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# **PPS RECORDS MANAGEMENT – RETENTION & DISPOSAL SCHEDULES**

# Final

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# 1. STRATEGIC CONTEXT

#### 1.1 Introduction

- 1.1.1 The role of the Public Prosecution Service for Northern Ireland (PPS) is to provide an independent, fair and effective prosecution service in Northern Ireland. The Director's functions include:
  - responsibility for the prosecution of all criminal offences investigated by the Police Service of Northern Ireland (PSNI);
  - representations to the Court in relation to applications for bail;
  - representing the Crown in any appeal;
  - prosecuting certain offences on behalf of Government Departments; and
  - taking decisions as to prosecution in respect of complaints that criminal offences have been committed by police or members of the security forces.
- 1.1.2 For more information on the PPS go to www.ppsni.gov.uk.
- 1.1.3 There are currently eight physical locations covering the operations of the PPS. These are.
  - Belfast Chambers;
  - Laganside Courts, Belfast;
  - Linum Chambers, Belfast;
  - Lisburn Chambers;
  - Omagh Chambers;
  - Foyle Chambers;
  - Ballymena Chambers; and
  - Newry Chambers.

- 1.1.4 The PPS currently employs approximately 575 legal, administrative and specialist staff.
- 1.1.5 Following the devolution of policing and justice to the NI Assembly in April 2010, the PPS is now a non-ministerial department (NMD). It is funded directly from the Northern Ireland Assembly.

#### **1.2 Organisational Overview**

- 1.2.1 The PPS was established on 13 June 2005 by the Justice (Northern Ireland) Act 2002. The Act created the PPS and defines its statutory duties and commitments and the legislative framework within which it provides its services.
- 1.2.2 The PPS is the principal prosecuting authority in Northern Ireland and is responsible for all criminal cases previously prosecuted by the former Department of the Director of Public Prosecutions for Northern Ireland (DPPNI) and the PSNI. In addition to taking decisions as to prosecution in all cases initiated or investigated by the PSNI, it also considers cases initiated or investigated by other statutory authorities, for example, HM Revenue and Customs and the Office of the Police Ombudsman for Northern Ireland (OPONI).
- 1.2.3 The PPS is headed by the Director of Public Prosecutions for Northern Ireland supported by a Deputy Director of Public Prosecutions. The Deputy Director has all the powers of the Director but must exercise these subject to the direction and control of the Director. Both posts are public appointments made by the Attorney General for Northern Ireland.
- 1.2.4 A Management Board supports the Director in his leadership of the PPS. The Board assists the Director in reaching decisions on the strategic direction of the PPS and in meeting the Director's corporate governance responsibilities. The Management Board comprises the Director (as Chair), Deputy Director, Senior Assistant Director (Regional Prosecutions), Senior Assistant Director (Policy, High Court, Central and Fraud & Departmental), Senior Assistant Director (Finance & Resources) and two independent non-executive members.
- 1.2.5 The PPS is a regionally based organisation. There are four regions, each headed by a Regional Prosecutor (an Assistant Director of Public Prosecutions). The Regional Prosecutor has responsibility for both decisions as to prosecution and the conduct of all prosecutions in that region, with the exception of those cases which are considered by prosecutors in PPS Headquarters.
- 1.2.6 There are also a number of other sections within the Service, each headed by an Assistant Director, which deal with specialised areas of work. These are:
  - Central Prosecutions;

- Fraud and Departmental Prosecutions;
- Policy and Information;
- Private Office; and
- High Court, International Matters and Restraint and Confiscation.
- 1.2.7 Corporate Services is responsible for a variety of support services including Finance, Property Management, Human Resources, Business Assurance, Business Improvement and Information Technology.
- 1.2.8 The locations of the PPS regional offices were selected after consideration of a range of factors including workload, court locations, Targeting Social Need and accessibility.

