



Kunsill Lokali Ħal Tarxien

Records Management Policy & Retention Guidelines

Policy Control

Drafted by:	[INSERT NAME]
Designation	[INSERT DESIDNATION]
Approved by:	[INSERT NAME]
Designation:	[INSERT DESIDNATION]
Date Approved:	[INSERT DATE]
Effective from Date:	[INSERT DATE]
Next Review Date:	[INSERT]

Version Control

Version No.	Date	Changes made by	Changes Details
1.0	[INSERT DATE]	[INSERT DESIDNATION]	Records Management Policy & Retention Guidelines

Contents

Policy Control.....1

Version Control 1

1 SCOPE 3

2 OBJECTIVES..... 3

3 THE BENEFITS OF GOOD RECORDS MANAGEMENT 4

4 PURPOSE AND SCOPE 4

5 ROLES AND RESPONSIBILITIES 4

6 LEGAL REQUIREMENTS 5

7 RECORDS RETENTION AND DISPOSAL POLICY 8

8 REVIEW/SIGN OFF 9

9 RETENTION GUIDELINES..... 10

10 RETENTION GUIDELINES GLOSSARY OF TERMS..... 10

Contact Details..... 38

1 SCOPE

- 1.1 The General Data Protection Regulation (GDPR) defines that all public authorities must adhere to the regulations thereof and Member State data protection legislation.
- 1.2 In terms of the Local Government Act (CAP 363) of the Laws of Malta, the **Hal Tarxien** Local Council (hereafter referred to as the 'Council') is a statutory local government authority, hence a public authority under the GDPR, having a distinct legal personality and capable of entering into contracts, of suing and being sued, and of doing all such things and entering into such transactions as are incidental or conducive to the exercise and performance of its functions as are allowed under the Act. The full and updated version of the Act can be reviewed from: <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8833>
- 1.3 To ensure the efficient and effective delivery of its service, the Council must have processes in place which facilitates access to robust data and records. The introduction of good records and information management procedures will help in achieving these aims.
- 1.4 Records are a vital source of information providing evidence on the Council's actions, policies and decisions. It is therefore essential that records are systematic managed throughout their lifecycle to ensure their proper use for as long as needed.
- 1.5 The Council defines records as 'information created, received, and maintained as evidence and/or information by an organisation or person, in pursuance of legal obligations or in the transaction of activities manual, digital, written, or any other form or back up thereof'.

2 OBJECTIVES

- 2.1 The purpose of this policy is to:
 - i prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration.
 - ii assist in identifying records that may be worth preserving permanently as part of Council's local history and archives.
 - iii provide consistency for the destruction of those records not required permanently after specified periods.
 - iv Promote improved records management practices

3 THE BENEFITS OF GOOD RECORDS MANAGEMENT

3.1 Systematic management of records allows the Council to:

- Know what records it has, and allocate them easily
- Increase the efficiency and effectiveness
- Make savings in administration costs, both in staff time and storage support decision-making
- Be open, transparent and accountable
- Achieve business objectives and target
- Provide continuity in the event of a disaster by identifying vital records
- Demonstrate authenticity, reliability, integrity and accessibility
- Meet legislative and regulatory requirements and apply best practice.

3.2 Unmanaged records make performance of the Council's duties more difficult, costs time, money and resources, and puts the Council and services users at risk in terms of security breaches, prosecution and loss of good reputation.

4 PURPOSE AND SCOPE

4.1 This policy sets out the legislation, guidance and best practice regarding record retention and disposal, and incorporates retention guidelines.

4.2 This policy applies to all records held as recorded information by the Council (including paper, electronic, microform, audio-visuals etc. and copies and backups), which are created, collected, processed, used, stored and/or disposed of by the Council's employees, partners and suppliers in the course of the Council's activities.

4.3 The policy is intended to cover the continuum of records and information from creation through to destruction or for retention for historical or research purposes.

5 ROLES AND RESPONSIBILITIES

5.1 This policy provides consistent instructions for all staff who deal with records, and a formal policy for records retention and disposal.

5.2 All staff are responsible for:

- Following procedures and guidelines for managing, retaining and disposing of records.
- Only disposing of records in accordance with the requirements outlined in this policy (if authorised to do so).
- Ensuring that any proposed divergence from records retention and disposal policies is authorised.

5.3 The Executive Secretary, as Data Controller of the Council, is responsible for

ensuring:

- Record retention policies are implemented and supported by written procedures, where necessary.
- Record keeping systems and arrangement of records enable identification of records due for disposal.
- Records due for disposal are routinely identified and reviewed to ensure they are no longer required.
- Documents are disposed only in accordance with Council policies.
- Records are disposed of appropriately considering their sensitivity, security classification and the media and format(s) in which they are held in line.
- ICT equipment and storage media are disposed of securely ensuring all records, data and information are removed in such a way that it is not recoverable.
- Records of potential historic interest or research value are identified and transferred to the competent authority or held at the Council Administrative Offices.
- Evidence of the disposal process is kept.

6 LEGAL REQUIREMENTS

6.1 A Records Management Policy should detail the specific legislation, regulations, guidelines or codes of practice that stipulate or recommend how long records must be kept before they are disposed of. Where no such legislation or guidance exists, the Council will consult the competent authority or the Data Protection Officer to determine the retention requirements that best suit each business activity.

