Data Retention & Disposal Policy

1 Introduction

1.1 The guidelines set out in this document supports the Council's Data Protection Policy and assists it in compliance with the Freedom of Information Act 2000, the General Data Protection Regulation & The Data Protection Act 2018 and other associated legislation.

1.2 It is important that the Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. However, it is important to note that this is a live document and will be updated on a regular basis.

1.3 The Council will ensure that information is not kept for longer than is necessary and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

2 Aims and Objectives

2.1 It is recognised that up to date, reliable and accurate information is vital to support the work that the Council does and the services that it provides to its residents.

This document will help it to:

• Ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public.

• Comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Data Protection Act 1998, the General Data Protection Regulation, the Data Protection Act 2018 and the Environmental Information Regulations 2004.

• Save employees' time and effort when retrieving information by reducing the amount of information that may be held unnecessarily. This will assist them as they carry out their daily duties, or if searching for information requested under the Freedom of Information Act.

• Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

Date Reviewed: 24th January 2023
Committee: F&GP – Minute reference 52
Review Date: 2028

3 Scope

3.1 For the purpose of this Strategy, ‘documents’ includes electronic, microfilm, microfiche and paper records.

3.2 The retention schedule refers to all Parish Council records irrespective of the media in which they are stored. Paper records, originals rather than photocopies should be retained where possible.

4 Roles and Responsibilities

4.1 The Clerk has overall responsibility for the policy.

4.2 The Clerk is responsible for the maintenance and operation of this policy including adhoc checks to ensure compliance.

4.3 Other delegated staff are responsible for ensuring their records are kept and destroyed in line with this policy.

4.4 Individual Councillors may hold records in hard copy or electronically at home or on their own devices, If they consider that some of these records are important in the context of the parish records, they should advise that the Clerk retain a copy for the official record. Individual Councillors are strongly advised to undertake “weeding” and “housekeeping” on a regular basis. On resigning from the Council, Councillors should delete the electronic records they hold and destroy hard copy documents.

4.5 The Clerk responsible for ensuring that the guidelines set out in this policy are adhered to and to ensure that any documents disposed of are done so in accordance with their ‘sensitivity’ (i.e. whether they are normal waste or ‘Confidential Waste’

5 Confidential Waste

5.1 Fundamentally any information that is required to be produced under the Freedom of Information Act or Environmental Information Regulations, is available on the website or is open to public inspection should NOT be treated as confidential waste.

5.2 However, any information that is protected by the Data Protection Act or as Confidential under the Council’s Constitution should be treated as confidential waste for disposal purposes.

5.3 Examples of what constitutes confidential waste:

• Exempt information contained within supporting documents.

• Files containing the personal details of an individual and files that predominantly relate to a particular individual or their circumstances. For example - completed application forms and letters.

• Materials given to it on a ‘confidential’ or on a limited use basis e.g. material provided by contractors or the police.

5.4 Examples of what does not constitute confidential waste:

• Documents that are available to the public via its website or by submitting an appropriate search request to it for general information.

• All reports and background papers of matters taken to Committee in public session unless specifically exempt

6 Retention

6.1 Timeframes for retention of documents have been set using legislative requirements and the Chartered Institute of Personnel and Professional Development (CIPD) guidelines.

6.2 Throughout retention the conditions regarding safe storage and controlled access will remain in place.

6.3 Disclosure information appertaining to Disclosure and Barring Checks must be kept securely in a locked cabinet. Only those entitled to see it in the course of their duties should have access. The security and confidentiality of all Disclosure information is closely registered under the Police Act 1997.

6.4 Disclosure information must not be retained for a period of more than six months and must be destroyed in a secure manner using the shredder in the Reception office.

6.5 Any unauthorised employee accessing or attempting to access Disclosures or Disclosure information, or personnel records will be dealt with under the Council’s disciplinary procedures.

6.6 The attached ‘Appendix’ shows the minimum requirements for the retention of documents as determined by those officers responsible for the management of these particular documentation types. Officers holding documents should exercise judgement as to whether they can be disposed of at the end of those periods detailed below.

Retention Schedule

This list is not exhaustive; if you are unsure about any document contact the Clerk for clarification.