Region	Offices
Belfast	Belfast Chambers (PPS Headquarters)
Eastern	Lisburn Chambers
Northern	Ballymena Chambers, Foyle Chambers
Western and Southern	Omagh Chambers, Newry Chambers

- 1.2.9 An additional Belfast office, Linum Chambers, presently accommodates the staff of the Fraud and Departmental Section and a range of Corporate Services functions.
- 1.2.10 The primary role of the Public Prosecution Service is to reach decisions to prosecute or not to prosecute and to have responsibility for the conduct of criminal proceedings. A range of additional services are now available which have been designed to enhance the effectiveness of the Service, including the provision of prosecutorial and pre-charge advice to PSNI and the OPONI and an enhanced service to victims and witnesses.
- 1.2.11 Each regional office provides the full range of services. For example, each office includes a Community Liaison function which provides information to victims and witnesses regarding the progress of their case and arranges for their attendance at court.

- 1.2.12 A range of options is also available for dealing with offenders other than through prosecution. Cases are diverted from the courts and the range of options includes restorative cautioning, informed warnings, youth conferencing and referrals to the Northern Ireland Driver Improvement Scheme. The purposes of diversion include dealing quickly and simply with less serious offenders; reducing the risk of re-offending; and engaging the offender in a restorative process with the victim and society as a whole.
- 1.2.13 PPS caseload has grown since 2002 in line with the rollout of the new Service. The total caseload in 2010-11 was 58,821 as compared with 54,376 cases in 2007-08 and fewer than 38,000 in 2006-07.

#### 2. PURPOSE OF THE DISPOSAL SCHEDULES

#### 2.1 Purpose

- 2.1.1 Information is stored by the PPS because it is of future value to the organisation. This information is also of value to government and the wider public.
- 2.1.2 The purpose of this document is to define the appropriate disposal / retention action to be taken against classes of records held by the PPS through a series of schedules.
- 2.1.3 In order to properly co-ordinate and facilitate the management of information held by PPS, all records within PPS will be controlled in line with the PPS Retention and Disposal Schedules. These schedules require approval by the Public Record Office of Northern Ireland (PRONI) and must be laid before the Northern Ireland Assembly to ensure compliance with the Public Records Act (NI) 1923 and the Disposal of Documents Order 1925.
- 2.1.4 The disposition of a record can be assigned either at creation or through a later declaration and will be determined by the schedules.
- 2.1.5 The schedules will categorise the retention and disposal of records into the following broad categories:
  - Records to be destroyed after a defined period this refers to information whose long term value to the organisation can be determined automatically. These would typically relate to the majority of case files produced from CMS, which have their retention period calculated automatically based on data held within CMS. Some Corporate Services record classes can be categorised in this way such as financial information or personnel files;
  - Records to be reviewed periodically this refers to files for which broad categories can initially be defined but which will require manual review (by the Head of the Business Area or other delegated authority) to determine their ongoing value to the organisation. For example, organisational policy documents or project documentation;
  - Records for potential permanent preservation This refers to information that is of historical value which may merit transfer to PRONI. Such examples would include case files which are deemed by PRONI to be of historical or precedent value.
- 2.1.6 The implementation of these schedules will result in:
  - Identification of records worth preserving permanently by PRONI;
  - Prevent the premature destruction of records that need to be retained for a specific period in order to satisfy business and legal requirements;

- Minimise the costs of long term storage; and
- > Promote improved records management practices.

#### 2.2 Operation of the Disposal of Records Schedules

- 2.2.1 **Closure -** records should be **closed** as soon as they have ceased to be of active use other than for reference purposes. Closing a file simply means that no further papers can be added but the file can still be used for reference.
- 2.2.2 **Retention Period** the retention period for each type of record is calculated from the date the file was closed.
- 2.2.3 **Record Disposal** it is the responsibility of each Business Area Head to ensure that record closure / retention / destruction activities are conducted in a timely manner as per the relevant schedule and in accordance with protective security guidelines.
- 2.2.4 **Review by PRONI** where there is reference to potential transfer of material to PRONI, PRONI staff will review the material to determine whether it should be preserved permanently by PRONI or can be destroyed by PPS.

