

# MONKSILVER PARISH COUNCIL

## Document and Data Retention Policy

(This policy is under constant review and is subject to amendment. The method of destruction for personal data remains under review. This Document and Data Retention Policy will be updated in due course, to reflect the outcome)

<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>	<b>Location Retained</b>	<b>Disposal</b>
<b>Minutes</b>	Indefinite	Archive		Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must be archived and deposited with the Higher Authority.
<b>Agendas</b>	5 years	Management		Bin (shred confidential waste)
<b>Accident/incident reports</b>	20 years	Potential claims		Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Scales of fees and charges</b>	6 years	Management		Bin
<b>Receipt and payment accounts</b>	Indefinite	Archive		N/A.
<b>Receipt books of all kinds</b>	6 years	VAT		Bin
<b>Bank statements including deposit/savings accounts</b>	6 years	Audit		Confidential waste.
<b>Bank paying-in books</b>	6 years	Audit		Confidential waste

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<b>Cheque book stubs</b>	6 years	Audit	Confidential waste
<b>Quotations and tenders</b>	6 years	Limitation Act 1980 (as amended)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Paid invoices</b>	6 years	VAT	Confidential waste
<b>Paid cheques</b>	6 years	Limitation Act 1980 (as amended)	Confidential waste
<b>VAT records</b>	6 years generally but 20 years for VAT on rents	VAT	Confidential waste
<b>Delete as there are none</b>	6 years	Tax, VAT, Limitation Act 1980 (as amended)	Confidential waste
<b>Delete as there are none</b>	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice)	Bin
<b>Delete as there are none. All records are held by HMRC.</b>	12 years	Superannuation	Confidential waste
<b>Insurance policies</b>	While valid (but see next two items below)	Management	Bin
<b>Insurance company names and policy numbers</b>	Indefinite	Management	N/A
<b>Certificates for insurance against liability for employees</b>	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management	Bin
<b>Town Park equipment inspection reports</b>	21 years		Bin
<b>Investments</b>	Indefinite	Audit, Management	N/A

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<b>Title deeds, leases, agreements, contracts</b>	Indefinite	Audit, Management	N/A
<b>Delete as there are none.</b>	6 years	Tax, Limitation Act 1980 (as amended)	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Information from other bodies e.g. circulars from county associations, NALC, principal authorities</b>	Retained for as long as it is useful and relevant		Bin
<b>Local/historical information</b>	Indefinite – to be securely kept for benefit of the Parish	Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use for such records (defined as materials in written or other form setting out facts or events or otherwise recording information).	N/A

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## Magazines and journals

Council may wish to keep its own publications

For others retain for as long as they are useful and relevant.

The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1<sup>st</sup> February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act published by a local council therefore constitute materials which the British Library holds.

Bin if applicable

## 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

Management

Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

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<b>General correspondence</b>	Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept. Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.	Management	Bin (shred confidential waste) A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Correspondence relating to staff</b>	If related to Audit, see relevant sections above. Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months Recommend this period be for 3 years	After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council.	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

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<b>Negligence</b>	6 years	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Defamation</b>	1 year	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Contract</b>	6 years	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>Leases</b>	12 years	Confidential waste.
<b>Sums recoverable by statute</b>	6 years	Confidential waste.
<b>Personal injury</b>	3 years	Confidential waste.
<b>To recover land</b>	12 years	Confidential waste.
<b>Rent</b>	6 years	Confidential waste.
<b>Breach of trust</b>	None	Confidential waste.
<b>Trust deeds</b>	Indefinite	N/A

Documents from legal matters, negligence and other torts

Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Where the limitation periods are longer than other periods specified the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories. If in doubt, keep for the longest of the three limitation periods.