

# **SSRO**

Single Source  
Regulations Office

## **Information Management: Retention and Disposal Policy**

## Retention and Disposal Policy

### 1. Purpose of this document

- 1.1 This document sets out the policy of the Single Source Regulations Office (**SSRO**) in relation to the retention and disposal of its records.
- 1.2 The aim of this retention and disposal policy is to explain our approach to records in accordance with best practice and the requirements of the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (which has the meaning given by section 3(10) and as supplemented by section 205(4) of the DPA).
- 1.3 The Director of Corporate Resources, who is also the SSRO's Senior Information Risk Owner (**SIRO**), is responsible for the SSRO's overarching records and information management framework. The Data Protection Officer is responsible specifically for the personal data processed by the SSRO.
- 1.4 For more information about our policies relating to personal data, please refer to our [Personal Information Charter](#).

### 2. What is a record?

- 2.1 A record is documented information created, received, and maintained as evidence and information by the SSRO, in pursuance of its statutory functions or in the undertaking of its operations, governance or administration.
- 2.2 A record will have the following characteristics:

**Content** (i.e. information or data).

**Context** (i.e. it must be possible to ascertain how it relates to other records and to the SSRO).

**Structure** (i.e. there must be an inherent logic to the way in which the information it contains should be interpreted and used).

- 2.3 A record should be:

**Authentic** (i.e. It should be possible to identify, and preferably prove, the process which created the record and who its authorised creator was).

**Complete** (i.e. the record should contain all of the content required to act as evidence of the transaction it is documenting. This does not mean that one record must contain everything to which it relates; simply that it is complete in its own terms).

**Reliable** (i.e. the content of the record can be relied upon as an accurate representation of the transaction it is documenting).

### 3. Retention periods

- 3.1 A retention period is the period of time a record is kept by the SSRO, following which time the record is reviewed, deleted, destroyed, and/or archived.
- 3.2 The application of retention periods has three elements:
  - A time period – the time over which a document should be kept by the organisation;

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- A trigger point – the commencement point of the retention period; and
- An action – to either:
  - (a) review the record (where appropriate);
  - (b) destroy or delete the record;
  - (c) extend the retention period where the record is still required; or
  - (d) transfer the record to the National Archives where it is no longer required by the SSRO but is of wider historical value as required the Public Records Act 1958.

3.3 In line with general central government practice, the SSRO operates a three-tier retention period policy of 'short', 'medium' and 'long term':

Retention period tier	Description
<b>Short (1 year)</b>	This will generally relate to administrative documentation. These records will be retained for a short period and then deleted.
<b>Medium (7 years)</b>	This will relate to operational records that need to be kept for legal compliance, or that have a limited life as part of an operational activity. These records will be retained for seven years (the current year plus six financial years).
<b>Long (10+ years as specified)</b>	These are documents that need to be kept for a longer length of time. Documents may either be kept permanently or flagged for review at 10 or more years.

3.4 A recommended minimum retention period is provided for each category of record in Appendix A. The recommended retention period derives from

- short-term business need for working documents;
- legislative requirements (for Defence Reform Act 2014-related operational records and tax-related financial records, for example); or
- guidance from The National Archives, HMRC or CIPD (for administrative governance, financial and HR records).

3.5 Records will not be kept after the retention period unless:

- The record is the subject of live litigation, or a request for information in accordance with the Freedom of Information Act 2000. In these circumstances, destruction should be delayed until the litigation is complete or the relevant complaint procedure has been exhausted, at which time a new trigger point and retention period is created.
- The record has long-term value for the SSRO's statutory functions.
- The record has been or should be selected for permanent preservation.

3.6 As a general principle, the SSRO will only need to retain one copy of the final version of a document. Draft documents may need to be kept in relation to certain records if they contain evidence of decision-making.

#### 4. Scope and application of the policy

- 4.1 The policy applies equally to full time and part time employees on a substantive or fixed-term contract and to associated persons who work for the SSRO such as agency staff, contractors and others employed under a contract of service.
- 4.2 It is the responsibility of individual staff to ensure that any emails relating to business activity are saved in the relevant SharePoint folder and not kept within mailboxes. If Rights Management is applied it can prevent the direct saving of emails, so it may be necessary to create a PDF (or similar format) copy of the email for storage. When sending emails, it is preferable to place key material in an attachment negating the need to save the covering email.
- 4.3 Under the SSRO's 'Acceptable Use Policy for SSRO IT', personal drives used by staff are not recognised as part of the SSRO's official record keeping system. Any business-related records, regardless of electronic format, should be saved by staff within the relevant SharePoint folder

