



# BRIZE NORTON PARISH COUNCIL

## Document Retention and Disposal Policy

Document Retention and Disposal Policy	
Adopted by Full Council	Monday 11 <sup>th</sup> May 2020
This Review	August 2023
Next Review	2025

### **INTRODUCTION**

The guidelines set out in this document support the Parish Council's Information and Data Protection Policy and assists us in compliance with  
The Data Protection Act 2018,  
The Freedom of Information Act 2000,  
The Environmental Information Regulations 2004  
and other associated legislation.

The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various different types of documents.

Records created and maintained by the Parish Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.

Documents may be retained in either 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.

It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely the Parish Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Parish Council.

In contrast to the above the Parish Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the Data Protection Act 2018 so that

personal information including Employee Records are not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

## **SCOPE AND OBJECTIVES**

The aim of this document is to provide a working framework to determine which documents are:

- Retained – and for how long; or
- Disposed of – and if so by what method.

It is recognised that up to date, reliable and accurate information is a vital tool to support the work that the Parish Council does and the services provided for its residents.

There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value.

Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.

Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be undertaken as prescribed under the Data Protection Act 2018.

## **ROLES AND RESPONSIBILITIES**

The Parish Council is responsible for determining whether to retain or dispose of documents and should undertake an occasional review of documents to ensure that any unnecessary documentation being held is disposed of as detailed under the Data Protection Act 2018.

The Clerk as the Council's Data Protection Officer is responsible for maintenance and operation of the Retention and Disposal Policy.

The Parish Council should ensure that all employees are aware of the Document Retention and Disposal Policy.

## **DOCUMENT RETENTION PROTOCOL**

The Parish Council should have in place an adequate system for documenting the activities of our service. This system should take into account the legislative and regulatory environments to which we work.

Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:

- Facilitate an annual audit
- Protect the legal rights of the Parish Council and any other persons affected by its actions.
- Verify individual consent to record, manage and disposal of their personal data.
- Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.

To facilitate this the following principles should be adopted:

- Records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the Data Protection Act 2018.
- Documents that are no longer required for operational purposes but need retaining could be placed at the County Records Office.

The Retention Schedule in Appendix A: List of Documents for Retention and Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. This schedule has been compiled from recommended best practice from recognised sector bodies NALC and SLCC.

Whenever there is a 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.

General information can be placed in clear recycling bags and disposed of as general paper waste for recycling purposes.

## **DOCUMENT DISPOSAL PROTOCOL**

Documents should only be disposed of if reviewed in accordance with the following:

- Is retention required to fulfil statutory or other regulatory requirements?
- Is retention required to meet the operational needs of the service?
- Is retention required to evidence events in the case of dispute?
- Is retention required because the document or record is of historic interest or intrinsic value?

When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned.

Documents can be disposed of by any of the following methods:

- Non-confidential records: place in clear recycling bags for disposal.
- Confidential records or records giving personal information: shredded documents are shredded annually.
- Deletion of computer records.
- Transmission of records to an external body such as the County Records Office.

The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the Data Protection Act 2018.
- Where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner's Office (ICO).
- Where documents are of historical interest it may be appropriate that they are transmitted to the County Records Office.
- Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

## **DATA PROTECTION ACT 2018 – OBLIGATION TO DISPOSE OF CERTAIN DATA**

The Retention and Disposal Policy sits side by side with the Parish Council's Information and Data Protection Policy as well as the Data Protection Act 2018.

The Parish Council is responsible for ensuring that we comply with the six Data Protection Principles which are set out in the Data Protection Act 2018 and summarised below:

- Personal data shall be processed fairly, lawfully and in a transparent manner in relation to the data
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

## **REVIEW OF DOCUMENT RETENTION**

It is planned to review, update and where appropriate amend the Document Retention and Disposal Policy on a regular basis in accordance with advice and recommendations from the recognised sector bodies NALC and SLCC.

## **LIST OF DOCUMENTS**

The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

### **APPENDIX A: List of Documents for Retention and Disposal**

The retention period is based on the minimum guidance from NALC. The number of years specified plus the current financial period (i.e. three years plus the current period, therefore at least three years documentation will always be retained at any given point in time).

This list is not exhaustive. If you are unsure about any documentation, contact the Data Protection Officer for Clarification.

