

West Farleigh Parish Council

Parish Council Document/Data Retention Policy

Introduction

West Farleigh Parish Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Parish Council.

This policy applies to all records created, received or maintained by the Parish Council while carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities.

These records may be created, received or maintained in hard copy or electronically.

Responsibilities

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with the overall responsibility for the implementation of this policy is the Clerk to the Parish Council, and the Clerk is required to manage the Council's records in such a way as to promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner.

Retention Schedule

Under the Freedom of Information Act 2000 and the General Data Protection Regulations 2018, the Parish Council is required to maintain a retention schedule listing the records which it creates during its business.

The retention schedule lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use. The Clerk is expected to manage the current record keeping systems using the retention schedule and to take account of the different retention periods when creating new record keeping systems.

This retention schedule refers to all records, regardless of the media in which they are stored.

Document Retention Schedule

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Minutes	Indefinite	Archive	Clerk's Home Address Kent County Archives	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage.
Agendas	5 years	Management	Clerk's Home Address	Bin (shred confidential items)
Accident/incident reports	20 years	Potential claims	Clerk's Home Address	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scales of fees and charges	6 years	Management	Contained within FOI/Publication Scheme Policy	Bin
Receipt and payment accounts	Indefinite	Archive	Clerk's Home Address	N/A
Receipt books of all kinds	6 years	VAT	Clerk's Home Address	Bin
Bank statements including deposit/savings accounts	Last completed audit year	Audit	Clerk's Home Address	Confidential waste
Bank paying-in books	Last completed audit year	Audit	Clerk's Home Address	Confidential waste
Cheque book stubs	Last completed audit year	Audit	Clerk's Home Address	Confidential waste
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Clerk's Home Address	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Paid invoices	6 years	VAT	Clerk's Home Address	Confidential waste
Paid cheques	6 years	Limitation Act 1980 (as amended)	Clerk's Home Address	Confidential waste
VAT records	6 years generally but 20 years for VAT on rents	VAT	Clerk's Home Address	Confidential waste
Wages books/payroll	12 years	Superannuation	Clerk's Home Address	Confidential waste
Insurance policies	While valid (but see next two items below)	Management	Clerk's Home Address	Bin
Insurance company names and policy numbers	Indefinite	Management	Clerk's Home Address	N/A
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management	Clerk's Home Address	Bin
Play Equipment inspection reports	21 years		Clerk's Home Address	
Investments	Indefinite	Audit, Management	Clerk's Home Address	N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management	Clerk's Home Address	N/A
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant			Bin
Local/historical information	Indefinite – to be securely kept for benefit of the Parish	Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use for such records (defined as materials in written or other form)	Clerk's Home Address	N/A

		setting out facts or events or otherwise recording information).		
Document	Minimum Retention Period	Reason	Location Retained	Disposal
Magazines and journals	Council may wish to keep its own publications For others retain for as long as they are useful and relevant.	These may be of local or historical interest.	Clerk's Home Address	Bin if applicable
	Record-keeping			
To ensure records are easily accessible it is necessary to comply with the following: <ul style="list-style-type: none"> • A list of files stored in cabinets will be kept • Electronic files will be saved using relevant file names 	The electronic files will be backed up periodically on a portable hard drive.	Management	Clerk's Home Address	Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
General correspondence	Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept (in line with GDPR regulations). Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to	Management	Clerk's Home Address	Bin (shred confidential waste) A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

	protect legal and other rights and interests.			
Correspondence relating to staff	If related to Audit, see relevant sections above. Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months Recommend this period be for 3 years	After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council.	Clerk's Home Address	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Document	Minimum Retention Period	Reason	Location Retained	Disposal
<p>Documents from legal matters, negligence and other torts</p> <p>Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Where the limitation periods are longer than other periods specified the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories.</p> <p>If in doubt, keep for the longest of the three limitation periods.</p>				
Negligence	6 years			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Defamation	1 year			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Contract	6 years			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Leases	12 years			Confidential waste.
Sums recoverable by statute	6 years			Confidential waste.
Personal injury	3 years			Confidential waste.
To recover land	12 years			Confidential waste.
Rent	6 years			Confidential waste.
Breach of trust	None			Confidential waste.
Trust deeds	Indefinite			N/A
	Planning Papers			
Applications	Retain until decision, unless contentious or large development	Management	Clerk's Home Address	Bin
Appeals	1 year unless significant development	Management	Clerk's Home Address	Bin
Trees Surveys	Indefinite	Management	Clerk's Home Address	Bin
Local Development Plans	Retained as long as in force	Reference	Clerk's Home Address	Bin