#### 2.3 Scope

- 2.3.1 The schedules relate to all classes of records held by the PPS by both operational and business support functions within the organisation.
- 2.3.2 The various schedules set out in Section 2 of this document separate the records into the following functional categories:
  - ➢ Case Files
    - DPP Case Files
    - PPS Case Files
    - High Court and International Section Case Files
  - Corporate Services
    - Human Resources Branch
    - Finance Branch
    - Central Management Unit Branch
    - Information Communications & Technology Branch
    - Business Assurance Branch
    - Property Management Branch
  - Policy & Information Section and Private Office
    - Private Office
    - Archives

2.3.3 Every effort has been made to ensure that this schedule contains a comprehensive list of record types held by the various functional areas. Where a record type is not listed, the functional area should advise the Business Assurance Manager who will consider and amend the schedule as deemed appropriate.

# 3. DISPOSAL SCHEDULE – CASE FILES

#### 3.1 Background

3.1.1 Recognising the differences in the volume and the range of cases in terms of seriousness prosecuted by the former DPP and the PPS, the PPS will operate separate retention schedules for the older DPP archive case files and the more recent PPS case files.

#### 3.2 DPP Case Files<sup>1</sup>

3.2.1 All case files for the former DPP were received in hard copy from the investigating authority.

Class Reference	Class of Records	<b>Retention Period</b>	Final Action
DPP – PF1	Cases classified as being part of the DPP Archive and having been opened prior to 1986	N/A	Transferred to PRONI for permanent retention
DPP – PF2	being part of the DPP Archive and having	Retain <b>all</b> elements of the file <b>for 25</b> <b>years</b> from date of the closure of the file or receipt of the last document on the file	PRONI after 25 years for permanent

Table 1: DPP Case File Retention Schedule

<sup>&</sup>lt;sup>1</sup> A DPP Case File is defined as a prosecution file with a date opened before 1<sup>st</sup> December 2003 (the rollout of the PPS commenced on 1<sup>st</sup> December 2003)

# 3.3 PPS Case Files<sup>2</sup>

- 3.3.1 Given that over 95% of files now received by the PPS are submitted through Causeway and are therefore electronically retained in the PPS Case Management System (CMS), hard copy versions of materials stored on CMS/Causeway are not required to be held on a file throughout its retention period. A case file received through Causeway can be reconstructed to its original state at any time from CMS. It is however important to retain material gathered in the course of the life of a file which is not received electronically and therefore not on CMS.
- 3.3.2 Therefore files which were received by PPS as hard copy will require the storage of all material until the retention period has been exceeded as these will not be available electronically.
- 3.3.3 The periods defined below are for retention of the physical elements of the file – these periods run from the date of the closure of the file or receipt of the last document on the file. The elements of the file retrievable electronically will be destroyed at the point of closure.

<sup>&</sup>lt;sup>2</sup> A PPS Case File is defined as a prosecution file with a date opened on or after 1<sup>st</sup> December 2003 (the rollout of the PPS commenced on 1<sup>st</sup> December 2003)

Class Reference	Class of Records	Retention Period	Review Action	Final Action <sup>3</sup>
PPS – PF1	Cases prosecuted in the Magistrates' Court and Youth Court	for 2 years from date of the closure	-	All physical elements destroyed by regional staff as part of yearly file review
PPS – PF2	Cases where a No Prosecution Decision is issued	Retain <b>physical</b> elements of the file <b>for 2 Years</b> from date of the closure of the file or receipt of the last document on the file	PRONI to review once flagged for disposal for cases of historical value.	For files not transferred to PRONI - all physical elements destroyed by regional staff as part of yearly file review
PPS – PF3	Cases where a Diversionary Decision is issued	Retain <b>physical</b> elements of the file <b>for 2 Years</b> from date of the closure of the file or receipt of the last document on the file	-	All physical elements destroyed by regional staff as part of yearly file review
PPS – PF4	Cases prosecuted on Indictment, including those where the Accused has elected for trial	of the file or receipt of the last	PRONI to review once flagged for disposal for cases of historical value.	For files not transferred to PRONI - all physical elements destroyed by regional staff as part of yearly file review
PPS – PF5	Cases with papers of	Retain physical elements of the file	PRONI to review once	For files not transferred to

#### Table 2: PPS Case File Retention Schedule

<sup>3</sup> All elements of the file held electronically will be deleted from PPS network through an automated process.