6.2 Some overarching legislation requires that records be kept for a certain amount of time. These include:

6.3 The **General Data Protection Regulation** (GDPR) requires under Article 5 (Principles relating to processing of personal data) that personal data shall be:

i adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');

The GDPR raises the threshold from the data controller being limited to processing that is not excessive to only enabling the data controller to process data that is necessary.

ii accurate and, where necessary, kept up to date ('accuracy');

The Data Controller is required to take reasonable steps to ensure the accuracy of

the data. The qualification of 'reasonableness' is now expressly contained within the principle.

iii not kept longer than is necessary for the purpose ('storage limitation')

6.4 The GDPR expands on the list of exemptions to this principle. It permits the storage of data for longer periods than necessary where the data is being processed for archiving purposes in the public interest and/or scientific purposes, this is in addition to the statistical or historical purposes.

6.5 Retention and disposal policies assist with compliance under the Data Protection legislation, which requires the Council to keep personal data no longer than is necessary for the purpose for which it was collected. The time limits for keeping records are based on statutory requirements, common business practice, and national guidance and best practice.

6.6 In some parts of the policy the recommended retention period given is ten years unless otherwise specified. However, if any law specifies otherwise, it shall supersede the retention period specified in this policy.

6.7 **Freedom of Information Act (Cap 496)**

The Act is intended to promote a culture of openness and accountability amongst public authorities by providing people with rights of access to records held by the Council. However, Article 5 states:

Subject to sub-article (2), this Act shall not apply to documents that –

(a) are held by a Local Council and are accordingly subject to article 45 of the [Local Government Act](#);

Sub-article (2) of Article 5 states:

(2) This Act shall apply to documents to which sub-article (1) refers only in so far as may be provided for by any law governing access to such documents.

The Act states further that it does not apply to documents in so far as such documents contain -

(a) personal data subject to the [Data Protection Act](#); or

(b) information the disclosure of which is prohibited by any other law

6.8 **Data Protection Act (Cap 586)**

Article 9 of the Act requires that:

(1) Personal data processed for the purpose of exercising the right to freedom of expression and information, including processing for journalistic purposes or for the purposes of academic, artistic or literary expression, shall be exempt from compliance with the provisions of the Regulation specified in sub-article

(2) where, having regard to the importance of the right of freedom of expression and information in a democratic society, compliance with any of the provisions as specified in sub-article (2) would be incompatible with such processing purposes:

Provided that when reconciling the right to the protection of personal data with the right to freedom of expression and information, the controller shall ensure that the processing is proportionate, necessary and justified for reasons of substantial public interest.

(2) For the purposes of the provisions of sub-article (1), the provisions of the following chapters of the Regulation (the GDPR) may be exempted or derogated therefrom pursuant to Article 85(2) of the said Regulation:

Chapter II (Principles):

Article 5(1)(a) to (e) (principles relating to processing);

Article 6 (lawfulness);

Article 7 (conditions for consent);

Article 10 (data relating to criminal convictions, etc);

Article 11(2) (processing not requiring identification);

Chapter III (rights of the data subject):

Article 13(1) to (3) (personal data collected from data subject: information to be provided);

Article 14(1) to (4) (personal data collected other than from data subject);

Article 15(1) to (3) (access to data and safeguards for third country transfers);

Article 17(1) and (2) (right to erasure);

Article 18(1)(a), (b) and (d) (restriction of processing);

Article 20(1) and (2) (right to data portability);

Article 21(1) (objections to processing);

Chapter IV (controller and processor):

Article 25 (data protection by design and by default);

Article 27 (representatives of controllers or processors not established in the Union);

Article 30 (records of processing activities);

Article 33 (notification of personal data breach to supervisory authority);

Article 34 (communication of personal data breach to the data subject);

Article 42 (certification);

Article 43 (certification bodies);

Chapter VII (co-operation and consistency):

Articles 60 to 62 (co-operation);

Articles 63 to 67 (consistency).

6.9 The Local Government Act (Cap 363)

Article 45 of the Local Government Act requires that the Executive Secretary shall, if so requested and upon payment of required fee for the supply of any such permissible information, furnish:

(a) a copy of the agenda and accompanying documents directly related to the agenda and which are to be discussed at the meeting as circulated to members of the Local Council or Regional Council; and

(b) such further statements or particulars and copies of such other documents as are necessary to indicate the nature of any item included in the copy of the agenda so supplied.

Any person who requests information from a Local Council in accordance with sub-article (1) and who is dissatisfied with the Council's response to his request may apply to the Information and Data Protection Commissioner for a decision whether, in any specified respect, his request has been dealt with in accordance with the requirements of this Act and any regulations made hereunder.

Part IV of the Freedom of Information Act, other than article 26, as well as articles 39, 40 and 43 of the same Act, shall apply mutatis mutandis to requests for information under this article, save that references to a code of practice in Part IV of the Freedom of Information Act shall be construed as referring to any code of practice on the disclosure of information that may be issued by the Minister through regulations under this Act; but the application of the Freedom of Information Act in terms of this sub-article shall not be dependent on the issue of such a code.

Part IV of the Act deals with the power of the IDPC to regulate public authorities with requests made for information and the compliance to the Act.

