



## DOCUMENTATION RETENTION POLICY

### 1. Introduction

This policy guides the management and timely disposal of correspondence files and other Town Council documents. The policy may also be used to guide members of the public as to which documents are readily available for requests under the Freedom of Information Act 2000.

### 2. Scope and purpose

The purpose of this policy is to provide a framework to govern management decisions on whether a particular document (or set of documents) should either be:

- Retained – and, if so, in what format and for what period; or
- Disposed of – and, if so, when and by what method.

For the purposes of this policy, the terms ‘document’ and ‘records’ include information in both hard-copy and electronic format.

### 3. The Retention/Disposal Protocol

Any decision whether to retain or dispose of a document should be taken in accordance with the following criteria:

- Has the document been appraised?
- Is retention required to fulfil statutory or other regulatory requirements?
- Is retention required to evidence events in the case of a dispute?
- Is retention required to meet the operational needs of the Council?

Where the nominated reviewing manager is familiar with the contents of the document or where the contents are straightforward and easily apparent then such an exercise may only take a few minutes.

### 4. Roles and Responsibilities – Managing Officers

Responsibility for determining whether to retain or dispose of specific documents rests with the Town Clerk with whom control and responsibility for those areas of the business properly falls. The Town Clerk will appraise the documentation in accordance with the Retention/ Disposal Protocol detailed at Section 3 and the documentation listed in Section 5.

The rationale for this is that it would be reasonable to assume and expect that the Town Clerk should be broadly conversant with the types of documents received, generated and stored.

The Town Clerk must ensure that an annual review of all documentation detailed in Section 5 below occurs. This review may be delegated to a member of staff. However, the Town Clerk must ensure that the delegated member of staff has a full understanding of the process – and that the member of staff presents all documentation identified as applicable for destruction to the Town Clerk for confirmation before final disposal.

Documents that are not to be reviewed by Officers below the Town Clerk are as follows:

- Personnel files
- Records relating to disciplinary hearings, complaints of a personal nature against staff, Officers or any member of the public carrying out work paid or unpaid on behalf of the Council
- Salary details

## **5. Disposal**

Disposal can be achieved by one of the following options:

- Confidential waste – ie making available for collection by a designated refuse collection service
- Physical destruction on site (paper records – shredding).
- Deletion – where computer files are concerned
- Migration of documents to external body.

The Town Clerk should take into account the following considerations when selecting any method of disposal:

- Under no circumstances should paper documents or computer memory sticks containing personal data or confidential information be simply binned or deposited in refuse tips. To do so could result in the unauthorised disclosure of information to third parties and render the Council liable to prosecution or other enforcement under the Data Protection Act. Such documents should be destroyed on site (eg. By shredding) or placed in specially marked 'Confidential Waste' bins or bags.

The Town Council utilises the services of a designated secure refuse collection service. The service provider supplies sacks into which the selected paperwork is to be placed and then secured. The bags have a specified weight limit which ensures the bags are not overloaded, thus reducing the risk of potential injury when lifting or carrying them. Partially filled waste bags or files are not to be left unattended at any time unless the room in which the work is being undertaken is lockable.

- Deletion – the Information Commissioner has advised that if steps are taken to make data virtually impossible to retrieve then this will be regarded as equivalent to deletion.
- Migration of documents to a third party (other than for destruction or recycling) is unlikely to be an option in most cases. However, this method of disposal is relevant where documents or records are of historic interest and/ or have intrinsic value. The third party here in many instances would be the Public Record Office (PRO). 'Migration' can also include the sale of documents to a third party, eg. Historic maps.

- Recycling – wherever practicable disposal should further recycle inline with the Council’s commitment to sustainable development and promotion of an alternative waste disposal strategy.

Disposal should be documented by keeping a record of the document disposed of, the date and method of disposal, and the Officer who authorised disposal. The documenting of disposal will be particularly important to ensure compliance with the Freedom of Information Act.

### **DATA PROTECTION ACT 1998**

The Town Clerk needs to be aware that under the Data Protection Act, personal data processed for any purpose must not be kept for longer than is necessary for that purpose. In other words, retaining documents or records that contain personal data beyond the length of time necessary for the purpose for which that data was obtained is unlawful.

