

Kersey Parish Council Data Retention Policy

Introduction

Kersey 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. These records may be created, received or maintained in hard copy or electronically.

Kersey Parish Council will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it is required to hold to meet its statutory functions and the provision of its services. Anything that is no longer of use or value can be destroyed but if the council is in any doubt, it will seek advice from Suffolk Association of Local Councils (SALC) and retain that document until advice has been received.

Documents of historical importance, if not retained by the council, will be offered first to the county record office.

Responsibilities

Council records will be managed in such a way as to promote compliance with this policy so that information can be retrieved easily, appropriately and in a timely manner. The person with overall responsibility for the implementation of this policy is the Clerk to the Parish Council.

Parish Councillors are required to pass all documents and records whether received electronically or in hard copy to the Parish Clerk for retention in accordance with this policy and in the event of a Parish Councillor resigning or failing to retain their post as a result of an election, it is the Parish Councillor's responsibility to ensure anything that remains within their possession but is related to the business of the Parish Council is passed to the Parish Clerk within 10 working days of ceasing to hold the position of a Parish Councillor.

Retention of Documents for Legal Purposes

Most legal proceedings are governed by 'the Limitation Acts' which state that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. Below is a list setting out the limitation periods for the different categories of claim:

Negligence (and other Torts) 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 None

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Retention Periods for Documents and Data

Administration:

Document	Minimum retention period	Reason
Minute book	Indefinite	Archive
Agenda	3 years	Management
Personnel records	6 years after ceasing employment	Management/legal
Declaration of Acceptance of Office Councillor/Chair	Term of Office	Code of Conduct/management
Register of Interests	Register of Interest and relevant documents are retained by and available from Babergh District Council Website. Original copy held on file until individual ceases to be a member.	Code of Conduct/management
Planning applications	All planning applications and relevant decision notices are available on the Babergh District Council website. 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, as listed above.	
Playground inspection reports	40 years	Insurance
Routine correspondence/emails	Retain as long as useful	Management

Finance:

Document	Minimum retention period	Reason
Receipt and Payment Accounts	Indefinite	Archive
Annual Return	Indefinite	Archive
Asset Register	Indefinite	Archive
Bank statements	8 years	Audit/management
Bank paying-in books & cheque book stubs	2 years	Audit/management
Paid invoices	8 years	VAT/audit
VAT records	8 years	VAT/audit
Tax records	8 years	Audit/legal
Insurance policies	While valid	Management
Certificates for Insurance against Liability for Employees	40 years from date on which insurance commenced or was renewed	Management/audit/legal - The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753)
Certificate of Public Liability	40 years from date on which insurance commenced or was renewed	Management/audit/legal
Quotations/tenders	12 years/Indefinite	Audit/Limitations Act 1980 (as amended)
Title deeds, leases, agreements and contracts	Indefinite	Audit/management

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An annual review of all data and documentation should be carried out and items that have reached their deletion or destruction date being deleted/destroyed and the remainder being considered for archiving.

Disposal Procedures for Data No Longer Required

Paper documents containing confidential information will be shredded or burnt.

Paper documents with no confidential information can be recycled.

Electronic data will be deleted.

Electronic equipment with the capability of storing information will have all information deleted before being disposed of appropriately.

Data Retention Policy Adopted on: 11 May 2020 Minute Reference: 74/20