7 RECORDS RETENTION AND DISPOSAL POLICY

7.1 Disposal of records

- 7.1.1 Where records have been identified to be destroyed it should be done in a responsible way, and in accordance with the Data Disposal Guidelines.
- 7.1.2 Backup copies stored on alternative media (server/microfilm/paper) should also be destroyed. This is vital to ensure compliance with the requirements of Data Protection and Freedom of Information legislation.
- 7.1.3 Whenever there is the possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.
- 7.1.4 All records containing personal information, or sensitive information should be disposed securely after administrative use is concluded.
- 7.1.5 When records identified for disposal in the policy are destroyed, a register of such records needs to be kept. It is not sufficient to document that a quantity of records had been destroyed on a certain date. Enough details should be

retained to identify which records have been destroyed. Such records of destruction need to be maintained by the Council.

7.1.6 Staff should record at least:

- 7.1.6.1 File/folder reference (or another unique identifier)
- 7.1.6.2 File/folder title (or brief description)
- 7.1.6.3 Number of file/size of folder
- 7.1.6.4 The name of the authorising officer
- 7.1.6.5 Date of destruction

7.2 Transfer of records to archival storage for permanent retention

7.2.1 There are records in this policy which have been identified as being worthy of permanent preservation, either by legal obligation or by virtue of their historical or research purposes.

7.2.2 For documents that are not specifically required to be kept permanently, the Data Controller may choose to select a sample of the records for permanent preservation; the remainder should be destroyed as specified in the policy. The sample may be random, selective or purposeful.

7.2.3 The Data Protection legislation provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely, provided specific requirements are met. It is the responsibility of the Data Controller to ensure that this is so.

7.3 Transfer of records to storage for review

7.3.1 There are some records where the Data Controller will not usually be interested in retaining them all permanently but may wish to retain those concerning high profile or controversial policies/projects in an archive.

7.3.2 Records no longer required for administrative use may still retain sensitive information. The Data Controller should determine the sensitivity at the time of transfer of the material to the archives, and an appropriate closure period determined, after which the documents shall be destroyed in accordance with this policy.

7.4 Transfer of records to off-site storage

It is possible, although not a practice under this policy, to retain files off-site for the length of time for which they have to be retained. Off-site storage should be only made after a review by the Data Protection Officer and duly approved by the Data Controller.

8 REVIEW/SIGN OFF

8.1 This Policy will be reviewed every two years by the Data Protection Officer and signed off by the Executive Secretary of the Council.

- 8.2 It will be amended as and when details change due to Council policy, if new information is created, to remove any obsolete record titles, or regulations and legislation that govern information and its use are introduced or altered.

9 RETENTION GUIDELINES

9.1 RETENTION GUIDELINES HEADINGS

- 9.2 **Ref:** The function or entry reference number provides citation and ease of reference
- 9.3 **Function:** The name of each function is specified in this entry. This relates to a group of records that perform the same activity.
- 9.4 **Function description:** The Policy provides notes that define each function in terms of the related activities.
- 9.5 **Retention action:** This entry provides the archival status of each process being either permanent or temporary. In relation to the temporary status of records the entry also provides a retention period or sentence specifying how long the records should be kept prior to destruction and the activity, transaction or event to which the retention period or sentence should be tied.
- 9.6 **Example of records:** The section provides common examples of the type of records included within the particular function. This list is not exhaustive.
- 9.7 **Notes:** This indicates if the retention action is common practice or statutory, and/or the authority guiding the retention period.

10 RETENTION GUIDELINES GLOSSARY OF TERMS

- 10.1 **Administrative Use.** When business use has been ended or the file has been closed.
- 10.2 **Closure.** ‘Destroy 'x' years from closure’. A record/file is closed when it ceases to be active. After closure, no new papers/information should be added to the record. Triggers for closure of a file include: reaching an unmanageable size; covering a period of 'x' years or more; no records added for 'x' period of time; no action taken after 'x' period of time.
- 10.3 **Closure period.** Specified period of time during which the record is subject to restrictions on provision of access to staff and/or the public may be dictated by statutory requirements or by the Council’s policy. Any closure period should comply with current legislation on access to local government information - including the Data Protection and Freedom of Information Acts.
- 10.4 **Common practice.** Standard practice followed by those Council records members of staff.
- 10.5 **Last action.** ‘Destroy 'x' years after last action ‘. Date of most recent amendment / addition /deletion of information.

- 10.6 **Permanent.** Records which must be kept indefinitely for legal and/or administrative purposes, and/or are of enduring value for historical research purposes and so suitable for transfer to the authority's archive or place of deposit.

1 FINANCE				
REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
1.1	ACCOUNTS AND AUDIT			
1.1.1	<p>Reporting</p> <p>The process that consolidates financial transactions on an annual basis for corporate reporting purposes</p>	Permanent.	<ul style="list-style-type: none"> Consolidated annual reports Consolidated financial statements Statement of financial position General ledger 	Common practice
1.1.2	<p>The process that supports and consolidates financial transactions on a periodic (less than annual) basis, superseding those from the previous period. Does not include journals and subsidiary ledgers and cash books</p>	Destroy 2 years after administrative use is concluded	<ul style="list-style-type: none"> Working papers for the preparation of the above Monthly accrual statements Cash flow statements Creditor listings and reports Debtor listings and reports 	Common practice
1.1.3	<p>Strategy and planning Activities involved in the long-term planning of the Council's financial management. Includes the financial forecast</p>	Destroy after 5 years after administrative use is concluded	<ul style="list-style-type: none"> Strategic papers and documentation leading to the Business Plan 	Common practice