Further advice and guidance are available from Departmental Library and Records Management Service, <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/616921/what-to-keep.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/616921/what-to-keep.pdf)

The County Records Office (CRO) is held at St. Luke's Church, Temple Road, Cowley, Oxon, OXON, OX4 2HT

		<b>DOCUMENT</b>	<b>RETENTION PERIOD</b>	<b>ACTION</b>
Financial	Financial Records	Receipts & Payments book	Indefinite	Retain in long term storage or electronically
		Receipt books of all kinds	6 years	Destroy after 6 years
		Bank Statements	Last completed audit year	Review after 6 years and destroy
		Bank Paying in Books	Last completed audit year	Review after 6 years and destroy
		Cheque Book stubs	Last completed audit year	Destroy after 1 year
		Quotations and tenders	6 years	Destroy after 6 years
		Paid Invoices	6 years	Destroy after 6 years
		Paid Cheques	6 years	Destroy after 6 years
		VAT & HMRC Records	6 years	Destroy after 6 years

		Petty cash, postage and telephone books	6 years	Destroy after 6 years
		Members Allowance	6 years	Destroy after 6 years
		Audit Records	6 years	Destroy after 6 years
Personnel	HR Records	Time Sheets	3 years	Destroy after 3 years
		Wages Books	12 years	Destroy after 12 years
		PAYE/ Payroll records	6 years	Held by Clerk
		Personnel Records	Indefinite	Held by Clerk
		Employee Applications	As soon as position filled	Destroy unless needed for complaint
		Appraisals	Hold for 3 years after employee leaves service	Held by Clerk
		Personnel Files	7 years (after employee has left employment)	After such time, summary data will be kept indefinitely
		Interview and other connected personnel processes	6 months (after the date of the interview)	Destroy after 6 months
Corporate	Council Business	Minutes & Agendas	Indefinite	Retain in office and archive at CRO after 2 years
		Councillor's Declarations of Office	1 term of office	Destroy after 1 year, but if minutes do not survive - preserve
		Register of Interests	Held by WODC	Link from PC to WODC Website
		Application for Co-option to the Council	Keep successful candidate for 1 year after resigning	Destroy other application once successful candidate co-opted
		Register of Electors	3 years	But if annotated with extra information, review
		Scales of Fees and Charges	6 years	Destroy after 6 years
	Insurance Records	Employers Liability Insurance certificate	40 years/ Indefinite	Retain in office
		Insurance Policies	While valid	Review after 1 year and destroy
	Deeds and Contracts	Investments	Indefinite	Retain in long term storage at CRO
		Property Registers	Indefinite	Hold by Clerk
		Title Deeds, leases, agreements, contracts	Indefinite	Archive/ Deposit with Solicitor

		Maps created under the Provisions of the Rights of Way Act 1932	Indefinite	Hold by Clerk
Corporate Paperwork		Planning Applications	1 year	Hold by Clerk then destroy. Held on file at WODC and website
		Consultation Documents	3 years	Hold by Clerk then destroy
		Neighbourhood Plan	Indefinite	
		Correspondence and Papers	6 months minimum	Hold by Clerk then destroy at clerk's discretion
		Correspondence and papers on important Local issues of activities	5 years	Hold by Clerk then destroy at clerk's discretion
		Parish produced Documentation	1 year	Archive
		Parish Newsletters	Indefinite/ as long as useful/ relevant	Archive
		Reports/ Guides/ Handbooks etc. received from other organisations	Review Annually	Hold by Clerk
		Electronic Documents	Review Annually	Hold by Clerk
		E-mails	As long as relevant	Delete when no longer required
		Play Area Inspection Reports	21 Years	Delete when no longer required
		Member filming Records of Public meetings	6 years	Delete after 6 years
		Complaints	3 years	Destroy after 3 years
	Allotments		Register of Plans	Indefinite
		Allotment Agreements	6 years	Destroy after 6 months
Halls, Centres and Recreation Grounds		Application to hire	6 years	Destroy after 6 years
		Letting Diaries	6 years	Destroy after 6 years
		Copies of bills to hirers	6 years	Destroy after 6 years
		Record of Tickets issued	6 years	Destroy after 6 years
Health & Safety		Accident Forms	25 years	Delete when no longer required
		Incident Forms	25 Years	Delete when no longer required
		Risk Assessments	On Going	
		H&S External Contractors	4 years	Destroy after 4 years

		Records of reportable injuries, diseases or dangerous occurrences	3 years	Destroy after 3 years