



Ministry
of Justice



HM Courts &
Tribunals Service

Upper Tribunal Administrative Appeals Chamber

Records Retention and Disposition Schedule

Introduction

1. This schedule applies to the records that are created and managed by the Upper Tribunal Administrative Appeals Chamber (UTAAC). It has been agreed following consultation between UTAAC and the Departmental Records Officer's (DRO) team in the Ministry of Justice.
2. As a public body, the MoJ takes its responsibilities for managing information seriously. These responsibilities include compliance with the Public Records Act 1958, UK General Data Protection Regulation (GDPR), the Data Protection Act 2018, Freedom of Information Act 2000 (FoIA) and amending legislation. The MoJ uses Records Retention and Disposition Schedules (RRDS) to manage its compliance with statutory obligations to identify what information and records we hold, how long we keep it and what should happen to these records at the end of that time.
3. UTAAC is governed by The Tribunal Procedure (Upper Tribunal) Rules 2008 and amending legislation.

More about this schedule

4. None of the records listed below are selected for permanent preservation and transfer to The National Archives (TNA).
5. This schedule is split into three tables:
 - a. Records unique to Upper Tribunal Administrative Appeals Chamber
 - b. Records held by various teams within HMCTS where a common retention and disposition policy is applied.
 - c. Records subject to MoJ's corporate retention policies

6. If a Freedom of Information Act 2000 request or a subject access request under the General Data Protection Regulation and Data Protection Act 2018 is received, a hold must be put on the relevant records for at least **three months** after the request is resolved.
7. While the Independent Inquiry into Child Sexual Abuse (IICSA) continues its work, the moratorium on the destruction of records of potential interest remains in place.
8. While the UK Covid-19 Inquiry continues its investigations, any records of potential interest to the Inquiry, as set out in published Terms of Reference, will be retained. Further information can be found at: <https://covid19.public-inquiry.uk/uk-covid-19-inquiry-terms-of-reference-2/>.
9. As part of its commitment to transparency, this schedule will be published on the MoJ's webpage: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>.

The schedule

Table A: Unique records held by UTAAC

No.	Record type	Retention and disposition
1.	Social Security and Housing Benefit cases	Keep for one year following final judicial action or decision of the case and then destroy.
2.	Cases concerning <ul style="list-style-type: none"> • War Pensions • Child Support • Health, Education and Social Care • Judicial Review • Safeguarding Vulnerable Groups • Appeals from General Regulatory Chamber 	Keep for one year following final judicial action or decision of the case and then destroy.
3.	Traffic Appeals from Traffic Commissioners Office	Keep for one year following final judicial action or decision of the case and then destroy.

Table B: Records managed by a common retention and disposition policy across HMCTS (applies to more than one jurisdiction)

No.	Record type	Retention and disposition
4.	Tribunal Decisions ¹ (known as 'Official Records')	Keep permanently in the Chamber ²
5.	Recordings of hearings	Keep for one year following final judicial action or decision of the case and then destroy.
6.	Listings, bookings, and similar operational records	Keep for one year from date of disposal and then destroy
7.	Records created as part of governance and assurance processes including: <ul style="list-style-type: none"> • Key Control Check Sheets (KCCS) • Standard Operating Controls (SOC) • Previous equivalents 	Destroy in line with the HMCTS Governance and Assurance RRDS

Table C: Records subject to MoJ's corporate retention policies

No.	Record type	Retention and disposition
8.	Paper copies of records that have been digitised	Keep for no longer than 30 days from date scanned and then destroy ³ .
9.	HR information (held by line managers)	Destroy in line with the <i>What to keep</i> ⁴ guidance
10.	Business continuity plans (held by business)	Updated annually. Keep previous versions for three years and then destroy.

¹ A selection of decisions from January 2016 onwards are published and can be found at: <https://www.gov.uk/administrative-appeals-tribunal-decisions>. A selection of earlier decisions can be found at: <https://administrativeappeals.decisions.tribunals.gov.uk/Aspx/default.aspx>.

² Judges' clerks are now transferring selected judgments to The National Archives for publication at: https://caselaw.nationalarchives.gov.uk/judgments/advanced_search?court=ukut-aac.

³ This allows for time to check that digital copies are usable before destruction

⁴ *What to keep* is available at: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>

No.	Record type	Retention and disposition
11.	Finance and risk management information	Keep for seven years and then destroy.
12.	All other types of record not specified above, including copies of records which are owned by other business areas ⁵	Keep for up to three years and then destroy.

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Signed: 30 January 2023

⁵ If the business identifies record types which need a new retention period, they should contact the DRO's team.