

Records Retention Schedule

Social Care & Health Directorate
Adults Services



Information Governance Unit
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What is a Retention Schedule ?

- A retention schedule is a list of records which need to be retained by the County Council for a designated period of time. The Retention Schedule shows the title of each record, a time period for which records are to be retained, and identifies the reason (legislative, regulatory and / or operational) on which retention is based.
- The existence of this Retention Schedule is a requirement of Staffordshire County Council's Corporate Records Management Policy. It has been developed by the Information Governance Unit in collaboration with Business Unit / Section Managers, and in partnership with Legal Services.
- The Retention Schedule provides consistent instructions for all staff who deal with records, and a formal policy for records retention and disposal. It is not, however, immutable and divergences from the schedule may be appropriate in certain circumstances, so long as liaison is made with the Director Law & Governance.
- Official guidelines on the retention of records used by the majority of SCC Units (including Health & Safety, Personnel, and Financial Records) can be found in the Staffordshire County Council *General Retention Schedules*, available on the Corporate Intranet Site. The Information Governance Unit is currently working with individual Business Units to produce Retention Schedules which list records specific to each unit.

"A records management service should include the drawing up of retention schedules for all classes of the authority's records and the systematic disposal of those no longer of administrative use..."

Guidance on Section 224, Local Govt Act 1972
Issued by the Office of the Deputy Prime Minister, 2000

"Each department will require its respective business units to:

- *Ensure the capture of records (both paper and electronic) that provide evidence of its functional activities.*
- *Establish retention schedules for all areas of work."*

SCC Corporate Records Management Policy

Retention Schedules and the Freedom of Information Act 2000

- The Freedom of Information Act 2000 is intended to promote a culture of openness and accountability amongst public authorities by providing people with rights of access to records held by Staffordshire County Council.
- From 1 January 2005, the County Council must comply with requests for the information that it holds unless an exemption from this Date Closed applies. The Authority will normally have a maximum of twenty working days to respond to the request, however there are circumstances when this time limit can be extended.
- The Lord Chancellor has also issued a Code of Practice under Section 46 of the Freedom of Information Act, setting out his views on desirable practice for the keeping, management and disposal of public authority records. The Code of Practice includes a requirement to develop and apply Records Retention Schedules.
- Any freedom of information legislation is only as good as the quality of the records to which it provides access. Such rights are of little use if reliable records are not created in the first place, if they cannot be found when needed or if the arrangements for their disposal are inadequate.

“An appraisal documentation system will ensure consistency in records appraisal and disposal. It should show what records are designated for destruction, the authority under which they are to be destroyed and when they are to be destroyed.

It should also provide background information on the records, such as legislative provisions, functional context and physical arrangement.

Lord Chancellor’s Code of Practice on the Management of Records, issued under Section 46 of the Freedom of Information Act 2000

“As from January 2005 , anyone will have a new legal right to request access to any information held by any public body.....My message to all public bodies is: Get your Act together. Prepare now. Don't panic later.”

Richard Thomas, Information Commissioner,
May 2003

Understanding the Retention Schedule

- The Information Governance Unit produces Records Retention Schedules for every Business Unit in Staffordshire County Council, and they all follow a similar format. The graphic below demonstrates how to interpret the schedule:

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Directorate Activity: Research				
Research & Analysis				
Strategic Corporate Issues	Destroy	6 Years	Date Created	SCC Business Need
Economic Research & Analysis	Destroy	6 Years	Date Created	SCC Business Need
Demographic Research & Analysis	Destroy	6 Years	Date Created	SCC Business Need
Traffic Data Collection & Analysis	Destroy	6 Years	After survey completion	Limitation Act 1980

Types of Record

Action(s) once record has exceeded its retention period

Amount of time for which record should

Event that triggers the start of the retention period

Legal / Regulatory / Business need guiding retention

Description of process

Using the Retention Schedule

This Retention Schedule has been developed to be used in the following ways:



When new records are created

The Retention Schedule should be used as a point of reference in the day-to-day management of records. The most effective point to decide how long a record should be retained, and for what reason, is when that record is created.

When opening a new file, creating an electronic record, or typing a letter, this Retention Schedule will act as a guide to the conditions under which that Record should be managed, stored and ultimately disposed of.



When configuring an electronic records management system

Any Electronic Document & Records Management System should manage not only paper records, but ensure that all legal and business requirements are met in terms of the retention, security and disposal of all electronic records (including e-mail, electronic forms, web site content and images).

The integration of electronic records management into existing business systems must include proper consideration of Retention Schedules to provide a set consistent legal and operational requirements.



When designing or implementing new paper filing systems.

Any new office system intended to improve the efficiency of paper filing should be designed with a clear understanding of the legal and business requirement for record keeping and when they should eventually be destroyed.

When transferring files to off-site storage



Office space is at a premium and it is rarely possible to retain files on-site for the length of time for which they have to be retained.

The Retention Schedule should always be consulted when transferring files to the Staffordshire County Council Records Centre at Friars Terrace.

