

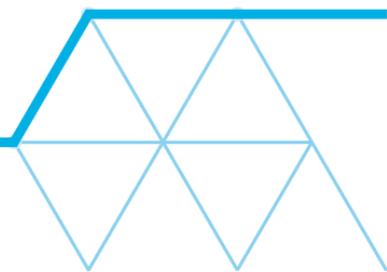


# Prisons and Probation Ombudsman

## Records Retention and Disposition Schedule

### Introduction

1. This schedule has been drawn up following consultation between staff working for the Prisons and Probation Ombudsman (PPO) and for the Departmental Records Officer (DRO) 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, General Data Protection Regulation, the Data Protection Act 2018, Freedom of Information Act 2000 and amending legislation. The MoJ uses Records Retention and Disposition Schedules (RRDSs) to manage its compliance with its statutory obligation to identify what we hold, how long we keep it and what should happen to these records at the end of that time.
3. The Prisons and Probation Ombudsman is appointed by the Secretary of State for Justice following a pre-appointment scrutiny hearing by the House of Commons Justice Select Committee. The PPO is an administrative public appointment with no legal or statutory basis.
4. This schedule is split into two:
  - a. Records unique to the PPO
  - b. Records held by various teams within the MoJ and its associated bodies and where a common retention and disposition policy is applied.
5. The main changes to the schedule are a reduction in the length of time that some records are held following a review of the information that is necessary to PPO's work.
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 destruction of relevant records until 20 working days after the request is resolved.



7. While the Independent Inquiry into Child Sexual Abuse (IICSA) continues its investigations, the moratorium on the destruction of records of potential interest to IICSA remains in place. All government departments and their associated bodies (in common with other public sector bodies) are required to comply with the moratorium. All business areas should apply the moratorium to any records covered by the following criteria:
- documents which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care
  - the document types include, but are not limited to, correspondence, notes, emails, and case files, regardless of the format in which they are stored (digital, paper, CDs, etc)
  - for the purposes of this instruction, the word “children” relates to any person under the age of 18
  - further information about the moratorium is available on IICSA’s website at: [www.iicsa.org.uk/news/chair-of-the-inquiry-issues-guidance-on-destruction-of-documents](http://www.iicsa.org.uk/news/chair-of-the-inquiry-issues-guidance-on-destruction-of-documents).
8. As part of its commitment to transparency, this schedule will be published on the MoJ’s webpage: [www.gov.uk/government/publications/record-retention-and-disposition-schedules](http://www.gov.uk/government/publications/record-retention-and-disposition-schedules).

## The schedule

No.	Record type	Retention and disposition
<b>1. Unique records held by PPO</b>		
1.	Complaints	<p>Keep for <b>two years</b> from the date of the final decision, then:</p> <ul style="list-style-type: none"> <li>• Case information should be kept until <b>20 years</b> old and then destroyed</li> <li>• Final report (except annexes) should be reviewed: <ul style="list-style-type: none"> <li>○ Where operationally relevant, keep until <b>20 years</b> and then destroyed</li> <li>○ All other reports should be kept for a further <b>three years</b> and then destroyed.</li> </ul> </li> <li>• All other records (including report annexes) should be destroyed</li> </ul>

No.	Record type	Retention and disposition
2.	Fatal incident investigations <sup>1</sup>	<p>Keep for <b>two years</b> from the date that the anonymised final report is published, then:</p> <ul style="list-style-type: none"> <li>• Final report (except annexes) should be kept until 20 years old (and then destroyed)</li> <li>• Case information should be kept until 20 years old (and then destroyed)</li> <li>• All other records (including report annexes) should be destroyed</li> </ul>
3.	Learning lessons bulletins & reports <sup>2</sup>	<p>Keep for <b>three months</b> from date of publication, then:</p> <ul style="list-style-type: none"> <li>• Data spreadsheets and data analysis should be kept until 20 years old (and then destroyed)</li> <li>• All other records should be destroyed</li> </ul>
4.	PPO annual report <sup>3</sup>	<p>Keep for <b>twelve months</b> from the date of publication, then:</p> <ul style="list-style-type: none"> <li>• Data spreadsheets and data analysis should be kept until 20 years old (and then destroyed)</li> <li>• All other records should be destroyed</li> </ul>
5.	PPO business, corporate and strategic plans <sup>4</sup>	<p>Keep drafts and related documents for <b>twelve months</b> from the date of publication and then destroy.</p>
6.		

