



Ministry
of Justice



HM Prison & Probation Service

Article 2 Investigations Secretariat, HM Prison & Probation Service

Records Retention and Disposition Schedule (RRDS)

1. This schedule covers the unique or specialist records that are managed by the Article 2 Investigations Secretariat in HM Prison & Probation Service. It tells you how long you should keep these records (retention) and what you should do with the records when the retention period ends (disposition). It should be read with the Ministry of Justice's (MoJ) Information Management policy and the What to Keep policy. These documents are available on the MoJ's intranet and are there to help you to manage your records efficiently and to comply with your legal obligations.
2. The Article 2 Secretariat Team's work is to provide secretarial support to a number of independent investigators who are commissioned by HMPPS (on behalf of the Secretary of State) to undertake Article 2 ECHR compliant investigations into "near death" incidents within the prison estate.
3. This schedule applies to records in all formats including, but not limited to, digital (e.g. presentations, spreadsheet, emails and images), paper, audio.

Article 2 Investigations Secretariat Records Retention and Disposition Schedule

4. It does not cover commonly held corporate records which have a corporate retention policy (e.g. finance, projects).
5. Some of the records listed below are selected for permanent preservation under the Public Records Act 1958 (PRA) and will be transferred to The National Archives (TNA).
6. Any records in this schedule that are subject to an existing (or a future) moratorium imposed by a Public Inquiry should be kept until you are told that the moratorium has been lifted.
7. 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
1.	Stage 1 investigations: evidence, documents and transcripts of recordings used in the investigation (where it does not go to a public inquiry or hearing)	Keep for 20 years from date of publication and then destroy.
2.	Stage 1 investigations: recordings of interviews	Keep until the report is published and then delete or destroy.
3.	Public Inquiries and Public hearings (including all records from the Stage 1 investigation)	Keep for 12 years from the publication date of the report/date of decision/last action and then contact the Departmental Record Officer's team who will oversee the final selection and transfer of the records to TNA.

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No	Record type	Retention and Disposition
4.	Article 2 independent investigators: a. Register of applicants b. Those selected to join the pool of investigators c. Those not selected to join the pool of investigators	a. Keep for three years from date of last entry and then review. Unless it is necessary to keep part or all the register, delete it. (Reviews are carried out annually.) b. Keep all records/data that are not included in the Register until the individual leaves the pool. Delete within one month of the date of departure. c. Delete all records/data that are not included in the Register within one month of the date that the individual is notified that they have not been selected.
5.	Deaths in custody	Apply the retention policy in the Follow up to Deaths in Custody Policy Framework (https://assets.publishing.service.gov.uk/media/6720aeca3ce5634f5f6ef3c1/follow-deaths-custody-policy-framework.pdf)

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