Document	Retention Period	Reason for retention	Destruction Method
Minutes & Correspondence			
Signed Minutes of Council Meetings, Minute Books & Agendas	Indefinite	Legal requirement for Parish Councils	N/A
Supporting papers on issues deemed important to the History of the Parish	Indefinite	Historical Interest	N/A
Routine correspondence, papers & emails	1 Year	Only kept while operationally Relevant	Shred/Delete
Finance			
Annual Accounts	Indefinite	Legal requirement for Parish Councils	N/A
Annual Returns	Indefinite (legal requirement Is that they remain available For public access for “not Less than 5 years”)	Legal requirement for Parish Councils	Shred/Delete
Receipt Books	6 Years	VAT Requirement	Shred/Delete
Bank Statements	Last completed Audit Year	Audit Requirement	Shred/Delete
Cheque Book stubs	Last completed Audit Year	Audit Requirement	Shred/Delete
Petty Cash	Last completed Audit Year	Audit Requirement	Shred/Delete
Paying in Books	Last completed Audit Year	Audit Requirement	Shred/Delete
Paid Invoices	6 Years	VAT Requirement	Shred/Delete
Paid Cheques	6 Years	Limitation Act 1980	Shred/Delete
VAT Records	6 Years	VAT Requirement	Shred/Delete
Payroll	12 Years	Superannuation Requirement	Shred/Delete
Insurance	General Policies – while Valid Employers – 40 Years Public Liability – 21 Years	Only kept while operationally relevant Employers’ Liability Regulations (s1, 2753)	Shred/Delete

		Only kept while operationally relevant	
Insurance Claim Records	7 years after all obligations are Concluded	Only kept while operationally relevant.	Shred/Delete
Policy Renewal Records	While valid	Only kept while operationally relevant.	Shred/Delete
General Management			
Title Deeds, Leases, Variation and Valuation queries Agreements, Contracts	Indefinite	Audit/Operational requirement	Shred/Delete
Members allowances	6 Years	Tax/Limitation Action 1980	Shred/Delete
Quotations & Tenders	6 Years	Limitation Act 1980	Shred/Delete
Documentation referring to externally funded projects	6 Years	Audit/Operational requirement	Shred/Delete
Routine correspondence and emails	1 Year	Only kept while operationally relevant	Shred/Delete
Complaints	1 Year after closure of case	Only kept while operationally relevant	Shred/Delete
Information Requests	1 Year after closure of case	Only kept while operationally relevant	Shred/Delete
Public Consultation: surveys and returns	5 Years	Only kept while operationally relevant	Shred/Delete
Public Consultation: summary results	10 Years	Only kept while operationally relevant	Shred/Delete
Reports/newsletters/information from other bodies	Retain as long as valid/useful	Only kept while operationally relevant	Shred/Delete
Policies & Procedures	Until updated or reviewed	Only kept while operationally relevant	Shred/Delete
Asset Management Records	Indefinitely		Shred/Delete
Asset Management Reports	Indefinitely		Shred/Delete
Internal Audit Records	3 Years		Shred/Delete
Internal Audit Fraud Investigation	7 Years from date of final Outcome of investigation		Shred/Delete
Risk Register	Indefinitely		N/A
Risk Management Reports	Indefinitely		N/A

Vehicle maintenance and registration records (all Certificates, MOT, test records etc.)	2 Years after vehicle disposed of		Shred/Delete
Members			
Register of Officers Interests	Term of Office + 1 Year	Localism Act 2011, s29	Shred/Delete
Register of Members Interests	Term of Office + 1 Year	Localism Act 2011, s29	Shred/Delete
Parish Council Elections/Applications	1 Year	Only kept while operationally relevant	Shred/Delete
Health & Safety			
Accident Books	3 Years (unless involving Chemicals or asbestos)	Only kept while operationally relevant	Shred/Delete
Medical records containing details of employee Exposed to asbestos or specified by the Control of Substances Hazardous to Health Regulations 1999	40 Years	Only kept while operationally relevant	Shred/Delete
Records relating to accidents to persons over 18 Years	3 Years from date of Accident	Only kept while operationally relevant	Shred/Delete
Records relating to accidents to persons under 18 Years	Under 21st Birthday	Only kept while operationally relevant	Shred/Delete
Asbestos records for premises/property including Survey and removal records	40 Years	Only kept while operationally relevant	Shred/Delete
Parks and play area inspection reports	Indefinitely	Only kept while operationally relevant	Shred/Delete
Warranties	10 Years	Only kept while operationally relevant	Shred/Delete
Documents relating to the process of collecting, Transporting and disposal of general waste	3 Years	Only kept while operationally relevant	Shred/Delete
Documents relating to the process of collecting, Transporting and disposal of hazardous waste	10 Years	Only kept while operationally relevant	Shred/Delete
Room Booking			
Room Booking Form	1 Year	Only kept while operationally relevant	Shred/Delete
Electronic Booking Information	Indefinitely	Keep for statistical gathering	N/A