



Independent Monitoring Authority Records Retention and Disposition Schedule

Introduction

1. This schedule applies to the records that are created and managed by staff employed by the Independent Monitoring Authority for the Citizens' Rights Agreements (IMA). It has been agreed following consultation between the IMA and the Departmental Records Officer's (DRO) team in the Ministry of Justice.
2. As a public body, the IMA 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 IMA uses a Records Retention and Disposition Schedule (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. The IMA was established by the European Union (Withdrawal Agreement) Act 2020. Its responsibilities are set out in Schedule 2 of the Act.¹

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 two sections:
 - a. Records unique to the IMA.
 - b. Records held by various teams within the MoJ and which IMA has chosen to adopt.
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.

¹ Schedule 2 can be read at: <http://www.legislation.gov.uk/ukpga/2020/1/schedule/2>

7. While the Independent Inquiry into Child Sexual Abuse (IICSA) continues its investigations, the moratorium on the destruction of records of potential interest 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:
- a. documents which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care
 - b. 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)
 - c. for the purposes of this instruction, the word “children” relates to any person under the age of 18
 - d. further information about the moratorium is available on IICSA’s website at: <https://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: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>.

The schedule

No.	Record type	Retention and disposition
A. Unique records held by the IMA		
1.	Complaints and investigations	Keep for seven years and then destroy
2.	Documents supporting the preparation of published accounts	Keep for seven years from the date of publication and then destroy.
3.	Documents supporting the preparation of corporate reports including, but not limited to, annual report, business plan	Keep for three years from the date of last correspondence and then destroy.
4.	Statistical reports/management information	Keep for seven years from the date of publication

No.	Record type	Retention and disposition
5.	Correspondence with the Chief Executive	Where correspondence concerns an ongoing investigation, keep until the investigation is completed plus seven years , and then destroy. All other correspondence: keep for two years from the date of last correspondence and then destroy.
B. Records managed by a common retention and disposition policy		
6.	Paper copies of records that have been digitised	Keep for no longer than 30 days from date scanned and then destroy ² .
7.	a) Records and information held in open internet tools (e.g. YouTube videos, podcasts) ³ b) Records and information held on mobile phones (e.g. text messages, WhatsApp) c) Instant Messages (Skype, Teams, etc)	Keep for three months and then transfer to the corporate memory or destroy
8.	HR information (held by line managers)	Destroy in line with the <i>What to keep</i> ⁴ guidance
9.	Responses to Subject Access Requests	Keep for two years from date of last action and then destroy.
10.	Responses to Information requests made under: <ul style="list-style-type: none"> • Freedom of Information Act • Environmental Information Regulations 	Keep for two years from date closed (whether routine or ICO) and then destroy.
11.	GDPR and Data Protection Act registration and notification records (paper and electronic)	Keep for two years and then destroy
12.	Business continuity plans (held by business)	Updated annually. Keep previous versions for three years and then destroy.

² This allows for time to check that digital copies are usable before destruction

³ Staff should check the intranet for more detailed guidance: *Guidance for using Open Internet Tools*

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

No.	Record type	Retention and disposition
13.	Contracts (value up to £10,000): including, but not limited to: signed contracts, records of performance, meetings, complaints, changes to requirements, variations and extensions (up to £10,000)	Keep for six years after contract ends and then destroy. ⁵
14.	Finance and risk management information	Keep for seven years and then destroy.
15.	Submissions as required by ministers or policy teams, other correspondence with Private Office, Chief Executives' Offices, etc including Ministerial responses to submissions and other documents	Keep for seven years and then destroy.
16.	All other types of record not specified above, including emails and copies of records which are owned by other business areas ⁶	Keep for no more than three years and then destroy.

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Signed: 14 June 2021

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

⁶ If the business identifies record types which need a new retention period, they should contact the DRO's team.