



CROWTHORNE PARISH COUNCIL

Retention of Documents: Archive and Destruction Policy Communication Policy

Adopted by Council Sept 2015

Introduction

- 1 Crowthorne 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. The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment.
- 2 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.
- 3 A small percentage of the Parish Council's records will be selected for permanent preservation as part of the Council's archives and for historical research.

Aims and Objectives

- 4 The aims and objectives of this policy are:
 - To meet requirements under the Data Protection, Freedom of Information Act and Human Rights legislation.
 - To prevent premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements.
 - To provide consistency in the destruction of records.

Responsibilities

- 5 The person with overall responsibility for the implementation of this policy is the Clerk to the Parish Council. However, the Assistant Clerk will be responsible for managing the Council's records in such a way as to promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner. The Policy will be reviewed by the office every three years or as deemed necessary.

Retention Schedule

- 6 Under the Freedom of Information Act 2000, the Parish Council is required to maintain a retention schedule listing the record series which it creates in the course of its business. The retention schedule lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use.
- 7 The Assistant 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.

8 Disposal of documents:

- Backup copies stored on alternative media must be destroyed at the same time.
- Information held in more than one media, including the website, should be destroyed at the same time.
- Whenever there is a possibility of litigation, the records and information should not be amended or disposed of until the threat of litigation has been removed
- Confidential or sensitive data **must** be shredded. All other documents should also be disposed of securely.
- Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business.

9 Retention of documents

- Records for permanent retention should be transferred to the Records Office or held by solicitors as appropriate.

DOCUMENT RETENTION SCHEDULE

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
ADMINISTRATION RECORDS		
Minute books	Indefinite	Archive
Draft documents	Destroy once the final version of the document has been approved, unless required as a record of the development of a policy initiative	Management
Hand written notes taken by clerk with a view to producing minutes	Destroy once the minutes have been approved as correct and a true record	For clarification at following meeting
Reports	6 years after closure of file	Consistency
Back-up tapes/records	Rotate to eliminate storing of materials which should have been destroyed	Management
Correspondence/General Admin files (see Historical Records below)	6 years (see correspondence kept for legal purposes) Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business	Management
Historical Records (manual and electronically held)	Archive after 30 years. (Files to be closed after 5 years)	Public Records Act 1958. Archive
Emails	To be dealt with in the same way as manual records. Destroy routine/trivial emails and those where hard copies have been taken.	Management
Personal Data	Kept for no longer than is necessary for the purpose for which it is held.	Data Protection Act

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
ADMINISTRATION RECORDS cont		
Register of Members' Interests	Term of Office + 1 year	Publication Scheme Management
Declarations of acceptance of office	Term of Office + 1 year	Management
Risk Assessment	Information retained	Reference
Complaints	3 years	Reference
FOI Disclosure log	Destroy each record 5 years after record is opened.	Management
Details of Request made under FOI Act	Destroy as above.	Management
Disposal Schedules	Indefinitely	Management
Information from other bodies i.e. County Associations, NALC and other numerous bodies	Retain for as long as useful and relevant.	Management
Magazines and Journals	Any published works in print as defined by the Legal Deposit Libraries Act 2003, are to be delivered to the British Library Board. Items published by other bodies to be retained as long as useful and relevant.	Management
LEGAL DOCUMENTATION		
Deeds, conveyances and other legal documentation relating to ownership ie Title Deeds and leases.	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with HSBC
Trust deeds and schemes	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with HSBC
Contracts not executed as a Deed	6 years	Limitation Act 1980 (as amended)
Any documentation which may be subject to legal action. (Where item falls into more than one category retain for longest period stated)	Retain until the threat of litigation has been removed. Minimum periods for retention: Negligence – 6 yrs Defamation – 1 yr Sums recoverable by statute – 6 yrs Personal injury – 3 yrs to recover land – 12 yrs rent – 6 yrs	Limitation Act 1980 (as amended)
HIRE OF HALLS, RECREATION GROUND		
Lettings diaries, booking forms, copies of bills to hirers	6 years	VAT

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
FINANCIAL RECORDS		
Asset Register	6 years	Audit and Management
Scales of fees and charges	6 years	Management
Year End accounts	Indefinite	Archive
Receipts and Payment listing	6 years	Audit
Receipt books of all kinds	6 years	VAT
Bank statements including deposit/savings accounts	6 years	Audit
Bank paying-in books	6 years	Audit
Cheque book stubs	6 years	Audit
Cheque lists	6 years	Consistency
Returned/cancelled cheques	6 years	Consistency
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
Petty cash, and postage	6 years	Tax, VAT, Limitation Act 1980 (as amended)
Investments (If any)	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)
Budget Estimates	6 years	Reference
Audited Annual Return	Indefinitely	Archive as per External Auditors
Other Audit documentation incl. correspondence	6 years	As per External Auditors

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
INSURANCE RECORDS		
Insurance policies	3 years	Management
Certificates 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.
Insurance Claims (public/employer's liability)	6 years	Recorded information
PAYROLL RECORDS		
Payslips/expenses	6 years	Tax
Tax and NI Records (including P11 and P35)	6 years	Tax claims (<i>HMRC changing to 4 from 2012</i>)
Tax code notifications	6 years	Consistency
Timesheets/Overtime Records	Last completed audit year	Audit
PERSONNEL ADMINISTRATION & RECRUITMENT		
Employee letters of appointment	6 years after leaving employment	Consistency
Employee contracts	6 years after leaving employment	Consistency
All other records	6 years after leaving employment	Consistency
Selection of an individual/interview record	1 year	Reference
Unsuccessful Applicants' Employment Application forms/references	1 year	Reference
PLANNING DOCUMENTS		
Planning Applications *	6 months after the Planning Authority decision made	Reference
Planning Application lists	Retain indefinitely	Historical reference
Hand written responses from Councillors/Planning Committee members to planning applications	Destroy 6 months after the Planning Authority decision made, if mtg was not held to discuss the application	Reference
Planning/appeal decision slips	6 months after Planning Authority decision	Reference
Structure Plans, Local Plans and similar documents	To be retained as long as they are in force	Reference

* All planning applications and relevant decision notices are available at BFC. There is no requirement to retain duplicates locally. All Parish Council recommendations in connection with these applications are recorded in the Council minutes which are retained indefinitely.

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
CHARITY TRUST DOCUMENTS (Crowthorne Educational Charity & Walter Recreation Ground inc Circle Hill)		
Trustee minutes of meetings	Permanently	Data Protection Act
Annual accounts and annual review	Permanently	Data Protection Act
Major agreements of historical significance	Permanently	Data Protection Act
Fixed assets register	Permanently	Charities Act
Deeds of covenant	Permanently	Charities Act
Health and safety records	Three years for general records. Permanently for records relating to hazardous substances.	Personal injury actions must generally be commenced within three years of injury. However industrial injuries not capable of detection within that period (eg Asbestos) the time period may be substantially extended.
Bank paying in counterfoils	Six years from the end of the financial year in which the transaction was made.	Charities Act
Bank statements		
Remittance advices		
Correspondence re donations		
Bank reconciliations		
Receipts and payments		
Invoices		
Sales and purchase ledger		