

# Claybrooke Magna Parish Council

## Document Retention Policy

### 1. INTRODUCTION

Claybrooke Magna Parish Council (the PC) 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 PC.

This policy applies to all records created, received or maintained by the PC in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the PC 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.

The PC will retain its important documents, both electronic and paper documents for the periods listed in the table below (consistent with advice from NALC Legal Topic Note 40 – September 2016). These periods are to be considered as minimum retention times. The Clerk will be responsible for ensuring that the documents are filed in an orderly and secure manner at all times. Documents will be made available on request according to the requirements of the Council's Document Publication Policy.

### 2. RESPONSIBILITIES

The 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.

### 3. CORRESPONDENCE

General correspondence and emails will be retained for as long as is relevant, the minimum period is 1 year. An annual review of all documentation should be carried out and items that have reached their deletion or destruction date being deleted/destroyed and the remainder be considered for archiving.

It is down to individual Councillors to delete emails in their allocated Councillor email account.

### 4. TRUSTS

As there is no limitation period in respect of trusts, councils are advised that they should never destroy trust deeds and scheme and other documentation.

Some types of legal proceedings may fall into two or more categories. NALC recommends that the longest of the limitation periods is adhered to.

### 5. RECORDS IDENTIFIED FOR PERMANENT PRESERVATION

These should be archived once there is no longer an administrative need for them.

## 7. RECORD-KEEPING

To ensure records are easily accessible, it is necessary to comply with the following:

- All files will be stored in a safe and secure place.
- Electronic files will be saved using relevant file names and be backed up periodically on a portable hard drive. Documentation no longer required will be disposed of in line with Section 8.

## 8. RECORDS TO BE DESTROYED

To protect confidential information, all records assigned for disposal should be securely destroyed. Paper records containing confidential information should be shredded. Electronic records should be deleted from digital files.

## 9. RETENTION OF DOCUMENTS

### Document Type

Minutes	Indefinite
Notes of minutes taken at meeting	Until minutes are approved
Agendas	Indefinite
Reports and other documents circulated with agendas	Indefinite
Councillors Declaration of Acceptance of Office & Register of Interests	Term of office

The Parish Clerk will obtain the formal approval of the Parish Council before records of a sensitive or confidential nature are deleted or destroyed.

2. All physical documents that are sensitive, confidential or refer to individuals, and are no longer required for administrative reasons, will be shredded or otherwise destroyed before disposal.

Document	Minimum Retention Period	Reason
Declaration of Acceptance	Member's Term of Office	Held by Clerk
Members Register of Interests	Member's Term of Office	Held by clerk
Planning applications and related papers	Not retained by PC. Planning applications and relevant decisions are available on the Harborough District Council Website. All Parish Council decisions in relation to application are recorded in the Minutes.	Management

Document	Minimum Retention Period	Reason
Contracts, and other agreements of a financial nature	6 years	Audit, Management
Quotations and tenders	12 years/indefinite	Statute of Limitations
Important correspondence relating to decisions, transactions and activities	1 year	Management
General Information (including invitations, lobbying, promotional material)	No minimum	Management
Routine correspondence and emails	3 months	Management
Complaints	1 year	Management
Scales of fees and charges	5 years	Management
Annual Accounts	Indefinite	Archive
Annual Returns	Indefinite	Archive
Receipt and payment account(s)	6 years	Archive
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
Paid invoices	6 years	VAT
VAT Records	6 years	VAT
Income Tax & NI records	3 years	Audit
Insurance policies	While Valid	Management

Document	Minimum Retention Period	Reason
Certificates for Insurance against liability for employees	While Valid	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management
Assets Register	Indefinite	Audit, Legal
Title deeds, leases, agreements, contracts	Indefinite	

**Reviewed at the Annual Parish Council Meeting on 18<sup>th</sup> May 2023. Minute 8.**



Version 2.0

Register of Electors

Byelaws & Orders Policy Documents

Title deeds & Property registers

Maps, plans, surveys of property owned by the council General correspondence Complaints

Information Requests General information not required for historical purposes

Village/parish appraisals, plans, projects & supporting papers

Planning applications & related papers for major controversial developments Planning applications where permission is refused Neighbourhood Plans Leases, agreements, contracts & wayleaves Parish Council Newsletter Routine internal correspondence and papers Employers liability insurance policies

Risk Assessments

Inspection Sheets Health & Safety Records Accident/Incident reports

Personnel Files Annual Leave records

Until there is no longer an administrative requirement Preserve one of each copy  
Until there is no longer an administrative requirement. Destroy old versions

Indefinite Indefinite

2 years after correspondence ends 5 years after resolution of complaint 1 year after  
resolution of request Until there is no longer an administrative requirement.

Until there is no longer an administrative requirement.

