



## **BUDOOCK PARISH COUNCIL**

### **DATA RETENTION POLICY**

#### **INTRODUCTION**

Budoock Parish Council recognises it must at times, keep and process sensitive and personal information concerning both employees and the public. It has adopted this policy to not only meet the legal obligations, but to ensure high standards of practice. The Council is open about its operations and works closely with the community. In the case of information that is not personal or confidential, the Council is prepared to make Information available to the public. Details of information which is available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

#### **DEFINITIONS**

1.1 For the purposes of this policy, "record" shall be interpreted to mean any papers, files, books, photographs, tapes, films, recordings or other documentary materials or any copies thereof, regardless of physical form, made, produced, executed or received by any employee in connection with the transaction of Budoock Parish Council's business.

1.2 The term "electronic record" means any record which is created, received, maintained or stored on local workstations or central servers. Examples include, but are not limited to: email, word processing documents, spreadsheets and databases - including but not limited to file records, investigation reports, financial accounting records and payroll records.

1.3 "Official Records" are records maintained but not limited to Accounts (all financial records, VAT records, payroll records, bank accounts etc), electronic records, HR records (personnel records, insurance records etc) and Council Operation records (minutes, correspondence etc).

#### **DATA RETENTION**

2.1 The purpose of this policy is to ensure that necessary records and documents are adequately protected and maintained and to ensure that records which are no longer needed or of no value are discarded at the appropriate time.

2.2 Record and Documents no longer required under the retention policy, may be required to be kept under the Archive policy, and before destruction this should be checked.

2.3 This policy relates to electronic records as well as physical "hard copies".

2.4 Individuals responsible for the retention of records are also responsible for their destruction following the retention period.

2.5 Sensitive or confidential documents must be disposed of by shredding or other means to ensure that the material can no longer be read or interpreted.

2.6 Appendix 1 sets out the Parish Council's data retention requirements and the justification for the periods specified.

2.7 Record retention periods may be increased by government regulation, judicial or administrative constraint order, private or government contract, pending litigation or audit requirements. Such modifications supersede the requirements in appendix 1.

2.8 The Parish Clerk will maintain a listing of major documents used by the Council in line with the requirements in appendix 1.

2.9 In the event of a government audit, investigation or pending litigation, record disposition may be suspended at the direction of the Chairman or Parish Clerk and subsequently ratified by the Staffing Committee.

2.10 When litigation, complaints or investigations against the Parish Council or its employees are filed or threatened, the law imposes a duty upon the Council to preserve all documents and records relevant to the issues.

2.11 No document list can be exhaustive. Questions regarding the retention period for any specific document or class of documents not included in the below table should be addressed to the Parish Clerk.

### **MAKING INFORMATION AVAILABLE**

3.1 The Parish Council Publication Scheme is a means by which the Parish Council can make a significant amount of information routinely available without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

3.2 In accordance with the Freedom of Information Act 2000, this scheme specifies the classes of information which the Council publishes or intends to publish, as well as an information guide giving greater detail of what the Council will make available. This aims to make it easier for the public to access information.

3.3 All formal meetings of the Parish Council and its committees are subject to statutory notice given on the noticeboards. The agenda is also published on the Parish Council website and circulated by e-mail to members of the public who request copies via the Parish Clerk.

3.4 The Parish Council welcomes public participation and has a public question and speaking protocol at Council and some Committee meetings.

3.5 Occasionally the Council or committees may need to consider matters in private. This may include matters involving personal details of employees or where details of commercial sensitivity are to be discussed. This can only happen after a formal resolution to exclude the public and press has been passed, and this will specify the reasons for the decision.

3.6 Minutes from all formal meetings, including the confidential parts are public documents.

**ANNEX 1**

**DOCUMENT RETENTION AND DESTRUCTION PROCEDURES**

<b>DOCUMENT REASON</b>	<b>MINIMUM PERIOD OF RETENTION</b>	<b>REASON</b>
Signed Council & Committee Minutes	Permanent archive after administrative use	Archive/ Public inspection. Kept in parish 5 years.
Corporate plans, strategies, policies, business plans, annual reports, asset registers, employee handbook	Permanent archive after superseded	Common Practice
Councillors' declaration of Acceptance of Office	Term of office plus 7 years	Preserve
Council Register of Interests	5 years	Preserve
Correspondence and other papers on routine administration	6 years	Destroy
Papers relating to major parish developments not duplicated in minutes.	5 years	Preserve
Maps of parish boundaries	5 years	Archive
Rights of Way consultation papers	5 years	Archive
Operating Procedures	2 years after superseded	Local choice
Title Deeds, leases, agreements and contracts	Indefinite	Management
Licenses	Destroy 6 years after expiry	Management
Record of Complaints against the Council	Destroy after 6 years	Common Practice
Title deeds, leases	Indefinite	Management
Press Releases	Destroy after 3 years	Local choice
Health and Safety and Risk Management Documentation	Destroy after 3 years	Recommended practice
<b>FINANCIAL DOCUMENTS</b>		
Receipt and Payment Accounts	Indefinite	Archive
Receipt books of all kinds	6 years	VAT audit
Bank Statements, including deposit/ savings accounts	Last completed audit year	Audit
Cheque book stubs & paying in books	Last completed audit year	Audit
Quotation and Tenders	12 years	Limitations Act
Paid Invoices	6 years	VAT audit
VAT Records	6 years	VAT audit
Budget and estimates	Permanent archive after 3 years	Statutory
Accounts & Audits	Permanent archive after administrative use	Common practice
Insurance Policies	40 years	Statutory
Insurance Claims	Destroy after 7 years	Management
Loans	Destroy 7 years after loan repaid	Common practice

Salary/Wage/Tax Documents (HMRC)	12 years	HMRC audit
<b>ELECTRONIC DOCUMENTS</b>		
Email	2 years	Local choice
Facsimiles	2 years	Local choice
Scanned Documents	2 years	Local choice
<b>HR DOCUMENTS</b>		
Timesheets	Last completed audit year	Audit
Recruitment Documents including job announcements, person specifications and job description	5 years	Equal opportunities disputes
Documents on persons not hired to include application forms, letters, CV's and interview notes	1 year	Equal opportunities disputes
Statutory Maternity/Paternity Pay and Leave records	Current tax year plus 3 years	Local choice
Accident or injury at work	7 years	Local choice
Personnel Administration including CV's annual appraisals, disciplinary records, sickness, leave, training records, contracts, redundancy, promotion/pay awards/pay levels etc	Destroy 6 years after person leaves the council.	Statutory
Summary of Service	Permanent	Local choice
References	Destroy 5 years after person leaves the Council	Management
<b>PLANNING DOCUMENTS</b>		
Applications	1 year	Management
Appeals	1 year unless significant development	Management
Trees	1 year	Management
Local Development Plans	Retain as long as in force	Reference