1.2	FINANCIAL TRANSACTIONS MANAGEMENT			
1.2.1	Authorisation Management of the approvals process for purchase, including investigations	Destroy 10 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Appointments and delegations • Directors actions • Authorities to spend • Key decisions • Audit investigations 	Statutory
1.2.2	Expenditure Identification of the receipt, expenditure and write offs	Destroy 10 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Purchase Orders • Work orders • Invoices • Credit card statements • Cash books • Receipts • Cheque counterfoils • Bank statements • Subsidiary ledgers - annual • Journals - annual • Vouchers 	Statutory
1.2.3	Travel expenses Process involving the provision and support for individuals using public transportation	Destroy 10 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Applications • Card issue • Travelling Documentation • Subsistence Allowance Forms 	Common practice

1.2.4	Reconciliation Processes that balance and reconcile financial accounts	Destroy 2 years after administrative use is concluded	<ul style="list-style-type: none"> • Reconciliation • Summaries of accounts 	Common practice
1.2.5	Other financial records	Destroy 5 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Motor vehicle logs • Fringe benefits tax records • Others not listed in this section 	Statutory
1.3	PAYROLL			
1.3.1	Non-accountable processes relating to payment of employees	Destroy after administrative use is concluded	<ul style="list-style-type: none"> • Summary employee pay reports 	Common practice
1.3.2	Accountable processes relating to payment of employees	Destroy 10 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Payroll deduction authorities • Payroll disbursement • Employee pay records • Employee taxation records 	Statutory

1.4	FINANCIAL PROVISIONS MANAGEMENT			
1.4.1	Business Plans The process of finalising the Council's business plan	Permanent.	<ul style="list-style-type: none"> • Business Plan 	Statutory
1.4.2	Annual Financial Estimates (Budgets) The process of finalising the Council's' annual budget	Permanent.	<ul style="list-style-type: none"> • Annual Estimates (Budget) 	Statutory
1.4.3	The process of reporting which examines the business plan and the budget in relation to actual revenue and expenditure	Destroy after next year's annual budget has been adopted by Local Authorities	<ul style="list-style-type: none"> • Quarterly statements • Draft budgets • Departmental budgets • Draft estimates 	Statutory
1.4.4	Quarterly Financial Situation Indicator Report The process of finalising the Council's' quarterly financial situation indicator	Permanent.	<ul style="list-style-type: none"> • Quarterly FSI Report 	Statutory
1.4.5	Loans The activity of borrowing money to enable a Council to perform its functions and exercise its powers	Destroy 10 years after the loan has been repaid	<ul style="list-style-type: none"> • Loan files 	Statutory
1.4.6	Debt management Activities involved in managing the debts owed to the council	Destroy 6 years after recovery completed	<ul style="list-style-type: none"> • Debt collection and chasing activity including legal and court records 	Statutory

1.4.7	EU Projects The activity from concept to termination of any project for which the Council has attained partial funded from the EU	Permanent: If so required by the Managing Authority. Destroy other documents within 2 years from the required retention by the rules of the project.	<ul style="list-style-type: none"> • Grant Agreement • On the Spot Checks • Audits • Quotations and Tenders • Payments • Flight documentation 	EU and local legislation
1.4.8	Donations Activities involved in the administration of donations to the Council	Permanent retention. Destroy other documents after 6 years	<ul style="list-style-type: none"> • Record of who made the donation and what the money was used for 	
1.4.9	Funding bids Activities relating to applications by the Council for grant funding by external bodies	Permanent.	<ul style="list-style-type: none"> • Grant applications • Bids • Correspondence 	
1.4.10	Fraud Activities relating to the detection, prevention and prosecution of financial irregularity	Destroy 10 years after cessation of any follow up activity	<ul style="list-style-type: none"> • Legal • Internal minutes • Emails • Evidence 	
1.4.11	Refunds Documentation relating to refunds	Destroy 10 years after transaction		

1.5	PAYMENTS RECEIVED			
1.5.1	Documentation from activities relating to the issue of permits related to regulations governing permits, payments of contraventions and other payments	Destroy 5 years after transaction	<ul style="list-style-type: none"> Permits for Skips, Cranes, Activities and Sound, Markets, Kiddie Ride Machines, Heavy Machinery and similar under SL441.04 Payments of contraventions (LES) Other payments received on behalf of public authorities 	Common practice
1.6	SUMMARY ASSETS MANAGEMENT			
1.6.1	Maintaining assets Summary management reporting on the overall assets of the local authorities	Permanent.	<ul style="list-style-type: none"> Fixed Asset registers 	Common practice
1.7	ASSET MONITROING AND MAINTENANCE			
1.7.1	Management systems that allow the monitoring & management of assets in summary form	Destroy 7 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> Subsidiary asset registers 	Common practice