	precedent value (as indicated by the Prosecutor) regardless of whether a decision has been for prosecution or not	1	flagged for disposal for cases of historical value.	PRONI - all physical elements destroyed by regional staff as part of yearly file review
PPS – PF6	-	Retain <b>physical</b> elements of the file <b>for 25 Years</b> from date of the closure of the file or receipt of the last document on the file	PRONI to review once flagged for disposal for cases of historical value.	For files not transferred to PRONI - all physical elements destroyed by regional staff as part of yearly file review
PPS – PF7	Cases received from the Police Ombudsman's Office where there has been a prosecution	of the file or receipt of the last	PRONI to review once flagged for disposal for cases of historical value.	For files not transferred to PRONI - all physical elements destroyed by regional staff as part of yearly file review
PPS – PF8	Cases which have been reported for murder, attempted murder, manslaughter or serious sexual offences regardless of whether the decision has been for prosecution or not	for 25 Years from date of the closure of the file or receipt of the last document on the file	PRONI to review once flagged for disposal for cases of historical value.	For files not transferred to PRONI - all physical elements destroyed by regional staff as part of yearly file review

# 3.4 High Court & International Section Case Files

3.4.1 Material within the High Court and International Section including International Matters and Restraint and Confiscation will continue to be retained permanently. This arrangement will be reviewed when new ICT systems go live within the PPS.

# 4. DISPOSAL SCHEDULE – CORPORATE SERVICES

Table 3: PPS Corporate Services Retention Schedule

Class Reference	Class of Records	Retention Period	Final Action
	HUMAN RESOURCES BRANCH		
PPS – HR1	Staff Personnel Files	Retain for 6 years after completion of service	Destroy within Business Area - managed by Head of Business Area
PPS – HR2	Equal Opportunities (including investigations)	Closed once business need ceases – destroy 10 years after last action	Destroy within Business Area - managed by Head of Business Area
PPS – HR3	Performance Management records	Termination of employment + 6 years	Destroy within Business Area - managed by Head of Business Area
PPS HR4	Paper based Recruitment Files	Destroy 10 years after last action	Destroy within Business Area - managed by Head of Business Area
PPS – HR5	General Correspondence (including internal memos and minutes)	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – HR6	Dignity at Work Files	Retain for 5 years	Destroy within Business Area - managed by Head of Business Area

PPS – HR7	Corporate Management Papers	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – HR8	HR Registered Files	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
	FINANCE BRANCH		
PPS – FI1	Accounts (Final)	Retain for 7 years after end of related financial year	Destroy within Business Area - managed by Head of Business Area
PPS – FI2	Audit records	Retain for 7 years after end of related financial year	Destroy within Business Area - managed by Head of Business Area
PPS – FI3	Counsel fees payments records	Retain for 7 years after end of related financial year	Destroy within Business Area - managed by Head of Business Area
PPS – FI4	Court witness payment records	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – FI5	Tender documentation	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – FI6	Budget planning and management papers	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – FI7	Policy documentation	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – FI8	Corporate Management	Retain for 7 years	Destroy within Business Area - managed by Head of

	Papers		Business Area
PPS – FI9	General Correspondence	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – FI10	Internal Minutes and Memos	Retain for 7 years	Destroy within Business Area - managed by Head of Business Area
PPS – FI11	Procurement Papers: Tender Exercises and Contract Management Papers	Retain for 7 years after contract expiry date	Destroy within Business Area - managed by Head of Business Area
PPS – FI12	Invoices (Capital Expenditure)	Retain for 7 years after end of related financial year	Destroy within Business Area - managed by Head of Business Area
PPS – FI13	Invoices (Revenue Expenditure)	Retain for 7 years after end of related financial year	Destroy within Business Area - managed by Head of Business Area
PPS – FI14	Expense claims	Retain for 6 years after end of related financial year	Destroy within Business Area - managed by Head of Business Area
	CENTRAL MANAGEMENT UNIT BRANCH		
PPS – CMU1	Freedom of Information Requests	Retain for 3 years after full disclosure; 10 years if information is redacted or the information requested is not disclosed	Destroy within Business Area – managed by Head of Business Area

