

# **W Chelmondiston Parish Council**

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## **DOCUMENT AND ELECTRONIC DATA RETENTION POLICY**

**Created: 20<sup>th</sup> July 2018**

**Adopted: 7<sup>th</sup> August 2018**

**Reviewed and Approved 06/08/2019**

## Document Amendment History

<b>Revision No.</b>	<b>Originator of change</b>	<b>Date of change</b>	<b>Change Description</b>
Introduction	Jill Davis	01/06/2019	LCPAS no longer DPO

**Reviewed and approved by the Parish Council at the meeting held on the 06/08/2019**

## INTRODUCTION:

This Retention Policy applies to **Chelmondiston Parish Council** and covers all records and documentation, whether analogue or digital and are subject to the retention requirements of this Policy. For the purpose of this Policy, the terms 'document' and 'records' include information in both hard copy and electronic form and have the same meaning whether referred to as Documents or Documentation. This Policy will also aid paper records and electronic data storage issues identified and will eliminate the need to retain paper and electronic records unnecessarily. **Chelmondiston 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. Any such system or policies relating to record management will include a review of council documentation on an annual basis. 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 **SALC and ICO** and retain that document until that advice has been received. Documents of historical importance, if not retained by the council, will be offered to the County Record Office situated in Ipswich Suffolk.

## RETENTION OF DOCUMENTS:

This policy details the minimum retention time required for council documents before disposal in order for the council to comply with the Freedom of Information Act 2000 Publication Scheme. Where variable times are indicated the Council will review storage after the minimum period has elapsed.

<b>Minutes</b>	<b>Minimum Period</b>	<b>Reason</b>
Approved minutes	Indefinite	Archive
Draft/rough/notes of minutes taken at meetings	Until minutes are approved	Management
<b>FINANCE</b>		
Receipt and Payment Accounts	Indefinite	Archive
Paid invoices	6 years	VAT
VAT records	6 years	VAT
Bank Statements	Last completed audit year	Audit
Paying in books	Last completed audit year	Audit
Cheque stubs	Last completed audit year	Audit
Scales of fees and charges	5 years	Management
Members allowances register	6 years	Tax, Statute of Limitations
<b>PLANNING</b>		
Permissions	6 years	Compliance
Permissions - on appeal	Indefinite	Precedent
Permissions - commercial or development	Indefinite	Future compliance
Refusals	2 years	Appeals

## **INSURANCE**

Insurance policies	2 years	Management
Certificates of Employers' Liability Insurance	40 years	Limitation period

## **OTHER**

Quotations and tenders	12 years /indefinite	Statute of Limitations
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Routine correspondence, papers & emails		Retain as long as useful
Notes from meetings	Until minutes are confirmed	Minutes are signed

Circulars and legal topic notes from LCPAS, SALC, NALC and other bodies such as principal authorities will be retained for as long as the information contained therein is useful and relevant.

## **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. The table below sets out the limitation periods for the different categories of claim.

<b>Claims Under Category</b>	<b>Limitation Period</b>
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

If a type of legal proceeding falls into two or more categories, the documentation will be kept for the longer of the limitation period.

As there is no limitation period in respect of trust, the council will retain all trust deeds and schemes and other similar documentation.

## **RETENTION OF ENCRYPTED DATA:**

For any information retained under this Policy that is in an encrypted format, consideration must be taken for the secure storage of any encryption keys. Encryption keys must be retained for as long as the data that the keys decrypt is retained.

## **DISPOSAL OF DOCUMENTS OR DOCUMENTATION:**

Disposal can be achieved by a range of processes:

Any record containing confidential information must either be disposed of in a confidential waste bin or shredded using a cross-cut shredder.

Disposal of documents that do not contain confidential information may be disposed of in the normal way or recycled.

Deletion – where computer files are concerned

Transfer of document to external body - this method of disposal will be relevant where documents or records are of historic interest and/or have intrinsic value. Such a third party could be the County Archivist or a local Museum.

## **DISPOSAL OF ELECTRICAL HARDWARE:**

IT equipment and devices that have the ability and capability to store personal data include:  
PC's

Laptops

Multi-Functional Devices – printers / scanners

Servers

USB Memory Sticks and external hard drives

IT equipment disposal must be managed by the Chairman or Vice chairman and in conjunction with the Proper Officer

All computer equipment, recycling or refurbishing must be disposed of in accordance with the Waste Electric and Electronic Equipment Regulations 2013.

## **DOCUMENTING DISPOSAL OF ELECTRICAL HARDWARE:**

**Chelmondiston Parish Council** will keep a record detailing the hardware disposed of, the date, and the Parish Councillor and Proper Officer who authorised disposal. In particular, the record should be able to demonstrate that the disposal was in accordance with this policy or set out the reasons for departing from it.