1.7.2	Process of reporting and reviewing assets status	Destroy 2 years after administrative use is concluded	<ul style="list-style-type: none"> • Routine returns and reports on asset status • Inventories • Stocktaking • Surveys of usage • Acquisition and disposal reports and proposals 	Common practice
1.7.3	The process of maintaining assets	Destroy 7 years after last action	<ul style="list-style-type: none"> • Maintenance • Cleaning • Painting 	Common practice
1.7.4	The process of maintaining plant and equipment	Destroy 7 years after sale or disposal of asset	<ul style="list-style-type: none"> • Service records • Plant files 	Common practice
1.8	ASSET ACQUISITION AND DISPOSAL			
1.8.1	<p>Management of the acquisition (by financial lease or purchase) and disposal (by sale or write off) process for assets</p> <p>Note: Buildings are not to be treated under this measure</p>	<p>Assets under €50 000 Destroy 10 years after all obligations/entitlements are concluded</p> <p>Assets over €50 000 Destroy 15 years after all obligations/entitlements are concluded</p>	<ul style="list-style-type: none"> • Legal documents relating to the purchase/sale • Particulars of sale documents • Board of survey • Leases • Applications for leases, licences & rental revision • Tender documents • Conditions of contracts • Certificates of approval 	Statutory

1.9	BENEFITS			
1.9.1	Benefits and subsidies Activities involved in the administration of benefits payments form Council and/or devolution form Central Government	Destroy after 10 years unless the claim is live or has an outstanding overpayment in which case retain all source documents.	<ul style="list-style-type: none"> • Benefits claim overpayment notification letter and associated content (if older than 10 years. • Other source documents, such as application forms 	
1.10	REVENUES			
1.10.1	Government Allocation Government Allocation Income information (other than property)	Destroy 3 years after last action	<ul style="list-style-type: none"> • Allocation records 	
1.10.2	Council Bye Laws Documents related to the generation of income by means of Council bye-laws.	Destroy 10 years after last action	<ul style="list-style-type: none"> • Permits from Council by means of provision in Bye-Laws 	
1.11	GRANTS			

1.11.1	<p>Funding applications Activities relating to the process of considering and administering applications to the authority for grant funding</p>	<p>Permanent.</p>	<ul style="list-style-type: none"> • Grant applications • Funding letters 	
--------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------	---------------------------------------------------------------------------------------------------	--

2 HUMAN RESOURCES				
REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
2.1	PERSONNEL ADMINISTRATION			
2.1.1	Summary management systems that allow the monitoring & management of employees in summary form	Permanent retention	<ul style="list-style-type: none"> • Employment register <ul style="list-style-type: none"> - Permanent Staff - Temporary Staff - Casual Staff • Registers of personnel files • Salary master record 	Common practice
2.1.2	Recruitment Process	Destroy 1 year after completion of recruitment process, except for the chosen candidate.	<ul style="list-style-type: none"> • Recruitment documentation • CV and applications of unsuccessful candidates 	Common practice
2.1.3	The process of administering employees to ensure that entitlements and obligations are in accordance with agreed employment requirements	Destroy 5 years from date of last pension payment or termination of employment	<ul style="list-style-type: none"> • Recruitment record of chosen employee • Letter of appointment • Details of assigned duties • Documentation relating to the process and undertaking of induction for new employees • Probation reports • Personal particulars • Educational qualifications • Declarations of pecuniary interests • Secrecy undertakings • Employment contracts 	Common practice

			<ul style="list-style-type: none"> • Documentation relating to requested employee leave: (annual, study, carers, special, compassionate, unpaid leave etc.) • Political restriction • Job description • Disciplinary and grievance records • Register of 'Disclosure of interests' • Letters informing employees of changes to their terms and conditions • Documentation relating to an individual's training record and work experience • Documentation relating to proof of training course completion • Documentation relating to the performance appraisal • Personal risk assessments including restrictions • Disciplinary and grievance records 	
2.1.4	Records relating to staff working with children, if any	Destroy 25 years from termination of employment		

2.2	EMPLOYEE AND INDUSTRIAL RELATIONS			
2.2.1	Identification & development of significant directions concerning industrial matters	Destroy 2 years after administrative use is concluded	<ul style="list-style-type: none"> • Generic agreements and awards • Negotiations • Disputes • Claims lodged 	
2.2.3	Processing of disciplinary and grievances investigations where proved	Oral Warning 6 months Written Warning 1 year Final Warning 18 months	<ul style="list-style-type: none"> • Disciplinary investigation <p>The warnings to be removed and destroyed after the relevant time has been 'spent'</p>	Common practice
2.2.4	Disciplinary warnings involving children	Keep on personnel file permanently	<ul style="list-style-type: none"> • Disciplinary 	
2.2.5	Processing of disciplinary and grievances investigations were unfounded	Destroy immediately after the allegations have been found to be unfounded; or after appeal	<ul style="list-style-type: none"> • Correspondence – No warning given 	Common practice
2.3	EQUAL OPPORTUNITIES			
2.3.1	Equalities and diversity Equality and diversity documents which include information on fair treatment of employees and general guidelines	Destroy 10 years after superseded	<ul style="list-style-type: none"> • Policy documents (NB Not personal information) 	Common Practice
2.5	RECRUITMENT			

