

## Leigh On Mendip Parish Council: Document Retention Policy

### General Information

**Responsible Officer:**                   **Anthea Brooks, Clerk**

The Parish Council depends on its records to operate efficiently and to account for its actions. This policy defines the structure adopted by the Parish Council to ensure that records are maintained, managed and controlled.

The Parish Council recognises that records are collective assets that comprise the corporate memory of its policies, services and decision-making processes and also reflect its business requirements. Compliance with this document retention policy will ensure that the Council can produce evidence and demonstrate accountability.

### Records

Records are *“recorded information, in any form, created or received and maintained by an organisation or person in the transaction of business or conduct of affairs and kept as evidence”*

### Scope

This policy relates to all records created and received by the Parish Council, regardless of media or format. It includes all paper-based records as well as records solely in electronic form, audio/visual tapes or photographs, including Emails.

### Objectives

- To meet requirements under the Data Protection, Freedom of Information Act and Human Rights legislation
- To prevent premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements
- To provide consistency in the destruction of records

### Destruction

- Backup copies stored on alternative media must be destroyed at the same time.
- Information held in more than one media, including the website, should be destroyed at the same time.
- Whenever there is a possibility of litigation, the records and information should not be amended or disposed of until the threat of litigation has been removed.
- Confidential or sensitive data **must** be shredded; all other documents should be shredded.
- Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business.

### Time Limited Retention

- Records that are papers, photographs or tapes and do not have to be retained permanently may be held by the Clerk in fire resistant filing cabinet(s); they may also be archived.
- An electronic copy should be made of all paper based records wherever possible.
- Files and folders that are electronic records are to be backed up as they are closed or monthly if more appropriate.
- A copy of the electronic backup is to be passed on suitable media to the chairman for safe keeping on an annual basis

### Indefinite Retention

Records for permanent retention should be transferred to the Records Office or held by solicitors as appropriate. An electronic scan will be done of any records transferred.

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TYPE OF RECORD	MINIMUM RETENTION PERIOD	REASON
<b>FINANCIAL RECORDS</b>		
Receipts and Payment Ledger or spreadsheets	Indefinitely.	Archive
Receipt books of all kind	4 years	HMRC VAT
Paid Invoices	6 years	Limitation Act 1980 (as amended)
Bank Reconciliation	Quarterly statement kept with minutes	Minute record
Bank Statements	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Cheque lists	Last completed audit year	Consistency
Returned/cancelled cheques	Last completed audit year	Consistency
VAT records	4 years	HMRC VAT
Budget	6 years (electronic/hard copies filed within minutes)	Reference
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Audited Annual Return	Indefinitely	Archive
Other Audit documentation incl. correspondence	6 years	As per External Auditors advice
Investments	Indefinite	Audit, Management
Scales of fees and charges	5 years	Management
<b>INSURANCE RECORDS</b>		
Certificate of Employers' Liability Insurance	40 years from date on which insurance commenced or was renewed	Although no longer a legal requirement advisers say 40 years still advisable.
Insurance Documentation including policies	3 years	To cover any claims under Public Liability Insurance, as per insurers. A permanent record of insurance company names and policy numbers to be retained.
Insurance Claims (public/employer's liability)	6 years	Recorded information
<b>PAYROLL RECORDS</b>		
Payslips/expenses	4 years	Tax
Tax and NI Records (including P11 and P35)	4 years	Tax claims
Tax code notifications	4 years	Consistency
Timesheets/Overtime Records	Last completed audit year	Audit
<b>PERSONNEL ADMIN</b>		
Employee letters of appointment	6 years after departure from employment	Consistency
Employee contracts	6 years after departure from employment	Consistency
All other records	6 years after departure from employment	Consistency
<b>RECRUITMENT</b>		
Selection of an	1 year	Reference

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individual/interview record		
Unsuccessful Applicants' Employment Application forms/references	1 year	Reference
<b>PLANNING DOCUMENTS</b>		
Planning Applications	6 months after the Planning Authority decision made	Reference
Planning Application lists	Retain indefinitely	Historical reference
Hand written responses from Councillors/Planning Committee members to planning applications	Destroy 6 months after the Planning Authority decision made, if a meeting was not held to discuss the application	Reference
Planning decision slips	6 months after Planning Authority decision	Reference
Appeal decision slips	6 months after Planning Authority decision	Historical reference
Structure Plans, Local Plans and similar documents	To be retained as long as they are in force	Reference
<b>LEGAL DOCUMENTATION</b>		
Deeds, conveyances and other legal documentation relating to ownership i.e. Title Deeds and leases.	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with Solicitors
Trust deeds and schemes	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with Solicitors
Contracts not executed as a Deed	6 years	Limitation Act 1980 (as amended)
Any documentation which may be subject to legal action. (Where item falls into more than one category retain for longest period stated)	Retain until the threat of litigation has been removed. Minimum periods for retention: Negligence – 6 yrs; Defamation – 1 yr; Sums recoverable by statute – 6 yrs; Personal injury – 3 yrs; to recover land – 12 yrs; rent – 6 years.	Limitation Act 1980 (as amended)
<b>ADMINISTRATION RECORDS</b>		
Draft documents	Destroy once the final version of the document has been approved	Management
Hand written notes taken by clerk with a view to producing minutes	Destroy once the minutes have been approved as correct and a true record	For clarification at following meeting
Approved Minutes	Indefinitely	Archive
Reports	6 years after closure of file	Consistency
Back up tapes/records	Rotate to eliminate storing of materials which should have been destroyed	Management
Asset Register	Current and last completed audit version	Audit and Management
Correspondence/General Admin files (see Historical Records below)	6 years (see correspondence kept for legal purposes above) Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of	Management

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	business	
Emails	To be dealt with in the same way as manual records. Destroy routine/trivial emails and those where hard copies have been taken	Management
Historical Records (manual and electronically held)	Archive after 30 years. (Files to be closed after 5 year)	Public Records Act 1958. Archive
Personal Data	Kept for no longer than is necessary for the purpose for which it is held	Data Protection Act
Register of Members' Interests	Whilst a member	Publication Scheme
Risk Assessment	Information retained	Reference
Complaints	3 years	Reference
FOI Disclosure log	Destroy each record 5 years after record is opened	Management
Details of Request made under FOI Act	Destroy as above	Management
Disposal Schedules	Indefinitely	Management
Information from other bodies i.e. County Associations, NALC and other numerous bodies	Retain as long as useful and relevant	Management
Magazines and Journals	Retain as long as useful and relevant	Management