

Tur Langton Parish Council

Records Management and Retention of Documents Policy

Tur Langton Parish Council recognises that the efficient management of records is necessary for the following reasons:

Reasons for keeping records include:

- To carry out routine Parish Council activities
- To contribute to the effective overall management of the council
- To enable easy location and retrieval of information
- To meet legal requirements to retain information (e.g. to comply with Data Protection and Freedom of Information legislation)
- For financial purposes
- To explain how a particular decision has been reached
- In case a decision is challenged
- To be publicly accountable for policies and decisions
- To help deal with similar situations in the future
- To defend the rights and responsibilities of the Parish Council and its Councillors, or the rights and responsibilities of others.

This document provides the policy framework through which this effective management can be achieved.

This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions. A record is information recorded in any form including paper, email and documents held on a computer system. 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.

The person with overall responsibility for the management of records is the clerk.

How should records be held?

- The council should know what records it holds and that they are reliable
- Records should be kept in systems that enable them to be stored and easily retrieved. Files should be organised in a structured way
- For most topics there should be a lead file, either hard copy, electronic or both which gives the complete story of the handling of the topic

Paper records

- The titles should reflect their specific nature and contents to facilitate retrieval.
- The records should be indexed

Electronic Records

- Electronic files - documents and folders should have titles which are easily understood by others.

- Uncommon abbreviations should not be used.
- The title should clearly indicate the version status, such as “draft 1” or “final version”.
- Out of date material should be archived and disposed of as necessary according to the retention schedule (see below)

Emails

- Emails are as much an official document as a letter or memo. They may be disclosed in response to a Data Protection or Freedom of information request and in legal cases. Electronic messages can be legally binding, contracts can be set up via email and the Parish Council may be held liable for defamatory statements in emails. For these reasons nothing should be stated in an email that would not be stated in other forms of written communication.
- Effective management of emails makes them easier to manage and search when responding to a subject access request.
- If an email contains important information or an important decision, it should be added to the relevant file or folder.
- Most emails are about trivial matters. Out of date trivial emails or those copied to the relevant subject file should be deleted as soon as possible.
- Under the Data Protection Act information about people should be kept for no longer than is necessary and this includes emails to/from or about people.

Where should records be kept?

- Paper records should be held in a lockable, metal filing cabinet in suspension files where possible.
- Electronic records should be kept on the Parish Council’s hard drive and backed up on a memory stick.
- Current, records can also be kept on the clerk’s personal computer whilst being worked on, as long as they do not include confidential, personal information that is not already in the public domain. These records should also be stored on the hard drive and back up memory stick.
- The hard drive and memory stick should be password protected. The clerk and chair should hold details of the password(s)

Retention Schedule

- Under the Freedom of Information Act 2000 the Parish Council is required to maintain a retention schedule laying down the length of time that records need to be retained.
- Records which are duplicated, unimportant or only of a short term value should be destroyed in the normal course of business
- Other documents should be retained in line with the schedule overleaf.
- In cases of doubt the record should be retained until relevant advice received
- As a matter of good practice, the Information Commissioner’s Office recommends that any requested information should be kept for at least 6 months after the date of the last communication about the request

Document	Minimum Retention Period	Reason
Administration Records		
Minute books	Indefinite	Archive
Draft documents	Destroy once final version of document is approved unless required as record of development of the policy	Management
Handwritten notes taken by clerk at a meeting to produce minutes	Until minutes have been approved as a true record	Clarification at meeting where approved
Information from other bodies (e.g. NALC, LRALC, LCC, HDC)	As long as useful and relevant	Management
Asset Register	Current and last completed audit version	Audit and Management
Disposal Schedules	Indefinitely	Management
Register of members' interests	Whilst a member	Publication scheme
Personal Data	For no longer than necessary for the purpose for which it is held	Data Protection Act
Correspondence / General Admin files	6 years (but see also correspondence kept for legal purposes below)	Management
Reports	6 years after closure of file	Business
Emails	Destroy trivial / routine emails or those that have been transferred to file or hard copies taken	Business
FOI Disclosure Log	Destroy each record 5 years after record is opened	Management
Risk Assessments	While they remain relevant	HSE advice
Financial Records		
Scales of fees and charges	6 years	Management
Audited annual return	Indefinite	Archive
Receipts and payments accounts and reconciliations	Indefinite	Archive
Receipt books of all kinds	6 years	Audit
Bank statements, including deposit / savings accounts	Last completed audit year	Audit
Bank paying in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
VAT records	6 years	VAT
Budget	6 years, electronic version	Reference