2.5.1	Authorisation to recruit for a position	Destroy 5 years after recruitment finalised	<ul style="list-style-type: none"> • People Board papers 	Common practice
2.5.2	The job description and person specifications for current posts	Destroy 2 years after superseded	<ul style="list-style-type: none"> • The job description and person specifications for current posts 	Common Practice
2.5.3	The selection of an individual for an established position	Destroy 1 year after recruitment has been finalised (For letter of appointment for successful candidate use employment conditions)	<ul style="list-style-type: none"> • Advertisements • Applications • Referee reports • Interview reports 	Common practice
2.5.4	Unsuccessful candidates	Destroy 6 months after recruitment finalised	<ul style="list-style-type: none"> • Unsuccessful applicants 	Common Practice
2.5.5	Documentation relating to the recruitment process	Destroy 6 months after recruitment finalised	<ul style="list-style-type: none"> • Interview timetables 	Common Practice
2.5.6	Documentation relating to volunteers used by the local authority, including risk assessments	Destroy 6 years from end of period of working voluntarily for the Council	<ul style="list-style-type: none"> • Volunteer • Agreement/guidelines 	
2.5.7	Reports related to working hours and terms and conditions	Destroy 12 years after superseded.	<ul style="list-style-type: none"> • Report on working hours, additional payments 	Common Practice

2.6	STAFF MONITORING			
2.6.1	Documentation relating to performance	Destroy 5 years after action completed	<ul style="list-style-type: none"> • Probationary reports • Performance plans 	Common practice
2.6.2	Process of monitoring staff leave and attendance	Destroy 2 years after action completed	<ul style="list-style-type: none"> • Sick leave • Jury service • Study leave • Special and personal leave • Attendance books • Flexitime sheets • Leave applications • Clock on/off cards • Annual leave 	
2.6.3	Job evaluation Documentation relating to the approach to performance appraisals	Destroy 6 years after administrative use is concluded	<ul style="list-style-type: none"> • JE Procedure 	Common practice
2.6.4	Maternity/paternity Records documenting entitlements to, and calculations of, Statutory Maternity Pay	Destroy 3 years from end of current tax year	<ul style="list-style-type: none"> • Letters outlining the employee's maternity/paternity leave 	
2.7	STAFF RETENTION			
2.7.1	Financial reward Documentation relating to workforce management	<p>Destroy 6 years after superseded</p> <p>Destroy financial records 10 years after action completed</p>	<ul style="list-style-type: none"> • Corporate workforce plan 	<p>Common practice</p> <p>All records relating to actual payments are dealt with under finance</p>

2.7.2	Other strategy Documentation relating to workforce management and salaries	Pay scales - Permanent retention by service area. Destroy other records 6 years after superseded	<ul style="list-style-type: none"> • Pay scales • Addition payment policy 	Common practice
2.8	TERMINATION			
2.8.1	The process of termination of staff through voluntary redundancy, dismissal and retirement	Destroy 6 years after termination If a pension is paid then records should be destroyed 6 years after last payment of pension	<ul style="list-style-type: none"> • Resignation • Redundancy • Dismissal • Death • Retirement 	
2.9	TRAINING AND DEVELOPMENT			
2.9.1	Routine staff training processes, not occupational health and safety or children related	Destroy 2 years after action completed	<ul style="list-style-type: none"> • Course individual staff assessment 	Common practice
2.9.2	Training concerning children	Destroy 35 years after course completed, or last entry	<ul style="list-style-type: none"> • Course individual staff assessment • Training register 	Common practice
2.9.3	Occupational health and safety training	Destroy 50 years after training completed	<ul style="list-style-type: none"> • OH&S training register 	Common practice
2.9.4	Training course materials and documentation	Destroy 1 year after course superseded	<ul style="list-style-type: none"> • Course PowerPoint presentations 	Common practice
2.9.5	Training plan Listing of corporate training activities and forward plans. Includes health and safety training	Destroy when superseded	<ul style="list-style-type: none"> • Corporate training plan 	Common practice

3 PROCUREMENT				
REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
3.1	CONTRACTS AND TENDERING			
3.1.1	Tendering policies Documentation relating to tendering policies	Permanent retention.	<ul style="list-style-type: none"> Procurement procedures 	Common practice
3.1.2	Approved suppliers Maintaining a record of approved suppliers	Destroy after 7 years unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> Details of approved suppliers 	Common practice
3.1.3	Expressions of interest The process of calling for expressions of interest	Destroy 2 years after contract let or not proceeded with unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> Expressions of Interest 	Common practice
3.1.4	Specification and contract development The process involved in the development and specification of a contract	Destroy 2 years after the terms of contract have expired unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> Tender specification <p>Note: For project files containing drafts leading to a final version these records can be destroyed.</p>	
3.1.5	Tender issuing and return The process involved in the issuing and return of a tender	Destroy printed matter 1 year after start of contract unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> Opening notice Tender envelope 	Common practice

3.1.6	Evaluation of tender Summary tender evaluation criteria	Destroy printed matter after 6 years after the terms of contract have expired unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> • Evaluation Report 	Statutory
3.1.7	Successful tender document	Destroy 6 years after the terms of contract have expired unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> • Tender documents • Quotations 	Common practice
3.1.8	Unsuccessful tender documents	Destroy printed matter 4 years after start of contract unless otherwise provided by the PPRs and/or the DoC	<ul style="list-style-type: none"> • Tender documents • Quotations 	Common practice
3.1.9	Purchase Orders/Works Orders Documentation on non-tendered contracts	Destroy 6 years after the end of the financial year	<ul style="list-style-type: none"> • Purchase orders 	Common practice
3.1.10	Post tender negotiation The process in negotiation of a contract after a preferred tender is selected	Destroy 1 year after the terms of contract have expired	<ul style="list-style-type: none"> • Clarification of contract • Post tender negotiation minutes 	Common practice