When destroying files



In order to protect itself and minimise risk, all businesses should not maintain records longer than they need to; nor should they destroy records sooner than is required

The Retention Schedule provides consistent guidelines on the retention period of all Adult Service's records.

Responsibility for Implementation

When a record has reached the end of its specified retention period, a designated person needs to be responsible as the signatory for the destruction process where destruction is the specified action.

In implementing retention policy reference should be made to both generic schedules, for records used by several directorates (which cover corporate, financial, health & safety and personnel records*) and the specific schedules, pertaining to only one particular Department/Service.

The schedules should be regularly updated to account for any changes to business practice and must be reviewed annually as a matter of course.

The responsible authority for this schedule is:

Director (Law & Governance)

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Adults Services Retention Schedule

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Directorate Activity: Support, Care & Protection of Adults				
Referral & Assessment				
Information Enquiry (immediate no further action)	Destroy	1 year	Date Created	Business Need
Contact Assessment	Destroy	6 years	Date Closed	Limitation Act 1980
Carer's Assessment	Destroy	6 years	Date Closed	Limitation Act 1980
Overview Assessment	Destroy	6 years	Date Closed	Limitation Act 1980
Specialist Social Work Assessment	Destroy	6 years	Date Closed	Limitation Act 1980
Therapy Assessment	Destroy	6 years	Date Closed	Limitation Act 1980

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Comprehensive Assessment	Destroy	6 years	Date Closed	Limitation Act 1980
Case Management				
Case Summary Information	Destroy	6 years	Date Closed	Business Need
Social Worker Case Management	Destroy	6 years	Date Closed	Limitation Act 1980
Financial Assessment of Charges				
Financial Assessment of Charges	Destroy	6 years	Date Created	Limitation Act 1980 Community Care (Direct Payments) Act 1996

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Community Living Support of Older People				
Home Care Services	Destroy	6 years	Date Closed	Limitation Act 1980
Meals on Wheels	Destroy	6 years	Date Closed	Limitation Act 1980 Health Service Public Health Act 1968
Day Centre Care	Destroy	6 years	Date Closed	Limitation Act 1980
Day Centre Services Administration	Destroy	6 years	Date Closed	Limitation Act 1980
Provision of Equipment & Property Adaptation to Facilitate Daily Living	Destroy	6 years	Date Closed	Limitation Act 1980
Residential Catering Services				
Residential Catering Services	Destroy	6 years	Date Closed	Business Need

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention

Residential Care for Older People				
Residential Care of the Elderly	Destroy	6 years	Date Closed	Limitation Act 1980
Residential Nursing Care	Destroy	6 years	Date Closed	Limitation Act 1980
Supported Accommodation	Destroy	6 years	Date Closed	Limitation Act 1980
Residential Care Administration	Destroy	6 years	Date Closed	Limitation Act 1980
Supported Accommodation Administration	Destroy	6 years	Date Closed	Limitation Act 1980
Services for Residents of Independent Accommodation				
Collection of Residents' Benefits	Destroy	6 years	Date Created	Limitation Act 1980

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Payment of Assessed Charges / Personal Allowances	Destroy	6 years	Date Created	Limitation Act 1980
Support for Adults with Learning Disabilities				
Support for Adults with Learning Disabilities	Destroy	6 years	Date Closed	Limitation Act 1980 Care Standards Act 2000
Support with Learning Disabilities	Destroy	6 years	Date Closed	Limitation Act 1980 Care Standards Act 2000
Day Service Care	Destroy	6 years	Date Closed	Limitation Act 1980 Care Standards Act 2000
Day Service Administration	Destroy	6 years	Date Closed	Limitation Act 1980

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Un-staffed Accommodation for People with Learning Disabilities	Destroy	6 years	Date Closed	Limitation Act 1980 Care Standards Act 2000
Residential Care of People with Learning Disabilities	Destroy	6 years	Date Closed	Limitation Act 1980 Registered Homes Act 1984 Care Standards Act 2000
Residential Care Administration	Destroy	6 years	Date Closed	Limitation Act 1980 Registered Homes Act 1984

Support for Adults with Physical or Sensory Disabilities				
Registration of Disabilities	Destroy	6 years	Date Closed	Business Need

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Assessment of Adults with Physical and/or Sensory Impairment	Destroy	6 years	Date Closed	Limitation Act 1980
Support of People with Physical and/or Sensory Impairment (Reablement)	Destroy	6 years	Date Closed	Limitation Act 1980 Care Standards Act 2000
Provision of Equipment & Property Adaptation to Facilitate Daily Living	Destroy	6 years	Date Closed	Limitation Act 1980
Radios for the Blind	Destroy	6 years	Date Closed	Business Need
Talking Books	Destroy	6 years	Date Closed	Business Need
Telephones	Destroy	6 years	Date Closed	Business Need Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990
TV Licensing & Rental	Destroy	6 years	Date Closed	Business Need