PPS – CMU2	Parliamentary / Assembly Questions	Destroy 20 years after response has been issued, PRONI to review for historical / special interest	Destroy after PRONI review or transfer to PRONI
PPS – CMU3	Subject access requests – records of requests	Destroy 2 years after response has been issued	Destroy within Business Area – managed by Head of Business Area
PPS – CMU4	Environmental Information Regulations Requests	Destroy 2 years after response has been issued	Destroy within Business Area – managed by Head of Business Area
PPS – CMU5	General Correspondence – non-case related	Review 2 years after last action for retention value	Destroy within Business Area – managed by Head of Business Area
PPS – CMU6	Complaints	Destroy 2 years after response has been issued	Destroy within Business Area – managed by Head of Business Area
PPS – CMU7	Internal Minutes and Memos	Review 2 years after last action for retention value	Destroy within Business Area – managed by Head of Business Area
PPS – CMU8	<b>Corporate Planning</b> – refers to master record of information relating to the drafting and finalisation of Business Plans and annual reports.	Review 5 years after date of last action for retention value	Review within Business Area – managed by Head of Business Area
PPS – CMU9	Statistics (Final Published	Destroy 30 years after publication date	Destroy within Business Area – managed by Head

	Version)		of Business Area
PPS – CMU10	Statistics (Management Information)	Review 5 years after date of last action for retention value	Destroy within Business Area – managed by Head of Business Area
	INFORMATION AND COMMUNICATIONS TECNOLOGY BRANCH		
PPS – IT1	<b>Project Documents</b> – records related to in-house or purchased systems, including user manuals, business requirements, system modifications	Review 5 years after conclusion of project for retention value. If appropriate, destroy within business area	Review within Business Area – managed by Head of Business Area
PPS – IT2	<b>Contracts</b> – Refers to initial proposals, tenders, contract amendments, and contract operation and monitoring.	Destroy within business area 5 years after contract expires	Review within Business Area – managed by Head of Business Area
PPS – IT3	<b>Equipment &amp; System</b> <b>Management</b> – Refers to records relating to the management of IT equipment and supplies.	Destroy within business area 5 years after last action	Review within Business Area – managed by Head of Business Area
PPS – IT4	<b>Support Requests</b> – Refers to records relating to requests for access to IT	Destroy within business area 5 years after last action	Review within Business Area – managed by Head of Business Area

	systems and applications, and notifications of system faults. Includes user Id's and passwords, work requests and, system fault or enhancement reports.		
	BUSINESS ASSURANCE BRANCH		
PPS – BA1	Retention and Disposal Schedules	Retain Permanently	Retained by Business Assurance branch
PPS – BA2	Policy Papers	Review 2 years after last action to determine ongoing value. If appropriate, destroy within business area	Destroy within Business Area – managed by Head of Business Area
PPS – BA3	Performance Management Records	Termination of employment + 6 years	Destroy within Business Area – managed by Head of Business Area
PPS – BA4	Audit Records	2 years from completion of audit assignment (including follow-up audits)	Destroy within Business Area – managed by Head of Business Area
PPS – BA5	Security Incident Records	Retain for 10 years	Destroy within Business Area – managed by Head of Business Area
PPS – BA6	Project Files	6 years	Destroy within Business Area – managed by Head of Business Area

	PROPERTY MANAGEMENT BRANCH		
PPS – PM1	Restricted Policy Files	Review 3 years after last action for retention value. If appropriate, destroy within business area	Destroy within Business Area – managed by Head of Business Area
PPS – PM2	Confidential Policy Files	Review 5 years after last action for retention value. If appropriate, destroy within business area	Destroy within Business Area – managed by Head of Business Area
PPS – PM3	<b>Contracts</b> – Refers to initial proposals, tenders, contract amendments, and contract operation and monitoring.	Destroy 5 years after contract expires	Destroy within Business Area – managed by Head of Business Area
PPS – PM4	Building Leases	Period of lease plus 12 years	Destroy within Business Area – managed by Head of Business Area
PPS – PM5	Work Orders	Destroy 2 years after completion of work	Destroy within Business Area – managed by Head of Business Area
PPS – PM6	Corporate Management Papers	Review 3 years after last action for retention value. If appropriate, destroy within business area	Destroy within Business Area – managed by Head of Business Area
PPS – PM7	PRFs / Invoices	Finance Branch will retain invoices & supporting documentation for 7 years to comply. Property Management	Destroy within Business Area – managed by Head of Business Area

