

# GWENT POLICE

## GWENT POLICE MANAGEMENT OF RECORDS POLICY



### **1. Principle and Scope of Policy**

1.1 The objective of this policy is to provide direction and support for the management of records for Managers in accordance with business requirements and relevant laws and objectives. It will enable management to set a clear policy direction in line with the objectives of Gwent Police and demonstrate support for, and commitment to, records management through the issue and maintenance of a records management policy throughout the organisation.

1.2 Guidance and procedures produced to support this policy aim to establish an organisational security structure and a clear framework of roles and responsibilities, so that all members of the Force are aware of their individual responsibility to records management

1.3 This document is endorsed by the Chief Constable as a high-level records management statement. The implementation of this policy demonstrates the commitment of the Force in complying with the requirements of the Management of Police Information Guidance and Code of Practice and thus enabling clear roles and responsibilities towards records management.

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.**

## **2. Aims of Policy**

2.1 The aim of the Management of Records Policy is to set basic standards to maintain the confidentiality, integrity and availability of all information and information processes throughout Gwent Police. This will enable Gwent Police to comply with the following:

- i) All legal, statutory and contractual requirements relating to all information and information processes;
- ii) Any ACPO Guidance relating to records management;
- iii) The Management of Police Information Code of Practice and Guidance
- iv) Records Management education, training and awareness requirements
- v) Business continuity management

## **3. Background**

3.1 The Bichard Inquiry, arising from the Soham murders, has acted as a driver to ensure that all police forces manage information effectively. The recommendations from this inquiry resulted in the production of a Statutory Code of Practice, and the underpinning Manual of Guidance on the Management of Police Information. Whilst the Manual of Guidance is aimed specifically at six operational business areas, there is an expectation that the identified good practice of review, retention and disposal is applied to all police records.

3.2 There is a requirement in the Freedom of Information Act 2000 (and the Lord Chancellor's Code of Practice issued under Section 46 of the Act) to apply good records management procedures to all information held by a public authority. The Information Commissioner can investigate the records management practices of public authorities and issue a practice recommendation and enforcement notice to enforce change within a defined timeframe.

3.3 The Data Protection Act 1998 requires that personal data of living individuals is protected appropriately. This is backed up by the application of the Human Rights Act 1998.

3.4 The Code of Practice on the Management of Police Information sets out the legal basis for the managing of police information. Establishing a policing purpose is the cornerstone of effective management of police information. The information must have a policing purpose if a lawful basis for holding it is to be established. If there is no policing purpose then the information cannot be held as police information.

3.5 Ongoing changes in legislation and guidance will instigate regular review and update of this policy, and the associated guidance / working practices, to ensure compliance with legal requirements and expected standards are maintained.

3.6 It is acknowledged that information, knowledge and intelligence are the lifeblood of policing. Once captured, they must be systematically managed as business records according to a records management policy and standard working practices.

#### **4.0 The Legal Basis**

Gwent Police recognises that the efficient management of its records is necessary to comply with its legal and statutory obligations including:-

- *Freedom of Information Act 2000* and the Lord Chancellor's Code of Practice issued under Section 46 of the Act
- *Data Protection Act 1998*
- *Human Rights Act 1998*
- *Electronic Communications Act, 2000*
- The Management of Police Information (MoPI) Code of Practice (CoP) Guidance and Threshold Standards
- International Standard on Records Management, ISO 15489
- Code of Practice for Legal Admissibility and Evidential Weight of Information Stored Electronically, PD0008: 1999
- Principles for Good Practice for Information Management, PD0010: 1997
- ISO27001 Standard on Information Security Management

#### **5.0 Human Rights Certificate of Compliance**

The policy has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

## **6.0 Compliance with The Welsh Language Scheme**

This policy aims to comply with the organisations Welsh language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the language scheme.

## **7.0 Risk Assessment and Health and Safety Considerations**

The Gwent Police Service Dynamic Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

### **6.0 Identification Section**

**Policy Title:**

**Reference: 128/1 ISSUE 2**

**ACPO LEAD:CID**

**Service Area Owner: CID**

**Department Responsible: DATA MANAGEMENT**

**Links to other Policies/Procedure: DATA PROTECTION, HEALTH AND SAFETY, FREEDOM OF INFORMATION,BUSINESS CONTINUITY.**

**Policy Implementation Date: Reviewed 25<sup>th</sup> October 2010**

**Policy Review Date: October 2012**