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
				Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990
Placement of Vulnerable Adults				
Case Management	Destroy	6 years	Date Closed	LSU Guidance Adult Placement Schemes (England) Regulations 2004
Recruitment of Adult Placement Carers	Destroy	6 years	Date Closed (termination of approval)	LSU Guidance Adult Placement Schemes (England) Regulations 2004
Assessment of Potential Adult Placement Carers	Destroy	6 years	Date Closed	LSU Guidance Adult Placement Schemes (England)

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
				Regulations 2004
Train Approved Applicants	Destroy	6 years	Date Closed (termination of approval)	LSU Guidance Adult Placement Schemes (England) Regulations 2004
Support & Manage Adult Placement Carers	Destroy	6 years	Date Closed (termination of approval)	LSU Guidance Adult Placement Schemes (England) Regulations 2004
Residential Care of the Disabled	Destroy	6 years	Date Closed	Limitation Act 1980 Care Home Regulations 2001
Notification of Incidents to CSCI	Destroy	6 years	Date Created	Limitation Act 1980 Care Standards Act 2000

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Support for Adults & Older Persons with Mental Health Needs				
Assessment of Adults with Mental Health Needs	Destroy	6 years	Date Closed	Limitation Act 1980 Mental Health Act 1983
Support of Adults with Mental Health Needs	Destroy	6 years	Date Closed	Limitation Act 1980 Mental Health Act 1983
Assessment of Elderly People with Mental Health Needs	Destroy	6 years	Date Closed	Limitation Act 1980 Mental Health Act 1983
Support of Elderly People with Mental Health Needs	Destroy	6 years	Date Closed	Limitation Act 1980 Mental Health Act 1983
Support of Offenders with Mental Health Disorders	Destroy	6 years	Date Closed	Limitation Act 1980

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention

Support for Adults & Older Persons with / affected by Substance Misuse				
Day Centre Rehabilitation	Destroy	6 years	Date Closed	Limitation Act 1980
Supported Accommodation	Destroy	6 years	Date Closed	Limitation Act 1980
Residential Rehabilitation	Destroy	6 years	Date Closed	Limitation Act 1980
Adult Protection				
Referral & Assessment	Review	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental	Limitation Act 1980 Care Standards Act 2000 Awaiting guidance

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
			Capacity Bill)	“See No Secrets “ DoH App. III
Investigation	Review	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental Capacity Bill)	Limitation Act 1980 Care Standards Act 2000 Awaiting guidance “See No Secrets” DoH
Protection Plan Development, Monitoring & Review	Review	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental Capacity Bill)	Limitation Act 1980 Care Standards Act 2000 Awaiting guidance “See No Secrets “ DoH

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Guardianship	Review	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental Capacity Bill)	Limitation Act 1980 Mental Health Act 1983
Receivership Application	Review	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental Capacity Bill)	Limitation Act 1980 Court of Protection (Enduring Powers of Attorney) Act 1985 Mental Health Act 1983
Administration of Receivership Orders	Destroy	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental Capacity Bill)	Limitation Act 1980 Court of Protection (Enduring Powers of Attorney) Act 1985 Mental Health Act 1983

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Adult Protection Committee Administration	Destroy	6 years*	Date Closed * (Triggers to be defined and retention reviewed - Awaiting guidance following issue of regulations relating to the Mental Health Act and Mental Capacity Bill)	Limitation Act 1980
Public Protection				
Risk Assessment (Offender registered)	Destroy	6 Year	On receipt of notification of movement from area / death	Business need – awaiting guidance
Risk Assessment (Offender not registered)	Destroy	6 years	Date created	Business need – awaiting guidance
Support of Adult Carers				
Assessment & Support of Carers of Disabled Children	Destroy	6 years	Date Closed	Limitation Act 1980

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
				Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990 Carers (Recognition & Services) Act 1995 Carers & Disabled Children Act 2000
Assessment & Support of Foster Carers	Destroy	6 years	Date Closed	Limitation Act 1980 Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990 Carers (Recognition & Services) Act

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
				1995 Carers & Disabled Children Act 2000
Assessment & Support of Carers of Disabled Adults	Destroy	6 years	Date Closed	Limitation Act 1980 Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990 Carers (Recognition & Services) Act 1995
Assessment & Support of Carers of People with Mental Health Needs	Destroy	6 years	Date Closed	Limitation Act 1980 Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
				Carers (Recognition & Services) Act 1995 Carers & Disabled Children Act 2000
Support for Carers of Older People	Destroy	6 years	Date Closed	Limitation Act 1980 Chronically Sick & Disabled Persons Act 1970 NHS & Community Care Act 1990 Carers (Recognition & Services) Act 1995 Carers & Disabled Children Act 2000

Records	Action	Retention Period	Trigger (event that prompts start of Retention Period)	Authority guiding record creation & retention
Provision of Welfare Benefit Advice				
Provision of Welfare Benefit Advice	Destroy	6 years	Date Created	Limitations Act 1980
Blue Badge Scheme Administration				
Blue Badge Scheme Administration	Destroy	1 year	After Expiry of Badge	Business need Disabled Persons (Badges for Motor Vehicles) Regulations 1991