

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Tracey Carter – Portfolio Holder for Governance and Customer  
**To:** Cabinet – 12 March 2019  
**Author:** Kirsty Mallett - Information Governance Officer  
**Subject:** Records Management Policy  
**Purpose:** To consider and approve the Records Management Policy for the Council

### **Recommendation(s):**

That the Records Management Policy be approved and delegated authority be given to the Executive Manager for Governance in consultation with the Executive Member of Governance and Customer to make minor amendments to the Policy.

### **1.0 BACKGROUND**

- 1.1 Section 224 of the Local Government Act 1972 requires the Council to make proper arrangements with respect to any documents that belong to or are in the custody of the Council or any of its officers.
- 1.2 The Records Management Policy has been prepared as part of the work to implement the requirements of the General Data Protection Regulation 2016/679, the Data Protection Act 2018 and associated statutory requirements and guidance.
- 1.3 The Policy outlines how the Council manages its records, which includes retention and disposal.
- 1.4 The Records Management Policy attached to this report has been prepared in consultation with the Executive Manager for Governance/Data Protection Officer and the Executive Manager for Information/Senior Information Risk Officer. The draft policy has also been considered by the Data Protection and Data Retention Task Group where it was supported.

### **2.0 OPTIONS**

- 2.1 To approve the Records Management Policy with or without delegated authority to make minor amendments to the Policy.
- 2.2 Do nothing.

### **3.0 REASONS FOR RECOMMENDATION(S)**

- 3.1 The Council is required to have a Records Management Policy and Retention Policy in place in order to show transparency and to comply with Data Protection legislation.

#### 4.0 **EXPECTED BENEFITS**

- 4.1 A Records Management Policy will help to ensure compliance with the requirements of the General Data Protection Regulation 2016/679 and Data Protection Act 2018 and associated statutory requirements and guidance.

#### 5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

##### 5.1 **Constitution & Legal**

- 5.1.1 Implementation of the Records Management Policy will ensure compliance with the Council's constitutional and Legal requirements.

##### 5.2 **Contracts**

- 5.2.1 Transparency is a central principle in the GDPR and this policy will ensure that its contractors are aware how the Council manages its records.

##### 5.3 **Financial**

- 5.3.1 Adoption of the Policy does not of itself have any financial implications. Clearly, compliance with GDPR does have financial implications.

##### 5.4 **Corporate Priorities**

- 5.4.1 To provide the right services, at the right time and in the right way.

##### 5.5 **Data Protection**

- 5.5.1 A Records Management Policy is required to show transparency under GDPR and the Data Protection Act.

##### 5.6 **Risk Management**

- 5.6.1 Having a robust Records Management Policy and associated procedures helps the Council to evidence compliance (the 'accountability principle' under GDPR). This, together with proper use of the policy and procedures, will ensure that our data practices improve and our level of risk reduces.

#### 6.0 **WARDS/COMMUNITIES AFFECTED**

- 6.1 All

#### 7.0 **ACRONYMS**

- 7.1 GDPR – General Data Protection Regulation 2016/679

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Background papers:- None

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:**

Appendix A Records Management Policy