



# Kingswear Parish Council

## Data Retention Policy

### 1 Introduction

1.1 It is important that the Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. However, it is important to note that this is a live document and will be updated on a regular basis.

1.2 The Council will ensure that information is not kept for longer than is necessary and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

### 2 Aims and Objectives

2.1 It is recognised that up to date, reliable and accurate information is a vital to support the work that the Council do and the services that it provides to its residents. This document will help us to:-

- Ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public.
- Comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Data Protection Act 1998, the General Data Protection Regulation, the Data Protection Act 2018 and the Environmental Information Regulations 2004.
- Save employees' time and effort when retrieving information by reducing the amount of information that may be held unnecessarily. This will assist them as they carry out their daily duties, or if searching for information requested under the Freedom of Information Act.
- Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

### 3 Scope

3.1 For the purpose of this policy, 'documents' include electronic, microfilm, microfiche and paper records.

3.2 Where storage is by means of paper records, originals rather than photocopies should be retained where possible.

### 4 Standards

4.1 The Council will make every effort to ensure that it meets the following standards of good practice:

Adhere to legal requirements for the retention of information as specified in the Retention Schedule. This document provides a framework for good practice requirements for retaining information.

- Personal information will be retained in locked filing cabinets within the Clerk's address.
- Disclosure information will be retained in a locked cabinet at the Clerk's address.
- Appropriately dispose of information that is no longer required.
- Appropriate measures will be taken to ensure that confidential and sensitive information is securely destroyed.
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes e.g. Equalities data.
- Wherever possible only one copy of any personal information will be retained and that will be held within the Clerk's address.

## **5 Roles and Responsibilities**

5.1 The Clerk has overall responsibility for the policy.

5.2 The Clerk is responsible for ensuring that the guidelines set out in this policy are adhered to and to ensure that any documents disposed of are done so in accordance with their 'sensitivity' (i.e. whether they are normal waste or 'confidential waste').

## **6 Confidential Waste**

6.1 Fundamentally any information that is required to be produced under the Freedom of Information Act or Environmental Information Regulations, is available on the website or is open to public inspection should NOT be treated as confidential waste.

6.2 However, any information that is protected by the Data Protection Act or as Confidential under the Councils Constitution should be treated as confidential waste for disposal purposes.

6.3 Examples of what constitutes confidential waste:

- Exempt information contained within committee reports.
- Files containing the personal details of an individual and files that predominantly relate to a particular individual or their circumstances. For example - completed application forms and letters.
- Materials given to us on a 'confidential' or on a limited use basis e.g. material provided by contractors or the police.

6.4 Examples of what does not constitute confidential waste:

- Documents that are available to the public via our web site or by submitting an appropriate search request to ourselves for general information.
- All reports and background papers of matters taken to Committee in public session unless specifically exempt

## **7 Disposal of Documentation**

7.1 Confidential waste which clearly shows any personal information or information which can be identified using the parameters set out in 7.3 will be shredded.

## 8 Retention

8.1 Timeframes for retention of documents have been set using NALC LTN 40 – Local Councils’ Documents and Records.

8.2 The document retention schedule lists the minimum requirements for the retention of documents.

### 8.3 Document Retention Schedule

<b>FINANCE</b>		
<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>
Annual Accounts	Indefinite	Archive
Audited Annual Governance & Accountability Return	Indefinite	Archive
Internal audit records	3 years	Management
Cash Books (Receipt and Payment Accounts)	Indefinite	Archive
Receipt books	6 years	VAT
Cheque payment lists (Invoices received)	6 years	Management
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
BACS listings	6 years	Management
Goods received notes, advice notes and delivery notes	3 years	Management
Asset management records	Indefinite	Management
Bank statements (hardcopy)	Last completed audit year	Audit
Bank reconciliation	Last completed audit year	Audit
Bank paying In books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations & Tenders	6 years	Limitation Act 1980 (as amended)
VAT Records	6 years (20 yrs for VAT on rents)	VAT
Grant / funding applications & claims	5 years	Management
Precept forms	Indefinite	Management
Fees and charges schedules	6 years	Management
Certificate of insurance against liability for employees	40 years	The Employers Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management.
Certificate of public liability	40 years	Audit
Insurance policies	Whilst valid	Management
Insurance claims	5 years	Management
Documentation referring to externally funded projects	6 years	Management
Asset management records	Indefinite	Audit

<b>HR RECORDS</b>		
Salary records, overtime, bonuses, expenses etc.	12 years	Superannuation
Training, appraisals, annual leave etc	Duration of employment + 5 years	Management

<b>COUNCILLORS</b>		
Members allowances	6 years	Tax, Limitation Act 1980 (as amended)
Declarations of Acceptance of Office / Register of Interests	Term of office + 1 year	Management

<b>HEALTH &amp; SAFETY</b>		
Risk register	Indefinite	Management
Risk assessment forms	12 years	Limitation Period
Tree survey reports	12 years	Limitation Period
Playground Inspections	12 years	Limitation Period

<b>ADDITIONAL ITEMS</b>		
Minute Books	Indefinite	Archive
Agendas	5 Years	Management
Policies and procedures	Until updated or reviewed	Management
Cemetery Records	Indefinite	Archives, Local Authorities Cemeteries Order 1977 (SI. 204)
Mooring application forms	2 years + current year	Management
Mooring waiting list	Indefinite	Management
Allotment application forms	2 years + current year	Management
Allotment agreements	2 years + current year	Management
Allotment waiting list	Indefinite	Management
Planning Applications	Planning applications and relevant decision notices are available at SHDC. There is no requirement to retain duplicates locally.	
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Electoral Register	1 year	Management

**This Document Retention Policy was adopted by Kingswear Parish Council at their meeting on:**