



BARTON-LE-CLAY PARISH COUNCIL

DOCUMENT RETENTION POLICY

1. INTRODUCTION

Barton-le-Clay Parish Council (the 'Parish Council') recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Parish Council.

This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

Barton-le-Clay Parish Council will retain its important documents, both electronic and paper documents for the periods listed in the table below (consistent with advice from NALC Legal Topic Note 40 – August 2022). These periods are to be considered as minimum retention times. The Clerk will be responsible for ensuring that the documents are filed in an orderly and secure manner at all times. Documents will be made available on request according to the requirements of the Council's Document Publication Policy.

2. RESPONSIBILITIES

The Clerk is expected to manage the current record keeping systems using the retention schedule and to take account of the different retention periods when creating new record keeping systems. This retention schedule refers to record series regardless of the media in which they are stored.

3. CORRESPONDENCE

General correspondence and emails will be retained for as long as is relevant, the minimum period is 1 year. An annual review of all documentation should be carried out and items that have reached their deletion or destruction date being deleted/destroyed and the remainder be considered for archiving.

It is down to individual Councillors to delete emails in their allocated Councillor email account.

4. TRUSTS

As there is no limitation period in respect of trusts, councils are advised that they should never destroy trust deeds and scheme and other documentation.

5. RETENTION OF DOCUMENTS FOR LEGAL PURPOSES

Most legal proceedings are governed by the Limitation Act 1980 (as amended). This act provides that legal claims may not be commenced after a specified period. This period varies depending on the type of claim in question. The reference to 'category' in the table refers to claims brought in respect of that category.

CATEGORY	LIMITATION PERIOD
Breach of Trust	No limitation period
Contract	6 years
Defamation	1 year
Leases	12 years
Negligence (and other 'torts')	6 years
Personal injury	3 years
Rent	6 years
Sums recoverable by statute	6 years
To recover land	12 years

Some types of legal proceedings may fall into two or more categories. NALC recommends that the longest of the limitation periods is adhered to.

6. RECORDS IDENTIFIED FOR PERMANENT PRESERVATION

These should be deposited with the local Archive Service once there is no longer an administrative need for them to be kept locally.

7. RECORD-KEEPING

To ensure records are easily accessible, it is necessary to comply with the following:

- A list of files stored in cabinets will be kept
- Electronic files will be saved using relevant file names

The electronic files will be backed up periodically on a portable hard drive and also in the cloud-based programme supplied by the Council's IT company.

Documentation no longer required will be disposed of in line with Section 8.

8. RECORDS TO BE DESTROYED

To protect confidential information, all records assigned for disposal should be securely destroyed. Paper records containing confidential information should be shredded. Electronic records should be deleted from digital files.

A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

9. RETENTION OF DOCUMENTS REQUIRED FOR THE AUDIT OF PARISH COUNCILS

Document Type	Minimum Retention Period (time is from the date on the document)	Retention Reason
Administrative		
Minutes	Indefinite	Archive signed copies
Draft minutes/notes of minutes taken at meeting	Until minutes are approved	Operational
Agendas	Indefinite	Archive
Reports and other documents circulated with agendas	Until there is no longer an administrative requirement	Operational
Councillors Declaration of Acceptance of Office & Register of Interests	Term of office + 2 years	Operational