#### 5. Legal requirements for retaining records

##### Records relating to the SSRO's statutory responsibilities

- 5.1 The SSRO must comply with the requirements of the *Defence Reform Act 2014* (DRA) and the *Single Source Contract Regulations 2014* (SSCR). The DRA and SSCR impose certain record keeping obligations on the SSRO:
  - The DRA and Parts 5 and 6 of the SSCR provide for the SSRO to receive a suite of standard reports relating to qualifying contracts. No provision is made for how long these reports should be kept.
  - Section 36(1) of the DRA requires the SSRO to keep an up-to-date record of qualifying defence contracts (QDCs) and qualifying sub-contracts (QSCs), and the duration of those contracts. It does not say for how long the SSRO must keep those records.
  - Record retention in respect of referrals is under review.
- 5.2 As a minimum, it would be reasonable to expect the SSRO to keep records and the reports it receives for:
  - the duration of the qualifying contract and any subsequent period during which the SSRO might receive a referral on that contract; or, if later
  - the period the contractor is required to keep reports and records (Regulation 20 of the SSCR require contractors to keep records (including in relation to the reports the contractor has provided) until the earlier of two years after the contract completion date or six years after the end of the accounting period in which the duty first arose), and any subsequent period during which the SSRO might receive a referral on those reports.

Records relating to the SSRO's HR and Finance functions

- 5.3 For HR records, the SSRO follows the best practice guidance produced by the Chartered Institute of Personnel and Development (CIPD). CIPD have identified a range of retention periods that reflect the practical business need for records created during the employee journey from recruitment, through employment, to departure and the need to retain certain records for ex-employees that reflect ongoing post-employment obligations in respect of reference, payroll and pensions records.
- 5.4 For Finance records relating to the annual report and accounts, payment transactions and income, the SSRO follows the requirements under tax and VAT regulations and retains records for the current financial year plus the six prior financial years (a maximum period of 7 years). On the same basis, for non-current assets, records will need to be retained for the six full financial years following the financial year of disposal.

Other administration records

- 5.5 The SSRO will apply the appropriate 3-tier retention period to records that:
- provide evidence of SSRO's activities and decision making;
  - support and defend the SSRO's position in litigation;
  - enhance business efficiency; and
  - promote collegiality and knowledge sharing.
- 5.6 Retention periods are applied to the type of information contained in the record or document, and not the function that created or manages it (this can be confusing where the name used to describe the 'type' is also used for a team within the SSRO, so it is important to be clear on the basis of the review decision). Further information on categorising information by type can be found in the following policy:
- File Naming and Handling Policy
- 5.7 Unless specified in the retention and disposal schedule at Appendix A, any document will be treated as a 'general working paper' and the default short retention period of 1 year will apply from the date the document is last accessed (other than for the purposes of a review under this policy). This default period will apply to all emails that have not been saved to a relevant SSRO document system – saved emails will be treated in line with the relevant record/document type.

Retention of personal data

- 5.8 The DPA and UK GDPR do not specify retention periods for personal data. Notwithstanding the above, where the information contains personal data it may only be kept in a form that permits identification of the individual for as long as is necessary for the purposes for which it was processed (unless there are lawful reasons for a longer retention, on which legal advice should be sought).

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**Appendix A – Retention and Disposal Schedule**

Information Category	Record	Short/ Medium/ Long	Retention period	Trigger point	Action on review	Notes
Non-record items	Documents not meeting the definition of a record in Section 2	N/A	N/A	N/A	N/A	Non-record items should be kept under constant review and deleted immediately they are no longer required. Emails not transferred to SharePoint will be archived and deleted under arrangements with the IT service provider.
General Papers	All record types not specified below	Short	1 year	Creation in, or addition to SharePoint.	Destroy/delete, extend	Annual review provides for ongoing extension for those documents still in use.
Statutory functions	Standard reports relating to qualifying contracts	Long	Permanent	-	Delete/redact non-essential information	The SSRO requires these records to fulfil its statutory functions and to provide an historic record of the regime
	Communications in connection with statutory reports, QDCs and QSCs	Long	10 years	Contract Completion Date	Destroy/delete, extend	-
	Referral decisions	Long	Permanent	-	Delete/redact non-essential information	The SSRO requires these records to fulfil its statutory functions and to provide an historic record of the regime
	Referral evidence provided by contractors or the MOD and internal working papers	Short	1 year	3 months after receipt of final referral decision by the parties	Destroy/delete, extend – the option to extend should be regarded as exceptional	-
Governance	Frameworks and delegation schemes	Long	10 years	Date framework or scheme is officially superseded	Destroy/delete, extend or archive	These are corporate history items

