**Document & Record Retention Policy**

# Introduction

Oakthorpe, Donisthorpe & Acresford Parish Council (ODAPC ) is required to maintain a record of its proceedings, decisions and actions. Information about this is contained in the documents (paper or electronic media) and records which the Parish Clerk and the Councillors use when undertaking Parish business. The majority of this material is a public record available for inspection and is also required for audit purposes, staff management, tax liabilities, and the possibility of legal proceedings.

It is not practicable to retain all documentation / records forever; the majority will not contain key information about decisions and actions hence should they be weeded and destroyed in a controlled manner.

This document provides an approach to document / record retention by ODAPC .

NALC have provided a general list of documentation / records and recommended retention periods as maybe required by law, general convention or by the council's need. This is at Annex A. This Policy supplements the NALC guidance.

# General Policy

Documents/records held by ODAPC are in paper or electronic form (e.g. e-mails, Word documents). Both are covered by this policy, although disposal methods may differ.

A document register (see Annex B for details) will be maintained by the Clerk to record receipt, action, retention and disposal of documentation & records.

Subject to specific reasons for retaining documents, and as a starting point, documents/records may be destroyed when they are no longer of use or relevant. If in doubt they should be retained until proper advice has been received. Documents/records will be removed by:

* lodging them with the Buckinghamshire Records Office, or,
* returning originals to the originators, or,
* acknowledging that the originals remain accessible and in the possession of the originator (e.g. on their website), or,
* destruction/deletion of the documents.

# Policy Coverage

All documents, whether physical or electronic, received or generated by ODAPC (its Clerk, Chair, or Councillors) in relation to ODAPC business.

# Retention of Documents

Other documents not mentioned in the Annex A may be treated as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Type** |  | **Examples** | | **Retention action Action** | |
| Policy & |  | Health & Safety | | Formally retained once adopted by Clerk | |
| Standards |  |  | | Councillors  Destroyed as new versions adopted. | |
|  | | |  |  | | |
| **Type** | | | **Examples** | **Retention action Action** | | |
| Planning | | | As received from | Received from WDC / BCC Agenda | | |
| Applications | | | planning authority |  | | |
| & related papers    General | | |  | ODAPC comment recorded  in minutes & sent to Authority Minuted  WDC/BCC planning committee  Decision provided to ODAPC Minuted    Destroyed (as originals held by destroy within  WDC/BCC) 2 months | | |
| Administration | | | Meeting scheduling | Retained until general purpose met Destroy within 12 | | |
|  | | |  |  | months | |
|  | | | Clerk's electronic  Backups | Automatic daily back up |  | |
| Council | | | Chair's cc emails |  | Destroy within 12 months | |
| Administration | | | Councillor interests Formally retained once provided | | Destroy upon | |
|  | | | By Councillor | | receipt of latest version | |
| General | | | NALC circulars Circulated to Councillors then | | Destroy within 2 months | |
| Correspondence | | | Newsletters etc destroyed | |  | |
| Correspondence | | |  | |  | |
|  | | |  | |  | |
| Topical. | | | Letters / e-mails Added to related documentation / | | Destroy once resolved | |
| Correspondence | | | commenting on records  Parish business Audit related - kept for the | |  | |
|  | | | Appropriate  period | | Refer to Annex A | |
| Planning matters - retained until the Destroy after 12  development is complete or ODAPC months  comment posted on planning websites.  Any anonymous letters will be  recorded in Parish records but will  not be responded to. Destroy after 3 months | | | |
| Structure Plans, | | | Parish Plan retained as long as in force Hold electronically | | | |
| Local Plans and | | |  | | | |
| Similar | | | Local Area Plan retained as long as in force Destroy | | | |

