



Oliver's Battery Parish Council

Data Retention Policy

Introduction

The Council's Standing Orders 10(a) and 10(b) require that measures are taken to keep secure information in paper and electronic form, including deciding who has access to personal data and encryption of personal data, and that the Council shall have policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's Retention Schedule that follows shall confirm the period for which information shall be retained or if this is not possible the criteria used to determine that period (eg the Limitation Act 1980).

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.

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.

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.

The aims of the Retention Schedule are to:

- Prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial, and other requirements
- Provide consistency for the destruction of those records not required permanently after specified periods

The Schedule is intended to cover the continuation of records and information from creation through to destruction and is equally applicable to all record formats, including paper. Records identified for permanent preservation can be retained in any format

providing that evidential requirements and future retrieval is ensured

Records identified for destruction under the Schedule may be destroyed in accordance with the provisions of the Schedule. Back-up copies stored on alternative media should also be destroyed. This is vital to ensure compliance with Data Protection and Freedom of Information legislation.

Definition

For the purpose of this Policy, 'documents' includes electronic and paper records.

Confidential Waste

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.

However, any information that is protected by the Data Protection Act should be treated as confidential waste for disposal purposes.

Examples of what constitutes confidential waste:

- Exempt information contained within Council reports
- 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 the Council on a 'confidential' or on a limited use basis eg material provided by the police

Examples of what does not constitute confidential waste:

- Documents that are available to the public via the Council's website or by submitting an appropriate search request to the Council for general information
- All reports and background papers of matters taken to the Council in public session unless specifically exempt

Disposal of Documentation

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

- Non-confidential records: place in bin for disposal
- Confidential records or records giving personal information: shred documents. Confidential waste which clearly shows any personal information or information which can be identified using the parameters set out above will be shredded
- Deletion of computer records
- Transfer of records to an external body such as the County Records Office

The basic guideline for the retention of **general correspondence** is three years, however at the end of this period it may be necessary to review the contents of the correspondence and retain longer where an action arises or until its administrative use is concluded.

Retention

Timeframes for retention of documents have been set using legislative requirements and the National Association of Local Councils and Society of Local Council Clerks guidelines.

Next review due: January 2024

RETENTION SCHEDULE

Document	Minimum Retention Period	Reason	Disposal
Financial			
Wages/salary records, overtime, bonuses, expenses etc	12 years	Superannuation	Confidential waste
Receipt and payment accounts	Indefinitely	Archive	N/A
Receipts	6 years	VAT	Bin
Bank statements including deposit/savings account	Last completed audit year	Audit	Bin or confidential waste
Bank paying-in books	Last completed audit year	Audit	Bin
Cheque book stubs	Last completed audit year	Audit	Bin
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Confidential waste
Paid invoices	6 years	VAT	Bin
Paid cheques	6 years	Limitation Act 1980 (as amended)	Bin
VAT records	6 years generally but 20 years for VAT on rents	VAT	Bin
Petty cash, postage books	6 years	Tax, VAT, Limitation Act 1980 (as amended)	Bin
Investments	Indefinitely	Audit, management	N/A
Personnel			
Unsuccessful application forms	6 months	Needs to be kept a reasonable period in case it is required	Confidential waste

Unsuccessful reference requests	1 year	As previous item	Confidential waste
Successful applications forms and CVs	Duration of employment + 5 years	See below	Confidential waste
References received	Ditto	Ditto	Confidential waste
Statutory sick records, pay, calculations, certificates etc	Ditto	HMRC	Confidential waste
Annual appraisal/assessment records	Current year and previous 2 years	Continuity	Confidential waste
Personnel files and training records	5 years after employment ceases	See below	Confidential waste
Correspondence relating to staff	If related to Audit, see relevant sections. 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 and 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	Confidential waste
Council			
Approved Minutes	Indefinitely	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular

			intervals of not more than 7 years they must be archived with the County Records Office.
Draft minutes/rough notes taken at meeting	Until minutes are approved	Once minutes are approved there should be no need to refer to notes	Bin (shred any confidential waste associated)
Agendas	5 years	Management	Bin (shred any confidential waste associated)
Insurance policies	While valid (but see next two items below)	Management	Bin
Insurance company names and policy numbers	Indefinitely	Management	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	Bin
Policies and procedures	Until updated or reviewed		Bin
Asset management records	Indefinitely		N/A
Internal audit records	5 years		Bin
Risk register	Indefinitely		N/A
Title deeds, leases, agreements, contracts	Indefinitely	Audit, management	N/A
Members' allowances register	6 years	Tax, Limitation Act 1980 (as amended)	N/A
Information from other bodies eg circulars from HALC, NALC,	Retained for as long as it is useful and relevant		Bin

principal authorities			
Local/historical information	Indefinitely – to be securely kept for benefit of the Parish	The Council may acquire records of local interest and accept gifts of records of general and local interest in order to promote the use for such records (defined as materials in written or other form setting out facts or events or otherwise recording information)	N/A
Trust deeds	Indefinitely		N/A
Planning applications	1 year	Management	Bin
Planning appeals	1 year unless significant development	Management	Bin
Planning – trees	1 year	Management	Bin
Health & Safety			
Records relating to accidents to persons over 18 years	3 years from date of accident		Confidential waste
Parks and play area inspection reports	5 years		Bin
Risk Assessment forms	2 years		Bin
Accidents/incident reports	20 years	Potential claims	Confidential waste
Recreation ground equipment inspection reports	21 years		Bin