Until the development is completed and there is no longer an administrative requirement.  
3 years or

Until period for appeal has expired Indefinite – final adopted plans Indefinite

Indefinite – one copy to Archives Until there is no longer an administrative requirement.  
40 years after expiry date

Once superseded by a new risk assessment or once inactive – plus 1 prior year

6 years

6 years

6 years

6 years after termination of employment

2 years

Operational

Common Practice Operational

Common Practice

Common Practice

Operational Operational Operational Operational

Operational Operational

Limitation Act 1980

Archive

Audit, Management

Common Practice Operational

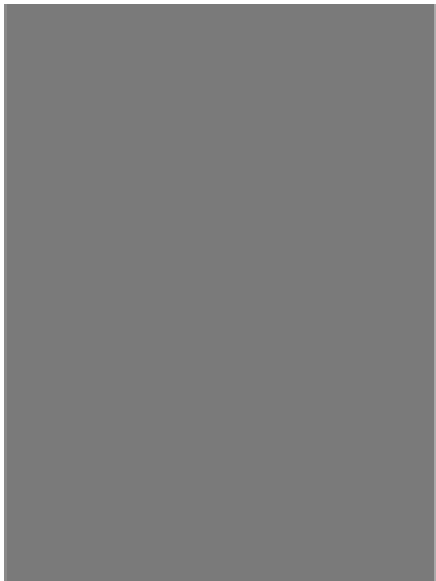
Employers Liability Act 1969 Employers Liability Regulations 1998

Operational

Common practice Common practice Common practice/Potential claims

Risk of investigation regarding any future litigation Operational























**Personnel**

Recruitment data Successful Unsuccessful	Add to Personnel File 6 months after recruitment finalised plus current year	Equalities Act
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Adopted by Barton-le-Clay Parish Council 14/03/2022

Version 2.0

### **Financial**

Scales of fees and charges Receipt books and payment Accounts  
Receipt books of all kinds Annual Return and Audited accounts

Accounts and statements Cash & petty cash books, rent books, postage & telephone books  
Bank statements including deposit/savings accounts Bank paying-in books, Cheque book  
stubs  
Paid invoices

Paid cheques

VAT records & Claims Time sheets

Wage books, PAYE, NI Records  
Members allowances register

Quotations and tenders (successful)  
Quotations and tenders (unsuccessful)  
Insurance Policies Insurance company names and policy numbers

Investments S137 Grants

Precept & Budgets

6 years Indefinite

6 years Indefinite

6 years 6 years

Last completed Audit year Last completed Audit year 6 years  
6 years

6 years (20 years for VAT on rents) Last completed Audit year  
3 years (best practice)  
12 years

6 years

6 years after contract ends

2 years

While valid Indefinite

Indefinite 6 years

6 years

Management  
Council financial regulations

VAT Archive

Council financial regulations Tax, VAT, Limitations Act 1980 (as amended),  
Council financial regulations Audit, Council financial regulations  
Audit, Council financial regulations  
VAT Act 1994, Council financial regulations  
Limitations Act 1980 (as amended)  
Council financial regulations VAT Act 1994  
Audit, Council financial regulations  
Superannuation & Limitation Act 1980 (as amended)  
Tax, Limitation Act 1980 (as amended)

Limitation Act 1980 (as amended)  
Operational

Operational Management

Audit, Management Audit, Council financial regulations  
Audit, Council financial regulations

















Certificate 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
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<b>Recreation Grounds, Sports Facilities</b>		
Records relating to applications to:	6 years	VAT Council financial regulations

<ul style="list-style-type: none"> <li>• Hire</li> <li>• Letting diaries</li> </ul>		
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Adopted by Barton-le-Clay Parish Council 14/03/2022

Version 2.0

- Copies of bills to hirers Register & Plans

Indefinite

Audit, Management

<b>Allotments</b>		
<b>Burial Grounds</b>		
<ul style="list-style-type: none"> <li>• Register of fees collected;</li> <li>• Register of Burials;</li> </ul>	Indefinite	Archives, Local Authorities Cemetery Order 1977 (SI. 204)

<ul style="list-style-type: none"> <li>• Register of Purchased Graves;</li> <li>• Register/plan of Grave spaces;</li> <li>• Register of memorials</li> <li>• Applications for interment;</li> <li>• Applications for right to erect memorials;</li> <li>• Disposal certificates;</li> <li>• Copy certificates of Grant of Exclusive Right of Burial</li> </ul>		
<b>Miscellaneous</b>		

Marketing consent forms Maps created under the provision of the Rights of way Act 1932

Papers concerning Rights of Way  
Community magazines or newsletters

Charity papers Press cuttings Photographs

Reports, guides, handbooks etc. received from other organisations  
Historical records

3 years  
Archive once inactive

Until there is no longer an administrative requirement. Until there is no longer an administrative requirement. Until there is no longer an administrative requirement. Until there is no longer an administrative requirement. Until there is no longer an administrative requirement.

Indefinite – to be securely kept for the benefit of the Parish

Common practice Common Practice

Operational Operational Operational Operational Operational Operational

Archive/Common Practice











**Review Process.**

This Policy will be reviewed by the Policies & Resources Committee bi-annually before being submitted to

the Council for adoption.

Adopted by Barton-le-Clay Parish Council 14/03/2022 Version 2.0

**1. INTRODUCTION**

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Barton-le-Clay Parish Council (the '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.

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.