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Information Category	Record	Short/ Medium/ Long	Retention period	Trigger point	Action on review	Notes
	Board and committee papers	Long	10 years	End of Financial Year containing the meeting	Destroy/delete, extend or archive	Includes: <ul style="list-style-type: none"> <li>papers;</li> <li>agendas;</li> <li>minutes;</li> <li>ToRs; and</li> <li>saved relevant emails</li> </ul>
	Corporate planning	Medium	7 years	Date the document is officially superseded	Destroy/delete, extend or archive	Includes: <ul style="list-style-type: none"> <li>Corporate Plan;</li> <li>Internal Business Plan;</li> <li>associated agreed budgets and financial strategies</li> </ul>
	Accountability: annual report and accounts	Long	10 years	End of relevant Financial Year	Destroy/delete, extend or archive	This does not include the underlying financial and assurance working documents.
	Corporate policies: agreed policies, procedure notes, guides and handbooks	Medium	7 years	Date policy is officially superseded	Destroy/delete, extend	-
	Corporate policies: compliance records	Medium	7 years	End of Financial Year in which compliance was reported in the ARA	Destroy/delete, extend	Includes: <ul style="list-style-type: none"> <li>registers of gifts, hospitality, and interests;</li> <li>relevant internal audit reports;</li> <li>assurance statements</li> </ul>
External dealings	Press releases and announcements	Medium	7 years	End of calendar year of publication	Destroy/delete, extend or archive	-
	Correspondence with media outlets	Medium	7 years	End of calendar year of last item in email chain	Destroy/delete, extend	-
	Complaints	Medium	7 years	Date of final decision letter	Destroy/delete, extend	-
	Enquiries and other public interest dealings	Medium	7 years	Date of response to enquiry or dealing	Destroy/delete, extend	-
	External advice	Medium	7 years	Date advice is issued	Destroy/delete, extend	-
Commercial	Service contracts signed as a contract	Medium	7 years	Date contract expires or is terminated	Destroy/delete, extend	-

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Information Category	Record	Short/ Medium/ Long	Retention period	Trigger point	Action on review	Notes
	Service contracts signed as a deed	Long	13 years	Date deed expires or is terminated	Destroy/delete, extend	
	Documents relating to the procurement process	Medium	7 years	Date of approval to proceed to contract / purchase	Destroy/delete	-
Human resources	Recruitment	Short	1 year	Date successful candidate appointed (or vacancy withdrawn)	Destroy/delete	Refer <a href="#">CIP recommendations</a>
	Individual employment record – personnel	Medium	7 years	Date of cessation of employment	Destroy/delete, extend – the option to extend should be regarded as exceptional	Record includes: <ul style="list-style-type: none"> <li>• employment contract and variations;</li> <li>• contact details;</li> <li>• date of birth;</li> <li>• National Insurance no.;</li> <li>• sickness records;</li> <li>• internal role movements;</li> <li>• unpaid, and special leave agreements</li> <li>• occupational health reports;</li> <li>• reasonable adjustment decisions;</li> <li>• performance reports;</li> <li>• disciplinary records;</li> <li>• resignation, redundancy, termination and/or retirement details;</li> <li>• new employers name (if held).</li> </ul> Refer <a href="#">CIP recommendations</a>
	Individual employment record – personnel – parental leave	Long	18 years	Date of birth of the child	-	Refer <a href="#">CIP recommendations</a>
	Individual employment record – personnel – sensitive personal data	Short	6 months	Date of cessation of employment	Destroy/delete	<ul style="list-style-type: none"> <li>• Next of kin details;</li> <li>• Bank details;</li> <li>• Sensitive personal data (excluding sickness records)</li> </ul>



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Information Category	Record	Short/ Medium/ Long	Retention period	Trigger point	Action on review	Notes
	Individual wage/salary records – personnel	Medium	7 years	Date of cessation of employment	Destroy/delete	Record may include: <ul style="list-style-type: none"> <li>• HMRC tax and NIC;</li> <li>• pension deductions;</li> <li>• relevant employer payments, deductions and contributions;</li> <li>• loans;</li> <li>• statutory sick pay;</li> <li>• statutory maternity pay;</li> <li>• PRP payments;</li> <li>• overpayment details</li> </ul> Refer <a href="#">CIP recommendations</a>
	Individual pension records – personnel	Long	Until the employee reaches the age of 100.	-	Destroy/delete, extend	Record may include: <ul style="list-style-type: none"> <li>• pension estimate and award;</li> <li>• pensionable pay at leaving;</li> <li>• reckonable service;</li> <li>• added years and AVCs;</li> <li>• incapacity decision.</li> </ul> Refer <a href="#">CIP recommendations</a>
	Assessments under health and safety regulations and records of consultations with safety representatives and committees	Long	Permanent	-	-	Refer <a href="#">CIP recommendations</a>

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Information Category	Record	Short/ Medium/ Long	Retention period	Trigger point	Action on review	Notes
Finance	Financial accounting and transaction records	Medium	7 years	End of relevant Financial Year	Destroy/delete	Includes: <ul style="list-style-type: none"> <li>• payment records and associated evidence;</li> <li>• bank statements;</li> <li>• corporate payroll and pensions information;</li> <li>• contract and commitment information; and</li> <li>• accounting journals and transactions (including depreciation, provisions etc).</li> </ul> Does <u>not</u> include in-year financial reports which are 'general working papers'. Refer <a href="#">HMRC</a> retention policy.
	Non-current asset purchase record	Medium	7 years	Date item/asset is disposed of	Destroy/delete	For grouped assets, trigger point is disposal of last item in the group. Refer <a href="#">HMRC</a> retention policy.
Security	CCTV data	Short	3 months	Date of recording	Destroy/delete	-