

Operational Retention Schedule 2 May 2018

This policy is to be applied to records relating to the Operations directorate undertaken by, or on behalf of, the IOPC and its predecessors . Previous Operational Retention Schedules are held on TRIM under references:

This policy sets out the time periods that Operational records must be retained in order to comply with the IOPC's business requirements, and requirements set out in statute. It must be read in conjunction with the guidance which is to be found in [TRIM IPPC/13261-002](#) detailing the processes for the review and destruction of these records. IOPC

Staff should refer to the most current guidance held within the [Operations Manual](#) to determine which documents and exhibits are preserved as a record of the case, At the time of case closure, staff must review all documents and exhibits to ensure the IOPC does not retain items that should be returned or destroyed. It is important that all exhibits that belong to a third party are returned or, in the event that the third party do not wish them to be returned, the third party provides consent to destroy them. All physical exhibits must be recorded as a case file part on Perito and, if destroyed, the entry marked to show destruction and the consent to destroy added to Perito. If additional exhibits come to light after the case has been submitted for archiving a security breach form will have to be completed

Colleagues are also advised to refer to the Records Management Policy and associated guidance which details where documents relating to Investigations are to be stored.

Operations Records are to be destroyed or retained depending on the criteria below. Destruction will take place in accordance with the process designed for destruction. Only the Senior Information Risk Officer (SIRO) may authorise an extended a retention period outside of the criteria contained in this document and will require a business justification setting out the reasons.

Criteria	Retention Period	Trigger to begin retention period	Rationale
Independent investigation with at least one factor falling within the RED category ¹	All cases involving one of the factors included in footnote 1 will be classified as RED and destroyed after 6 years unless one or more statutory reasons for retention exist	Date of last substantive correspondence or action on file. If retained the reason for retention will clearly be recorded and a further review undertaken in 12 months.	<p>RED category cases will not be destroyed if there is a requirement to retain that meets one or more of the following criteria:</p> <ul style="list-style-type: none"> • Comply with the CPIA code of practice • An order has been received under the inquiries act • An order has been received from the Criminal Cases Review Commission • There is an outstanding subject access request relating to the case • There is an outstanding Freedom of Information Request • .
All cases that have been or parts thereof that have been identified as requiring retention under the Public Records Act and the National Archives agreeing with that decision	20 years	Retained for 20 years and then transferred to the National Archives	The IOPC is under an obligation to consider the future public interest value. The National Archives have indicated to the IOPC that the extent to which we have records that will be required for permanent preservation will be very limited.
All cases that relate to an actual or potential criminal conviction should be given an Amber			<ul style="list-style-type: none"> • Comply with the CPIA code of practice

<p>indicator unless they fall into the Red category in which case they should be given the latter.</p>	<p>All files will be destroyed after 6 years unless one or more statutory reasons for extended retention exist</p>	<ul style="list-style-type: none"> • An order has been received under the inquiries act • An order has been received from the Criminal Cases Review Commission • There is an outstanding subject access request relating to the case • There is an outstanding Freedom of Information Request
<p>Cases that have been notified to the SIRO and Records and Archives Manager by the Head of Performance as being required to fulfil our statutory function.</p>	<p>Reviewed after 6 years. To consider if continued retention is necessary and if so whether only certain documents should be retained or the file anonymised.</p> <p>If continued retention is agreed the case will be further reviewed after 12 months.</p>	<p>To fulfil our function under section 10 of the Police Reform Act 2002 to inspect and review standards for the operation of the complaints system. The SIRO in conjunction with the Data Protection officer will determine if the request is justified and determine the amount of information that may be retained and for how long.</p>
<p>All other cases not covered in preceding paragraphs including</p> <ul style="list-style-type: none"> • All Appeals • Non-Recording Appeals • Dispensations • Discontinuances • Enquiries • Withdrawals 	<p>6 years Date of last correspondence or significant action.</p>	<ul style="list-style-type: none"> • Comply with the CPIA code of practice • An order has been received under the inquiries act • An order has been received from the Criminal Cases Review Commission • There is an outstanding subject access request relating to the case

Are allocated a Green category and destroyed after six years			<ul style="list-style-type: none"> There is an outstanding Freedom of Information Request
Hardcopy casework files where an exact and verified copy is stored on Perito ²	90 days after the case has been closed on Perito.		At the closure of the case the police and complainant are sent a notice giving them the opportunity to request the return of their papers. Every document on the hardcopy file is stored on Perito. There is no reason therefore to retain the hardcopy file
Telephone calls received via "whistle blower" hotlines	12 months	Date of receipt of call	In the main messages are unattributed to individuals and using them in any way would compromise the process of anonymous whistle blowing lines. Each original call is summarised onto an intelligence log and then disseminated as appropriate, the intelligence logs are retained.
Digital Forensic images stored by third party supplier	6 years being the same retention period as hard copy, electronic records and other exhibits	Date of last action ^{2, 3}	The Image they have taken may be the only complete record of the device
All other cases and investigations	Six years after closure or other significant action on the file		The review is to be carried out following the guidance documents described above.

All Emails and attachments stored in Outlook in the Guardian environment	90 Days	Date of Receipt	The Archive Manager application is the IOPC's data store for emails sent out of or received into the organisation's Guardian environment. Archive Manager holds an unalterable copy of every email and attachment. There is therefore no reason for Outlook to hold any emails longer than 90 days.
All ephemera stored in Archive Manager as detailed in the Corporate Retention Schedule	90 Days	Date of Receipt	The ephemera, as described in the Corporate Retention Schedule has no business value. There is little or no risk in deleting these records after 90 days.
All Emails and attachments stored in Archive Manager or in Outlook Office 365	6 years, <u>unless we are under an obligation from the Inquiries Act to retain information for longer, at which point the repository contents will be retained in full until the obligation is removed.</u>	Date of Receipt	Emails stored in Archive Manager would normally be destroyed at the same time as the hardcopy and electronic file, but the current requirements of the IICSA take precedence.

Footnote 1 RED Category Cases

A RED indicator must be given to all cases in which The IOPC carried out an investigation and where one or more of the following factors are present:

- The case involves the death of one or more human beings
- The case involves serious injury to one or more human beings
- The case gave rise to significant national or local interest
- There was an alleged miscarriage of justice
- The case involved serious corruption
- The outcome of the case led to changes of government policy or legislation
- The subject of the case has been sentenced to a period of imprisonment or hospital order of 6 years or longer
- The case relates to the assault or abuse, physical or mental, of a child or children under the age of 18
- The case relates to any sexual offence
- The case relates to undercover Policing
- The case is subject to an order to hold under the inquiries act
- The case has been identified by the Head of Performance as being required to fulfil our statutory function.
- The subject of the case has an outstanding judicial appeal
- The Criminal Cases Review Commission has issued a notice under Section 17 of the Court of Appeal Act 1995
- The case is subject to a current FOI or DPA request

Footnote 2: Hardcopy casework files where an exact and verified copy is stored on Perito

Detailed guidance for the destruction of these files is to be found in the [opsmanual](#) and [TRIM IPPC/13272-001](#)