3.1.11	Awarding of contract The process awarding of contract	Destroy 6 years after the terms of contract have expired	<ul style="list-style-type: none"> Signed contract 	Statutory
3.2	CONTRACT MANAGEMENT AND	PAYMENTS		
3.2.1	Contract operation and monitoring	Destroy 2 years after the term of the contract has expired	<ul style="list-style-type: none"> Compliance reports Performance reports 	Common practice
3.2.2	Management and amendment of contract	Destroy 6 years after the terms of contract have expired	<ul style="list-style-type: none"> Minutes and papers of meetings Changes to requirements Variation forms Extension of contract Complaints Disputes on payment 	
3.3	PAYMENT VOUCHERS			
	Payment Vouchers Vouchers issued in connection with payments made by the Council as approved in the Schedule of Payments.	Destroy 10 years after the term of the contract has expired	<ul style="list-style-type: none"> Payment Vouchers Remittance Advice 	Common practice

4 AUDIT, RISK MANAGEMENT AND INSURANCE				
REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
4.1	CLAIMS MANAGEMENT			
4.1.1	The process that records insurance claims against the Council	Destroy 10 years after all obligations/entitlements are concluded	<ul style="list-style-type: none"> • Claims records • Correspondence 	Common practice
4.2	INSURANCE			
4.2.1	The process of insuring the Council's officers, property, vehicles and equipment against negligence, loss or damage	Destroy 10 years after the terms of the policy have expired	<ul style="list-style-type: none"> • Insurance policies • Correspondence 	Common practice
4.2.2	Renewals The process of renewing insurance policies	Destroy 5 years after the insurance policy has been renewed	<ul style="list-style-type: none"> • Insurance policy • Renewal records • Correspondence 	Common practice
4.3	RISK MANAGEMENT			
4.3.1	Campaigns related to risk management	Destroy 2 years after completion of campaign.	<ul style="list-style-type: none"> • Campaigns 	Common practice
4.3.2	Risk assessment Risks related to data protection and others	Permanent retention	<ul style="list-style-type: none"> • Risk register • Data Protection Impact Assessments 	Common practice
4.4	INVESTIGATIONS			
44.1	Investigation files Hard copy records	Destroy 10 years from conclusion of case	<ul style="list-style-type: none"> • Investigation file records maintained to a criminal standard 	Common practice

4.4.2	Investigation details Secured on case management system	Automatically destroyed 10 years from conclusion of case	<ul style="list-style-type: none"> Tenancy records and investigation material associated with civil evidence. 	Common practice
-------	-------------------------------------------------------------------	-----------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------	-----------------

5 INFORMATION TECHNOLOGY (IT)

REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
5.1	INFRASTRUCTURE			
5.1.1	Fault reporting Customer reporting of faults relating to council services		<ul style="list-style-type: none"> Public reporting 	
5.1.2	Helpdesk support Help desk support information relating to specific systems or pieces of software	Permanent retention	<ul style="list-style-type: none"> Fault reporting 	
5.1.3	Information security Data security information and documentation	Permanent retention Security events are automatically logged and data retained for 6 months as per PSN framework.	<ul style="list-style-type: none"> Security Events Data Security Incidents 	
5.1.4	Licensing Documentation relating to software licensing	Permanent retention	<ul style="list-style-type: none"> Software license/s 	
5.1.5	Network maintenance Documentation relating to the maintenance and support of the network	Permanent retention	<ul style="list-style-type: none"> LAN WAN diagrams 	

5.1.6	Server maintenance Documentation relating to system servers and their maintenance	Permanent retention	<ul style="list-style-type: none"> Server Maintenance Reports 	
5.1.7	Spatial data management Documentation relating to geographic information systems	Destroy when superseded.		
5.1.8	Storage Relating to storage systems and servers	Records are kept in shared folders and never destroyed.		
5.2	SYSTEM SUPPORT			
5.2.1	Change Control Documentation relating to planned changes to a specific system	Destroy 2 years after system no longer used		
5.2.2	Configuration management Documentation relating to the configuration of the system	Destroy 2 years after system no longer used		
5.2.3	Data Management Documentation relating to the management of specific systems data which includes back-ups, mirroring, and systems interfaces	Destroy 2 years after system no longer used		

5.2.4	Design and Construction Relating to the design and construction of systems	Destroy 2 years after system no longer used		
5.2.5	Development Documentation relating to the development of systems and software. Includes web technology development, programming	Destroy 2 years after system no longer used		
5.2.6	Implementation Relating to systems implementation	Destroy 2 years after system no longer used		
5.2.7	Integration and interfaces Documentation in relation to data conversion, data matching, data mapping and system interfacing	Destroy 2 years after system no longer used		
5.2.8	Maintenance Documentation relating to the maintenance and support of software and systems. Includes website	Destroy 2 years after system no longer used		
5.2.9	Manuals Manuals and user information relating to specific systems and software	Destroy 2 years after system no longer used	<ul style="list-style-type: none"> User manuals and operational guides for specific ICT systems 	