Document	Minimum Retention Period	Reason
	and hard copy filed with minutes	
Petty Cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)
Investments	Indefinite	Audit, Management
Members' Allowances	6 years	Tax, Limitation Act 1980 (as amended)
Payroll Records		
Timesheets / Overtime records	Last completed audit year	Audit
Wages books / payroll records	12 years	Superannuation
Payslips / Expenses	3 years from the end of the tax year they relate to	Tax
Tax and NI records	3 years from the end of the tax year they relate to	Tax
Insurance		
Insurance Policies	3 years	To cover any claims under Public Liability Insurance. A permanent record of insurance company names and policy numbers to be retained
Certificates for insurance against liability for employees	40 years from dates on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management
Legal Documentation – where there is a possibility of litigation the records and information should not be amended or disposed of until the threat has been removed		
Title Deeds, leases, agreements, contracts	Whilst the council occupies the property / land	Audit, Management
Any documentation which may be subject to legal action (where the item falls into more than one category retain for the longest period)	Retain until the threat of a legal claim has been removed. Minimum retention periods are: Negligence 6 years Defamation 1 year Contract 6 years Leases 12 years Sums recoverable by statute 6 years Personal Injury 3 years To recover land 12 years Rent 6 years Breach of Trust Indefinite	Limitation Act 1980 (as amended)

Document	Minimum Retention Period	Reason
Service Level Agreements	6 years	Part of contract Limitation Act 1980 (as amended)
Quotations / tenders (successful)	12 years	Limitation Act 1980
Quotations / tenders (unsuccessful)	2 years	Management
Recruitment		
Unsuccessful applicants' application forms / references	1 year	Time limits in various discrimination acts
Personnel Administration		
Selection of successful candidate, interview record	6 Years after employment ceases	defending a county court or high court claim
Employee letters of appointment	6 Years after employment ceases	defending a county court or high court claim
Employee contracts	6 Years after employment ceases	defending a county court or high court claim
Other correspondence	6 Years after employment ceases	defending a county court or high court claim
Planning – planning applications and decision notices are accessible through HDC Planning Portal and so there is no requirement to retain indefinitely. However for ease of reference the following retention periods apply		
Planning applications (permission granted)	Plans and decision letter retained until development completed (see below regarding controversial applications)	To check development proceeds in accordance with planning conditions
Planning applications (permission granted on appeal)	As above, however decision letter to be kept indefinitely	Wider implications / decision may set a precedent
Planning applications - permission refused	Until the period within which an appeal can be made has expired. If an appeal is made and dismissed decision letter kept indefinitely	Wider implications / decision may set a precedent / there maybe future applications on the site
Planning applications – controversial	12 years or as long as useful	Reference
Comments on planning applications	Indefinitely	Included in minutes Archive
Statutory documents - development plans, consultations and similar documents	Duration of document / as long as in force	Reference

Destruction of records

- Backup copies to be destroyed at the same time
- Information held in more than one media to be destroyed at same time
- Confidential data must be shredded (see below)
- Computer hard drives – if a laptop or computer is disposed of the hard drive should be destroyed to prevent the information getting into the wrong hands

Confidential and Non-Confidential Records

What is not confidential?	What is confidential?
<p>Any record or copy thereof which is already in the public domain, e.g.</p> <p>Published Minutes and Agendas Mission Statements Policy Documents, Regulations, Code of Conduct, Standing Orders / Published Reports Press Releases / Newsletters Code of Conduct Published Registers Publicity Material Anonymised Data</p>	<p>Confidential minutes Confidential reports</p> <p>Any record containing personal information about a living individual, e.g.</p> <p>Questionnaire or other data collected under a guarantee of confidentiality</p> <p>Correspondence or other documents which reveal the contact details or any financial details of a named living person, unless permission has been given to circulate the details</p> <p>Correspondence or other documents which reveal personal details or pass comments on a named living person</p> <p>Staff personnel records</p> <p>Job applications / interview notes</p> <p>Wages and salary records</p> <p>Income Tax and NI records</p>