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| **Type Examples** | | | **Retention action Action** | |
| Insurance Policies,Certificates of | | | Kept for as long as a claim may be Retention 4 years | |
| Documents Insurance, claim | |  | made under them .i.e. insured from the date the | |
| information | |  | period policy is | |
|  | |  | commenced or renewed | |
| Staff related Job Description; | |  | Data Protection Act 1998 applies. Current staff | |
|  | performance; |  | Date relating to staff is kept | |
|  | appraisals; pay; |  | securely for no longer than | |
|  | disciplinary |  | necessary for the purpose it was held | |
|  | Records about |  |  | Former staff delete |
|  | former staff for |  |  | after 7 years (max) |
|  | giving reference, payment of tax, national insurance contributions and pensions, and any legal claims. |  |  | for tax and NI |
| Local/ | Donated or |  | Decide where to be held | Retain by ODAPC or |
| Historical | discovered |  |  | Offer to local |
| Information | local interest |  |  | organisations or |
|  | pictures /  gifts / documents / etc. |  |  | County Records |
| Project | e.g. upgrade of |  | Retain all material until project |  |
| Information | playing field equipment |  | closed |  |
|  |  |  | Review and weed non-important | Destroy at time of |
|  |  |  | Documents | review |
|  |  |  | Remaining project documentation | Retain for 6 years |
| Legal | Claims; actions; |  | **Category Limitation Period** |  |
| Documents | related |  | Negligence 6 years | Review for possible |
|  | Correspondence |  | Defamation 1 year | retention upon |
|  | Submissions etc. |  | Contract 6 years  Leases 12 years | expiry |
|  |  |  | Rent 6 years | Destroy once period |
|  |  |  | Sums recoverable by statute  Personal Injury 3 years  To Recover Land 12 years | expired |
|  |  |  | Breach of Trust | Permanent |

# Arrangements for storage

* s.22 7 of the Local Government Act 1972: the Parish Council may request the District Council provide proper depositories for all specified papers (defined as public books, writings, council papers and all documents) directed by law to be kept where there is no provision.
* Electronic material - retained on the Clerk's computer within appropriate file structure Electronic back ups - retained by the Clerk separately from the main computer Paper documentation - retained in a filing cabinet by the Clerk.
* Key paper documentation – original retained; scanned copy held on computer.

**Policy Review**

Once adopted by ODAPC , this Policy is to be reviewed within 5 years or upon revision.

# Adopted

In Council meeting dated 8th March 2018

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March 2018

Review date: March 2023

**Annex A – NALC list Legal Topic Note 40 Retention of Documents required for the audit of parish councils.**

|  |  |  |
| --- | --- | --- |
| **Document** | **Minimum retention period** | **Reason** |
| Minute Books | Indefinite | Archive |
| Scales of fees and charges | 5 years | Management |
| Receipt & Payment (or Income & Expenditure) Accounts | Indefinite | Archive |
| Receipt books of all kinds | 6 years | VAT |
| 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 | 12 years/ indefinite | Statute of Limitations |
| VAT Invoices | 6 years | VAT |
| Paid cheques | 6 years | Statute of limitations |
| VAT Records | 6 years | VAT |
| Petty cash, postage and telephone books | 6 Years | Tax, VAT, Statute of Limitations |
| Timesheets | Last completed audit year | Audit |
| Wages books | 12 years | Superannuation |
| Insurance polices | While valid | Management |
| Investments | Indefinite | Audit, Management |
| Title deeds, leases, agreements, contracts | Indefinite | Audit, Management |
| Members allowance register | 6 years | Tax, Statute of Limitations |
| For halls, centres and Recreation grounds   * Application to hire * Lettings diaries * Copies of bills to hirers * Record of tickets issued | 6 years | VAT |
| For allotments  Register and plans | Indefinite | Audit, Management |
|  |  |  |

# Annex B – Document register

The Document register is likely to be electronic and held either as a database or as a spreadsheet. It will be audited.

|  |  |
| --- | --- |
| **Field** | **Explanation** |
| Topic | subject matter |
| Date received | self explanatory |
| Sender | originator/organisation |
| Media | paper / electronic / book / pamphlet / poster |
| Style | e-mail / pdf / word / graphic / etc. |
| Action | circulated / filed / etc. |
| Retention | see policy |
| Disposal | e.g. deleted / destroyed / |
| Date of disposal | self explanatory |
| Disposer | name |

# Annex C - Definitions Document

In general, a document provides and preserves information about some event or thing. Usually, a document is written, but can also be made with pictures and sound. A document usually adheres to some convention based on similar or previous documents or specified requirements. Examples of documents are sales invoices, wills and deeds, oral history recordings, executive orders, photographs and product specifications.

A document as a form of information and can be in physical or electronic form and stored in a computer as one or more files. Often a single document is a single file. As files or data, a document may be part of a database.

# Record

Records include all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics. These records are made or received by ODAPC or in connection with the transaction of public business and are preserved as evidence of ODAPC 's functions, policies, decisions, procedures, operations, or other activities or because of the informational value in them.

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