Register of Electors	Until there is no longer an administrative requirement	Operational
Byelaws & Orders	Preserve one of each copy	Common Practice
Policy Documents	Until there is no longer an administrative requirement. Destroy old versions	Operational
Title deeds & Property registers	Indefinite	Common Practice
Maps, plans, surveys of property owned by the council	Indefinite	Common Practice
General correspondence	2 years after correspondence ends	Operational
Complaints	5 years after resolution of complaint	Operational
Information Requests	1 year after resolution of request	Operational
General information not required for historical purposes	Until there is no longer an administrative requirement.	Operational
Village/parish appraisals, plans, projects & supporting papers	Until there is no longer an administrative requirement.	Operational
Planning applications & related papers for major controversial developments	Until the development is completed and there is no longer an administrative requirement.	Operational
Planning applications where permission is refused	3 years or Until period for appeal has expired	Limitation Act 1980
Neighbourhood Plans	Indefinite – final adopted plans	Archive
Leases, agreements, contracts & wayleaves	Indefinite	Audit, Management
Parish Council Newsletter	Indefinite – one copy to Archives	Common Practice
Routine internal correspondence and papers	Until there is no longer an administrative requirement.	Operational
Employers liability insurance policies	40 years after expiry date	Employers Liability Act 1969 Employers Liability Regulations 1998
Risk Assessments	Once superseded by a new risk assessment or once inactive – plus 1 prior year	Operational
Inspection Sheets	6 years	Common practice
Health & Safety Records	6 years	Common practice
Accident/Incident reports	6 years or in the case of a child, until their 21st birthday	Common practice/Potential claims
Personnel		
Personnel Files	6 years after termination of employment	Risk of investigation regarding any future litigation
Annual Leave records	2 years	Operational
Recruitment data		Equalities Act
Successful	Add to Personnel File	
Unsuccessful	6 months after recruitment finalised plus current year	

Financial		
Scales of fees and charges	6 years	Management
Receipt books and payment Accounts	Indefinite	Council financial regulations
Receipt books of all kinds	6 years	VAT
Annual Return and Audited accounts	Indefinite	Archive
Accounts and statements	6 years	Council financial regulations
Cash & petty cash books, rent books, postage & telephone books	6 years	Tax, VAT, Limitations Act 1980 (as amended), Council financial regulations
Bank statements including deposit/savings accounts	Last completed Audit year	Audit, Council financial regulations
Bank paying-in books, Cheque book stubs	Last completed Audit year	Audit, Council financial regulations
Paid invoices	6 years	VAT Act 1994, Council financial regulations
Paid cheques	6 years	Limitations Act 1980 (as amended) Council financial regulations
VAT records & Claims	6 years (20 years for VAT on rents)	VAT Act 1994
Time sheets	Last completed Audit year 3 years (best practice)	Audit, Council financial regulations
Wage books, PAYE, NI Records	12 years	Superannuation & Limitation Act 1980 (as amended)
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)
Quotations and tenders (successful)	6 years after contract ends	Limitation Act 1980 (as amended)
Quotations and tenders (unsuccessful)	2 years	Operational
Insurance Policies	While valid	Operational
Insurance company names and policy numbers	Indefinite	Management
Certificate 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
Investments	Indefinite	Audit, Management
S137 Grants	6 years	Audit, Council financial regulations
Precept & Budgets	6 years	Audit, Council financial regulations
Recreation Grounds, Sports Facilities		
Records relating to applications to: <ul style="list-style-type: none"> • Hire • Letting diaries 	6 years	VAT Council financial regulations

<ul style="list-style-type: none"> Copies of bills to hirers 		
Allotments		
Register & Plans	Indefinite	Audit, Management
Burial Grounds		
<ul style="list-style-type: none"> Register of fees collected; Register of Burials; Register of Purchased Graves; Register/plan of Grave spaces; Register of memorials Applications for interment; Applications for right to erect memorials; Disposal certificates; Copy certificates of Grant of Exclusive Right of Burial 	Indefinite	Archives, Local Authorities Cemetery Order 1977 (SI. 204)
Miscellaneous		
Marketing consent forms	3 years	Common practice
Maps created under the provision of the Rights of way Act 1932	Archive once inactive	Common Practice
Papers concerning Rights of Way	Until there is no longer an administrative requirement.	Operational
Community magazines or newsletters	Until there is no longer an administrative requirement.	Operational
Charity papers	Until there is no longer an administrative requirement.	Operational
Press cuttings	Until there is no longer an administrative requirement.	Operational
Photographs	Until there is no longer an administrative requirement.	Operational
Reports, guides, handbooks etc. received from other organisations	Until there is no longer an administrative requirement.	Operational
Historical records	Indefinite – to be securely kept for the benefit of the Parish	Archive/Common Practice

Review Process.

This Policy will be reviewed by the Policies & Resources Committee bi-annually before being submitted to the Council for adoption.