briefing	6 years	Date of meeting	Business need and to match retention period for formal decisions reviewed	No	Destruction	Delete from Modern.gov and SharePoint Cabinet Briefing is an informal meeting held between members of the Cabinet and the Executive Leadership Team
DG1.11	Briefing material for members, including provided for cabinet members, scrutiny and member development sessions	4 years	Date of briefing or meeting	Business need	No	Destruction	Shared with members via the Mine (members' intranet) Delete from SharePoint

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.12	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	Yes	Destruction	
DG1.13	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	

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG1.14	Forward Plan	6 years	When published	To align with retention policy for decision records	No	Destruction	Hard copies are not retained. Electronic copies are held on the website for 6 years and SharePoint for 10 (as useful for internal admin purposes).
DG1.15	Records of key decision approvals (copies of e-mail approvals)	10 years	Date of publication of decision	Provides audit trail for key decision approval	No	Destruction	No hard copies are retained; electronic copies are saved on SharePoint (provide audit trail of approval) and deleted after 10 years, in line with the retention policy for key decisions

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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 and parent governor elections for scrutiny)	6 months	Close of poll	Representation of the People Regulations 2001	No	Destruction	Voting papers for County Council elections are generally held by district/ borough councils. Voting papers for the election of parent governor representatives to the Children and Young People's Services Scrutiny Committee are held by Democratic Services
DG2.2	Declaration of results (local elections only)	6 months	Date of election	Representation of the People Regulations 2001	No	Destruction	Hard copies or electronic copies of declarations received from district/ borough councils

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG2.3	Summary of results of County Council elections	Permanent	N/A	Representation of the People Regulations 2001	Yes	Permanent preservation in Record Office	Records are stored in Democratic Services, pending permanent preservation.
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	Each district/borough council to send a copy of their electoral register each time it is published
DG2.5	Election expenses	2 years	Date of election	Representation of the People Regulations 2001	Yes	Destruction	Held by WSCC Democratic Services
DG2.6	Parent governor elections: personal details of those standing for election	6 months for those who are not elected; 5 years for those who are elected	Date of election	Consent given upon election. Parent governors who are elected are normally appointed for a 4 year term.	Yes	Destruction	Parent governors who are elected to become members of the scrutiny committee are normally appointed for a 4 year term. Their details will be retained for this period plus one further year.

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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	For internal reference purposes	No	Electronic copy in Democratic Services	The minute books for the County Council provide a hard copy of most changes to the Constitution.
DG3.2	Officer Onward Schemes of Delegation (below Scheme of Delegation in Constitution)	6 years	When superseded by a new or amended version	Local Government Act 2000	No	If superseded, pass to Record Office for archive	Copies held both by the relevant Director and Director of Law & Assurance
DG3.3	Register of compliance with Code of Conduct under the Local Government Act 2000	4 years	End of term of office	Local Government Act 2000	No	Destruction	Acceptance of Code of Conduct and Registers of interest are held in Democratic Services for four years after end of term of office.
DG3.4	Register of officer interests	2 years	End of employment	Local Government Act 1972	Yes	Destruction	This register is held by the Director of Law and Assurance

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
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	Held by the Director of Law and Assurance

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 King's Awards for Enterprise and King's Awards for Voluntary Service	10 years	Date of receipt	Business need	Yes	Preservation in Lieutenancy Office	

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG4.3	Congratulations letters from the Chairman to people or organisations in West Sussex that have been awarded Honours	2 years	Date of letter	Business need	Yes	Preservation in Chairman's Office	

DG5 County Councillors and other contact details

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG5.1	Correspondence - Personal contact details of people corresponding with senior councillors (the Chairman, Leader and Cabinet Members), including letters received and responses sent	2 years (or 5 years for MPs' correspondence if topic is of ongoing significance)	When information is obtained, such as a final response is given.	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

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Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG5.2	Personal contact details of people making community initiative fund (CIF) applications	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 CIF closed in 2020, so final records can be deleted in 2026
DG5.3	County councillors' personal contact details	4 years	Cessation of membership	Consent given by councillors upon election by them submitting a contact details form Details are retained for 4 years to keep former councillors in touch with certain council news, including the deaths of councillors and former councillors	Yes	Destruction	Some contact details may be published on the WSCC website Written check carried out to all former members on database after 4 year period
DG5.4	County councillors' personal data (age, gender, photographs etc)	As long as that councillor remains a member of the Council	Cessation of membership	Consent given by county councillors upon election	Yes	Destruction	

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DG5.5	Identification documents for county councillors for DBS checks	1 year - any documents solely required for DBS checks can be destroyed after the certificate has been issued.	When information is obtained	Part of Disclosure and Barring Services checks	Yes	Destruction	
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	Annual check carried out 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	Destruction	

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DG5.9	Register of members interests, gifts, hospitality and related party transactions	8 years	End of Council term	Local Government Act 1972 Section 94 (1)	Yes	Destruction	Held in case of any challenges to decision making processes
DG5.10	Records relating to the investigation of complaints about breaches of the Members Code of Conduct	4 years after the councillor ceases to be a member of the Council	Date investigation completed	Best practice	Yes	Destruction	
DG5.11	Member Training Records	Within six months of the councillor ceasing to be a member of the Council	Election where the councillor ceases to be a member of the Council	Best practice	Yes	Destruction	
DG5.12	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	

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DG7 Policy

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG7.1	Records of meetings between Cabinet and MPs	6 years	Date of meeting	Business need	No	Destruction	Held by the Policy Team

DG8 Wards, divisions and Boundaries

Code	Record Type	Retention Period	Retention Period Calculated From	Statutory Provision / Justification	Contains Personal Data?	Action	Additional Notes
DG8.1	Records relating to boundary changes (to the county boundary and/or Council divisions)	Permanent	N/A	Business need and historical significance	No	Permanent preservation in Record Office	Outcomes of boundary reviews carried out by the Electoral Review Panel (final schemes approved by Parliament)