



Data Retention Policy

One Council One Team

Author:	Maria Price
Owner:	Information Governance Board
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Modified by	Maria Price, Service Manager – Legal and Assurance DPO
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1. POLICY STATEMENT

Sandwell MBC recognises that Council services and operations cannot effectively be delivered without the use of electronic records. This policy should be ready along with the Corporate retention policy. This policy is founded on the principle of data protection law that information should not be held for longer than is necessary and used only for operational purposes and as communicated to the stakeholders affected.

All employees and anyone working for and on behalf of SMBC should use this policy alongside other relevant Council policies and procedures.

The purpose of the electronic data retention policy is to:

- Provide consistency, with regards to how long information should be retained
- Provide clarity about the scope and reach of this policy
- Define and provide direction for record management activity
- Set the standard for how records should be disposed at the end of record life
- Bring the Council into alignment with data protection law
- Provide assurance to stakeholders about the use and treatment of information the Council controls

2. SCOPE

This policy covers all e-mail records for which Sandwell MBC is the controller within the Council's systems.

3. RECORDS MANAGEMENT

Records are an integral part of SMBC assets and are vital to statutory, accountability and democratic obligations. Therefore, the management, security, availability and accuracy of all records under the Council's control is paramount to discharge of SMBC's function as a Local Authority.

Management of these records is a discipline that should control all aspects of the record life cycle from its creation through to archiving and disposal.

This policy should be used in conjunction with the corporate retention policy.

4. Email Retention

Email is widely used by the majority of Council employees, elected members and those working for and on behalf of SMBC, for various purposes.

While some email threads are not business records, many others are and it's sometimes difficult to tell the difference.

Is the email about arranging a lunch date with a colleague or about an upcoming contract procurement?

When considering retention of email, we first need to categorise email:

Category	Definition	Retention Policy
General/Conversational emails	Usually emails between colleagues – arranging lunch, catching up after holidays etc....	Employees should get into the habit of deleting these e-mails once they have read them, otherwise they will be deleted when the default retention/disposal rules of 365 days are applied to the user's mailbox.
Line of business emails	Email relating to line of business – For example: <ul style="list-style-type: none"> • HR receives an email from an employee querying their payslip • Legal receive an email from a former employee about an upcoming tribunal • Council Tax receive an email from a customer asking to pay by direct debit 	<p>A copy of these emails should be retained in one or more of the following:</p> <ul style="list-style-type: none"> • The Service or Team's file share/shared folder • Primary repository /business system • Retained as a paper record. <p>Once saved the user can delete the email. The data retention policy specific to the service area will then apply to this information and normal default mailbox retention/disposal policy of 365 days, will apply to the email if the user doesn't delete earlier.</p>
Historic e-mails on council system	It is recognised that the e-mail retention policies have not been applied to the current e-mail system and that the e-mail system has	Deletion of historic e-mails of 8 years and older.

	been used as a filing system in the past.	
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Email should not be used as a filing cabinet to store important information. Emails to be retained should be saved in the relevant line of business systems or file shares. Scheduled disposal routines will be applied to employee mailboxes.

The general rule covering current employees, will be to delete emails over 8 years old.

Consideration will be given on a case by case basis should any officer submit a request to keep mails for over 8 years.

When any employee or Elected Member leaves Sandwell Council, ICT will place their email account into 'litigation hold' for a period of 365 days.

Following this period, the ICT Service will delete the email account and contents of the mailbox.

The ICT service will be notified of any employees where an audit, litigation, subject access request, freedom of information request or investigation is pending or ongoing. Upon receipt of this notification ICT will ensure that no email records are deleted until they are instructed to do so. ICT will only act on instructions from the DPO or their authorised representative, to search email, release email information or extend email retention.

