



Ministry
of Justice



HM Courts &
Tribunals Service

Property Chamber (HM Courts and Tribunals Service) Records Retention and Disposition Schedule

Introduction

1. This schedule has been drawn up following consultation between staff working in the Property Chamber of HM Courts and Tribunals Service (HMCTS) and staff working 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 (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. The Property Chamber's work is governed by The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 and amending rules.
4. The Property Chamber covers the following jurisdictions:
 - a. Residential Property
 - b. Land Registration
 - c. Agricultural Land and Drainage

More about this schedule

5. None of the records described below are sent to archives for permanent preservation and transfer to The National Archives. This schedule is split into three sections:
 - a. Records unique to the Property Chamber
 - b. Records held by various teams within HMCTS where a common retention and disposition policy is applied.
 - c. Records held by various teams within the MoJ and its associated bodies and where a common retention and disposition policy is applied.

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
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:
 - 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>.

¹ See rows 16 and 17 for maximum retention period

The schedule

Table 1. Unique records held by the Property Chamber

Table 1a. Residential Property

No.	Record type	Retention and disposition
1.	Case papers except in the case of the jurisdictions and circumstances listed in rows 2-3 below	Keep for one year from the date closed and then destroy
2.	a) Appointment of Manager cases b) Banning orders	Keep for 20 years and then review <ul style="list-style-type: none"> Where operationally relevant, keep for further 20 years and then review again. Repeat until no longer required. Where no longer required, destroy immediately
3.	Estate Management Schemes decisions	Keep for 20 years and then review. <ul style="list-style-type: none"> Where operation relevant Destroy

Table 1b. Land Registration

No.	Record type	Retention and disposition
4.	Case papers	Keep for two years from the date closed and then destroy

Table 1c. Agricultural Land and Drainage

No.	Record type	Retention and disposition
5.	Case papers	Keep for one year from the date closed and then destroy

Table 1d. All jurisdictions of the Property Chamber

No.	Record type	Retention and disposition
6.	Decisions	Keep permanently in the Chamber
7.	Audio recordings	Keep for same period as case papers and then destroy except for 2(a), (b) and 3 where the recording should be destroyed after one year.

Table 2. Records managed by a common retention and disposition policy across HMCTS (applies to all jurisdictions)

No.	Record type	Retention and disposition
8.	Minutes and papers of meetings (non-judicial)	Keep for seven years and then destroy.
9.	Performance indicators, statistics and management information	Keep for 10 years and then review: <ul style="list-style-type: none"> Where operationally relevant, keep for another five years and then repeat the process until the item is no longer needed. Where no longer needed, destroy.
10.	Administrative complaints (for judicial complaints see the schedule for Tribunal Presidents' Support Offices)	Keep for three years from date of last response and then destroy
11.	General correspondence – not related to cases	Keep for one year from date of last response and then destroy
12.	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
13.	Judicial HR records	Destroy in line with the Presidents' Support Offices RRDS

Table 3. Records managed by a common retention and disposition policy

No.	Record type	Retention and disposition
14.	HR information (held by line managers)	Destroy in line with the <i>What to keep</i> ² guidance
15.	Responses to Subject Access Requests	Keep for nine months and then destroy.
16.	Background information (held by business) for responses to information requests made under: <ul style="list-style-type: none"> • Freedom of Information Act³ • Environmental Information Regulations NB. See footnotes showing where the answers to these requests are held	Keep for one year and then review: <ul style="list-style-type: none"> • Where operationally relevant, keep for another year and then repeat the process until the item is no longer needed. Where no longer needed, destroy immediately.
17.	Finance and risk management information	Keep for seven years after closure and then destroy.
18.	Business continuity plans	Updated annually. Keep previous versions for three years and then destroy.
19.	All other types of record not specified above, including copies of records which are owned by other business areas ⁴	Keep for three years and then destroy.

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² *What to keep* is available at: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>

³ The answers to these requests are held by Disclosure (see row 40 of the MoJ HQ schedule)

⁴ If the business identifies record types which need a new retention period, they should contact the DRO's team.