		Branch will retain copy invoice & supporting documentation for 2 years.	
PPS – PM8	Office Manuals	Building Manuals retained for duration of Lease and returned to Landlord	Destroy within Business Area – managed by Head of Business Area
PPS – PM9	Health & Safety Records	Review 5 years after last action	Returned to Landlord – managed by Head of Business Area
PPS – PM10	Maintenance Records	Review 5 years after last action	Review within Business Area – managed by Head of Business Area
PPS – PM11	General Correspondence	Review 2 years after last action for retention value. If appropriate, destroy within business area	Review within Business Area – managed by Head of Business Area

# 5. DISPOSAL SCHEDULE – POLICY & INFORMATION SECTION AND PRIVATE OFFICE

5.2.1 PPS Policy & Information Section will conduct a sensitivity review prior to the transfer of any material to PRONI for permanent preservation.

#### Table 5: Policy & Information & Private Office Retention Schedule

Class Reference	Class of Records	Retention Period	Final Action
	PRIVATE OFFICE		
PPS – PO1	Media Relations – refers to press releases, media correspondence, press conference reports.	Flag for disposal 7 years after last action. PRONI to review prior to disposal for cases of historical / special interest	Destroy within Business Area. If deemed suitable for permanent preservation by PRONI, transfer to PRONI after 20 years.
PPS – PO2	<b>Publicity Material</b> – refers to material which promotes the activities and functions of the PPS.	Flag for disposal 2 years after last action. PRONI to review prior to disposal for cases of historical / special interest	Destroy within Business Area. If deemed suitable for permanent preservation by PRONI, transfer to PRONI after 20 years.
PPS – PO3	<b>Civic Events &amp;</b> <b>Conferences</b> – refers to records relating to the organisation of events which promote the	Flag for disposal 5 years after last action. PRONI to review prior to disposal for cases of historical / special interest	Review within Business Area. If retained permanently transfer to PRONI 20 years after last action.

	functions and services of the PPS.		
PPS – PO4	Senior Management Meetings – records relating to meetings which reflect the core functions and strategic objectives of the PPS	Retain Permanently.	Transfer to PRONI 20 years after last action.
PPS – PO5	External Agency Working Groups / Meetings – records relating to the work of committees which significantly affect the administrative and operational functions of the PPS	Retain Permanently.	Transfer to PRONI 20 years after last action.
<b>Class Reference</b>	ARCHIVES	Retention Period	Final Action
PPS – AR1	<b>Policy, Practice and</b> <b>Procedure</b> – refers to organisational input to law and practice in relation to prosecutions	Review conducted every 10 years to determine ongoing value to PPS (up to 30 years)	Destroy after 10 / 20 / 30 year review with PRONI approval or transfer to PRONI after 20 / 30 year review.
PPS – AR2	IndividualsandAssociations– refers to	Review conducted every 10 years to determine ongoing value to PPS (up to 30	Destroy after 10 / 20 / 30 year review with PRONI approval or transfer to PRONI after 20 /

	correspondence and information received from external sources including communication from government officials such as the Attorney General	years)	30 year review.
PPS – AR3	<b>Legislation</b> – refers to organisational input to and implementation of legislation	Review conducted every 10 years to determine ongoing value to PPS (up to 30 years)	Destroy after 10 / 20 / 30 year review with PRONI approval or transfer to PRONI after 20 / 30 year review.
PPS – AR4	<b>Extra-Departmental</b> – refers to information and communication with other statutory bodies – e.g. DOJ, CPS, PSNI.	Review conducted every 10 years to determine ongoing value to PPS (up to 30 years)	Destroy after 10 / 20 / 30 year review with PRONI approval or transfer to PRONI after 20 / 30 year review.
PPS – AR5	<b>Departmental</b> – refers to the internal management of the organisation (to 2006 only)	Review conducted every 10 years to determine ongoing value to PPS (up to 30 years)	Destroy after 10 / 20 / 30 year review with PRONI approval or transfer to PRONI after 30 year review.

Embarrassingly