

Information Management Standard - Addendum to retention and disposal schedules as a result of the Goddard Inquiry's request to retain records

1. Scope

This standard is an addendum to all WCC retention and disposal schedules.

The ruling has come as a result of an independent statutory Inquiry set up by the Home Office, under the Inquiries Act 2005, and has the power to compel witnesses to give evidence.

Anyone found to have knowingly disposed of/deleted, concealed, suppressed or altered information relevant or potentially relevant to the Inquiry after they have received the communication to stop disposal/deletion of records and information, may be prosecuted under Section 35 of the Inquiries Act 2005. This could result in a fine or jail sentence.

These amendments to the WCC standard [retention and disposal schedules](#) must be adhered to and form part of the council's Information Governance Framework. Employees will be subject to disciplinary action if they knowingly disregard these standards.

2. Introduction

The [Independent Inquiry into child sexual abuse](#) led by the Hon. Lowell Goddard officially opened on Thursday 9 July. The Inquiry has asked the Cabinet Office, religious and voluntary bodies, charities, all Local Authorities, (including WCC) Police, NHS and other public and private bodies in England and Wales, not to dispose of/delete until further notice:

- a. Any material, including reports; reviews; briefings; minutes; notes and correspondence in relation to allegations (substantiated or not) of individuals, organisations, institutions, public bodies or otherwise who may have been involved in, or have knowledge of, child sexual abuse, or child sexual exploitation;*
- b. Any material, including reports; reviews; briefings; minutes; notes and correspondence in relation to allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children;*
- c. Any material, including reports; reviews; briefings; minutes; notes and correspondence in relation to institutional failures to protect children from sexual abuse or other exploitation;*
- d. Any material relevant to statutory responsibilities for the care of children in public or private care;*
- e. Any material relevant to the development of policy on child protection;*
- f. Any material relevant to the development of legislation on child protection;*
- g. Any material relating to the determination of the award of Honours to persons who are now demonstrated to have had a sexual interest in children or are suspected of having had such an interest.*

This includes records created by services that provide support for vulnerable adults (any service user receiving any type of adult social care), e.g. adults with learning difficulties who receive residential care and support for living in the community. The hold applies to adults as

well as children because they could have been a victim as a child or they could have worked with children in the past and been a perpetrator.

There is no cut off date in the past beyond which the Inquiry will not investigate. For this reason it is also important that teams include the records held by Warwickshire County Record Office in any response.

3. What does this mean for disposing of/deleting information?

This means do **not** dispose of any of the information/record types identified above, regardless of whether or not it has reached/gone beyond its retention/disposal period. This covers paper and electronic records, including e-mails. They will be classed as being a 'Legal Hold' and this will not breach Data Protection, as agreed by the Information Commissioner's Office.

4. WCC Services likely to be affected.

The Inquiry has yet to start taking evidence and therefore the broad list in section 1 above may be refined or grow as the Inquiry progresses. At this stage therefore the range of services likely to be affected by this is also likely to be wide.

*Information Management Service
Warwickshire County Council
July 2015*

The list below is therefore not exhaustive:

People Group	Communities Group	Resources Group	Fire & Rescue Service
Social Care and Support Services all teams and services.	Education & Learning all teams and services	HR Employees working with children	Prevention, Protection & Planning (TBD)
Early Help and Targeted Support all teams and services (incl. SWFT and CYPF)	Localities and Partnerships Tackling Poverty, Gypsy & Travellers	Pensions (Nb. Police investigations currently often check with Pensions in order to trace former staff members)	
Children's Social Care and Safeguarding all teams and services	Community Safety & Substance Misuse potentially all teams and services	Law & Governance Young People's Legal Services	
People Group Strategic Commissioning all teams and services	Trading Standards Supporting Vulnerable Consumers	Risk and Assurance Insurance team - re Claims. Llikely to affect records held by private claims teams acting on WCC's behalf as part of a claim	
Professional Practice and Governance all teams and services (incl. Caldicott Guardian)	Youth Justice Service all teams and services	Democratic Services Relevant Committee reports. Honours lists.	
Warwickshire Children's Safeguarding Board multi agency	Heritage and Environment potentially all teams and services including County Record Office	Customer Services Customer relations and complaints	
	Priority Families all teams and services	Information Management - All relevant paper records held by storage provider; all digitised historic social case records	
	Transport Operations all teams and services		