Barton-le-Clay Parish Council will retain its important documents, both electronic and paper documents for the periods listed in the table below (consistent with advice from NALC Legal Topic Note 40 – September 2016). These periods are to be considered as minimum retention times. The Clerk will be responsible for ensuring that the documents are filed in an orderly and secure manner at all times. Documents will be made available on request according to the requirements of the Council's Document Publication Policy.

## **2. RESPONSIBILITIES**

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## **3. CORRESPONDENCE**

General correspondence and emails will be retained for as long as is relevant, the minimum period is 1 year. An annual review of all documentation should be carried out and items that have reached their deletion or destruction date being deleted/destroyed and the remainder be considered for archiving.

It is down to individual Councillors to delete emails in their allocated Councillor email account.

## **4. TRUSTS**

As there is no limitation period in respect of trusts, councils are advised that they should never destroy trust deeds and scheme and other documentation.

## **5. RETENTION OF DOCUMENTS FOR LEGAL PURPOSES**

Most legal proceedings are governed by the Limitation Act 1980 (as amended). This act provides that legal claims may not be commenced after a specified period. This period varies depending on the type of claim in question. The reference to 'category' in the table refers to claims brought in respect of that category.

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Adopted by Barton-le-Clay Parish Council 14/03/2022 Version 2.0

## **CATEGORY**

Breach of Trust

Contract

Defamation

Leases

Negligence (and other 'torts') Personal injury

Rent

Sums recoverable by statute To recover land

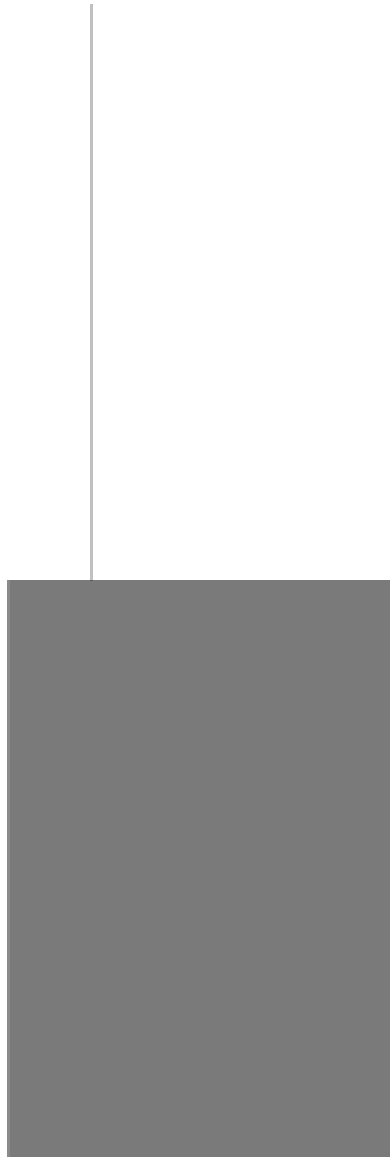
## **LIMITATION PERIOD**

No limitation period 6 years

1 year

12 years

6 years 3 years 6 years 6 years 12 years







Some types of legal proceedings may fall into two or more categories. NALC recommends that the longest of the limitation periods is adhered to.

## **6. RECORDS IDENTIFIED FOR PERMANENT PRESERVATION**

These should be deposited with the local Archive Service once there is no longer an administrative need for them to be kept locally.

## **7. 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 and also in the cloud-based programme supplied by the Council's IT company.

Documentation no longer required will be disposed of in line with Section 8.

## **8. RECORDS TO BE DESTROYED**

To protect confidential information, all records assigned for disposal should be securely destroyed. Paper records containing confidential information should be shredded. Electronic records should be deleted from digital files.

A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

## **9. RETENTION OF DOCUMENTS REQUIRED FOR THE AUDIT OF PARISH COUNCILS**



### **Document Type**

Minutes  
Draft minutes/notes of minutes taken at meeting  
Agendas

Reports and other documents circulated with agendas Councillors Declaration of Acceptance of Office & Register of Interests

**Minimum Retention Period (time is from the date on the document)**

Indefinite  
Until minutes are approved

Indefinite  
Until there is no longer an administrative requirement Term of office + 2 years

**Retention Reason**

Archive signed copies Operational

Archive Operational

Operational

**Administrative**





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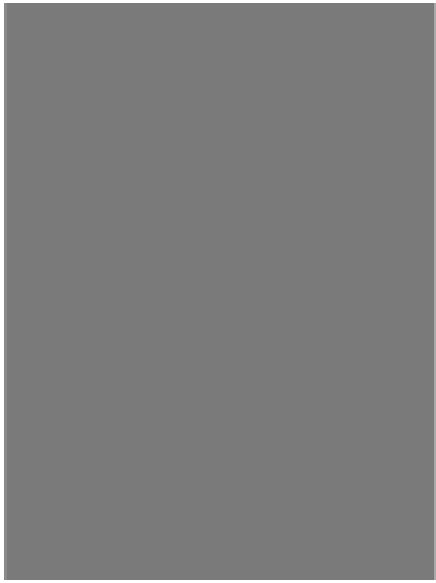
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