The following documents will be retained for the periods stated and the reasons given:

<b>Document</b>	<b>Minimum Period</b>	<b>Reason</b>
Record of disposal records	Destroy after 12 years	Common practice
Minute books	Indefinite	Historical
Scale of fees and charges	Six years	Management
Annual audited accounts	Indefinite	Historical
Receipt books	Six years	VAT
All bank statements including savings and deposit accounts	Last completed audit year	Audit
Bank paying in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations/ tenders	Indefinite	Statute of Limitations Act
Paid Invoices	Six years	VAT
Paid cheques	Six years	Statute of Limitations Act
Sundry debtor invoices	Six years	VAT
VAT records	Six years	VAT
Petty cash, postage books	Six years	VAT
Payroll records	12 years	Superannuation

Employers liability insurance	40 years	Management and Statute of limitations
Public Liability insurance	21 years	Management and Statute of limitations
Health and Safety inspection records	21 years	Management and Statute of limitations
Investment records	Indefinite, archive after five years	Audit, Management
Title deeds, leases, licenses, agreements, contracts	Indefinite, archive after five years	Audit, Management
Members' allowances register	Six years	Tax, Statute of Limitations
For Town Hall premises and facilities (applications to hire, lettings diaries, copy invoices, record of tickets issued)	Six years	VAT
Allotments register and plans	Indefinite	Audit, management
Insurance certificates/ employers' liability certificates	Indefinite, archive after five years	Management
Planning lists, plans and observations	Destroy after two years	Local choice
Statutory development plans and observations	Destroy five years after expiry or when draft superseded	Local choice
Consultations on statutory functions eg. Licensing and highways	Destroy after two years	Local choice
Member contact details	As long as the person remains a member of Council	Common practice
Representation – list of members representing the Council on outside bodies	Six years	Local choice
Corporate plans, strategies, policies, business plans, annual reports, asset register	Permanent archive after superseded	Common practice
Personnel administration	Destroy five years after person leaves employment	Local choice

Recruitment and interview documents	One year	Equal opportunities claims
Staff team briefs	Three years	Common practice
Equality opportunities	Destroy 15 years after last action	Common practice
Health and Safety	Destroy 15 years after last action or after six years if superseded. 40 years for asbestos and other occupational health records	Statutory and common practice
Statutory returns	Seven years	Common practice
Operating procedures	Two years after superseded	Local choice
Consultations of public and staff	Destroy after five years from closure	Common practice
Record of complaints against the Council	Destroy after six years	Common practice
Freedom of information	Destroy after five years	Common practice
Reviewing the quality, efficiency or performance of the Council	Destroy after five years	Common practice
Publicised work of the Council	One copy to permanent archive Destroy others after administrative use	Common practice
Media relations – records of interactions	Destroy after three years	Common practice
Marketing and promotions literature	Destroy after six years	Local choice
Civic and royal events – records of administration	Permanent archive after use concluded	Common practice
Organising documents	Destroy after seven years	Common practice
Making local bylaws, copies and procedures (if applicable)	Permanent archive after use ended	Common practice
Administration/ enforcement of bylaws	Destroy two years after conclusion of action	Common practice

Emergency planning and environmental issues	Destroy seven years after administration concluded	Common practice
Contamination of land	Indefinitely	Common practice
CRB/ DBS disclosures	Six months	Management

## 6. Storage of Retained Documents

Retained documents will be stored on the Town Council's premises and recorded/ archived to ensure easy retrieval. Where possible documents are to be stored in electronic format.

An annual review of the method of storage will be carried out to ensure that items continue to be accessible and safe and also to ensure that the system remains up to date with developing technology.

Historic documents too large or fragile to be scanned should be stored in the fireproof safe located in the Town Hall. Those documents and files will be reviewed periodically and, if considered appropriate, offered to the County Records Office for safekeeping. This is to ensure that very old documents are kept in optimum conditions to ensure longevity.

Reviewed and Adopted by xxx on xxx