<sup>1</sup> Anonymised final reports are published on PPO's website at: [www.ppo.gov.uk/document/fii-report/](http://www.ppo.gov.uk/document/fii-report/).

<sup>2</sup> Learning lessons final reports are published on PPO's website at: <https://www.ppo.gov.uk/document/learning-lessons-reports/>

<sup>3</sup> Annual reports are published on PPO's website at: [www.ppo.gov.uk/document/annual-reports/](http://www.ppo.gov.uk/document/annual-reports/)

<sup>4</sup> All corporate documents are published on PPO's website at: <https://www.ppo.gov.uk/document/corporate-documents/>

No.	Record type	Retention and disposition
	PPO policy documents including, but not limited to: <ul style="list-style-type: none"> <li>• Statutory remit</li> <li>• Review of Terms of Reference</li> <li>• Review of framework documents</li> <li>• Extension of remit</li> </ul>	Keep for <b>seven years</b> from the date of the final decision, then review: <ul style="list-style-type: none"> <li>• Where operationally relevant, keep permanently (or for another seven years and then review again)</li> <li>• All other records should be destroyed</li> </ul>
<b>2. Records managed by a common retention and disposition policy</b>		
7.	Signed contracts	Keep for <b>six years after contract ends</b> and then destroy. <sup>5</sup>
8.	Contracts: records of performance, meetings, complaints, changes to requirements, variations and extensions	Keep for <b>six years after contract ends</b> and then destroy. <sup>6</sup>
9.	HR information (held by line managers)	Destroy in line with the <i>What to keep</i> <sup>7</sup> guidance
10.	Freedom of Information Act and Data Protection Act responses	Folders are closed annually. <ul style="list-style-type: none"> <li>• ICO investigations should be kept for <b>four years</b> from the date of the last correspondence and then destroyed.</li> <li>• All other responses should be kept for <b>three years</b> after the date of the last correspondence and then destroyed.</li> </ul>
11.	Parliamentary Questions (PQs)	Store in folders by financial/calendar year which are closed annually.

<sup>5</sup> Limitation Act 1980 s.5 sets the time limit for actions founded on simple contracts (signed under hand) at six years

<sup>6</sup> Limitation Act 1980 s.5 sets the time limit for actions founded on simple contracts (signed under hand) at six years

<sup>7</sup> *What to keep* is available at: [www.gov.uk/government/publications/record-retention-and-disposition-schedules](http://www.gov.uk/government/publications/record-retention-and-disposition-schedules)

No.	Record type	Retention and disposition
		Keep for <b>one year after closure</b> and then destroy.
12.	Minutes of internal meetings including, but not limited to: <ul style="list-style-type: none"> <li>• Senior management team</li> <li>• Diversity &amp; Equality group meetings</li> <li>• Team</li> </ul>	a) Minutes and reports Keep for <b>five years</b> and then review: <ul style="list-style-type: none"> <li>• Where operationally relevant, keep for another five years and then review</li> <li>• All other records should be destroyed</li> </ul> b) Agendas and other paperwork should be kept for <b>one year</b> and then destroyed
13.	Finance and risk management	Store in folders by financial year which are closed annually. Keep for <b>seven years</b> after closure and then destroy.
14.	Business continuity plans	Updated throughout the year. Keep previous versions for <b>three years</b> and then destroy.
15.	All other types of record not specified above, including copies of records which are owned by other business areas <sup>8</sup>	Keep for <b>three years</b> and then destroy.

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**Signed: 08 August 2019**

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<sup>8</sup> If the business identifies record types which need a new retention period, they should contact the DRO's team.