6 CUSTOMER SERVICES				
REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
6.1	CUSTOMER SERVICES			
6.1.1	Service requests Recording customer details (names/addresses/contact details) and service request details on manual or ICT systems	Destroy official records within 12 months that the case is closed Keep permanently electronic copy of cases by reference and case subject only (i.e. no personal data)	<ul style="list-style-type: none"> General complaints Requests for services such as bulky refuse, waste collection, street lights, road maintenance, parks and gardens, etc 	Common practice
6.1.2	Telephone call recordings Calls maybe recorded on phone system	Destroy after 12 months	<ul style="list-style-type: none"> Sound files of telephone calls 	Common practice
6.1.3	Manual service requests Manual back-up systems for capturing service requests in event of system failure, recording customer details (names/addresses/contact details) and service request details	Destroy once entered into the system	<ul style="list-style-type: none"> Manual paper forms /sheets 	
7 COUNCIL MEETINGS				
REF	FUNCTION DESCRIPTION	RETENTION ACTION	EXAMPLES OF RECORDS	NOTES
7.1	COUNCIL MEETINGS			

7.1.1	Council, Committees and Boards Meetings Official and approved meetings of the Council, Council Committees and Boards	Permanent	<ul style="list-style-type: none"> • Council Minutes • Committees Minutes • Selection Process Committees • Procurement Evaluation Committee 	Local Government Act
7.1.2	Recording of Meetings Recording of Council Meetings	Retention is in accordance with the period identified by Local Government Act.	<ul style="list-style-type: none"> • Video or Audio Files 	Local Government Act
7.1.3	Procurement Evaluation Reports	Evaluation Report not to be included in the Council meetings nor mentioned in the proceedings of the Council Meetings	<ul style="list-style-type: none"> • Results from the Evaluation Reports • The Evaluation Report 	Common practice Public Procurement Regulations
7.1.4	Recruitment Process and Evaluation Reports	Evaluation Report not to be included in the Council meetings nor mentioned in the proceedings of the Council Meetings	<ul style="list-style-type: none"> • Results from the Evaluation Reports • The Evaluation Report 	Common practice
8.1	GENERAL CORRESPONDENCE			
8.1.1	General Correspondence Letters written, typed and/or electronic received by post, manually or by electronic means	Destroy 10 years from date of letter.	<ul style="list-style-type: none"> • Incoming mail and emails • Outgoing mail and emails 	Common practice
8.2.2	Council Publications The process of designing setting information for publication	Destroy 2 years from last action	<ul style="list-style-type: none"> • Artwork and designs • Original article writings • Original advertisements 	Common practice

8.2.3	The published work of a Local Council	Destroy undistributed copies after administrative use is concluded Note: One copy from the initial print run should go directly to the National Library and one copy at the Council Archive.	<ul style="list-style-type: none"> • Leaflets • Promotional Material • Newsletters 	Common practice
8.2.4	Media Relations Process of interaction with the media	Destroy 3 years from closure	<ul style="list-style-type: none"> • Press releases • Media call 	Common practice
8.2.5	Media publications concerning local councils	Permanent.	<ul style="list-style-type: none"> • Press Cuttings • Media Reports 	Common practice
8.2.6	Ceremonial or Civic Events The recording of ceremonial events and civic occasions	Permanent. Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> • Visitors' book • Audio recordings • Video recordings • Digital recordings • Photographs 	Common practice
8.2.7	The process of organising a ceremonial event or civic occasions	Destroy 5 years after administrative use is concluded	<ul style="list-style-type: none"> • Guests Lists • Seating Plans • Procurement for event 	Common practice
9	LEGAL			
9.1.1	Litigation The process of managing, undertaking or defending for or against litigation on behalf of the local authority	Minor litigation - Destroy 10 years after last action. Major litigation – Permanent.	Criminal Case file Civil case file Correspondence	Common practice

9.1.2	Advice The process of providing legal advice on a point of law.	Destroy 3 years after last action – unless a major precedent, then keep as Permanent		Common practice
9.1.3	Agreements Process of agreeing terms between organisations Note : this does not include contractual agreements	Destroy 6 years after agreement expires or is terminated	Concordat	Common practice Depends on value of agreement Mainly to do with agreements between public bodies, not in regard to contracts
9.2	BYE-LAWS			
9.2.1	Bye-Laws Enactment The process of making local laws	Permanent. Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> • Master Set of bye-laws • Policy Development documents • Correspondence • Submissions 	<ul style="list-style-type: none"> • Common practice
9.2.2	Administration & Enforcement The process of administering and enforcing bye-laws	Destroy 5 years after certificate has expired or penalty payment has been made or the matter has been finished or correspondence on the matter has ceased	<ul style="list-style-type: none"> • Applications and certificates • Correspondence 	<ul style="list-style-type: none"> • Common practice

Contact Details

The Data Protection Officer can be contacted on:

Data Protection Officer
c/o Ħal Tarxien Local Council,
73 Triq Santa Marija, Ħal Tarxien, TXN 1704
Telephone: +356 2166 6688
Email: dataprotection.tarxien@gov.mt

The Data Controller can be contacted on:

The Executive Secretary
Ħal Tarxien Local Council,
73 Triq Santa Marija, Ħal Tarxien, TXN 1704
Telephone: +356 2166 6688
Email: tarxien.lc@gov.mt

The Info. and Data Protection Commissioner can be contacted on:

Information and Data Protection Commissioner
Level 2, Airways House,
High Street, Sliema SLM 1549
Telephone: +356 2328 7100
Email: idpc.info@idpc.org.mt