



Sutton Cheney Parish Council

Record Management and Retention of Documents Policy

The purpose of the policy is to ensure the confidentiality and that the availability of information is maintained through best practice.

This policy applies to all records (electronic and paper) 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. 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.

Code of Practice on the Management of Records

Under Section 46 of the Freedom of Information Act 2000, it is recommended that the Council should adopt the following practice in respect of the retention, management and disposal of the Council's documents and records. Good records and information management benefits those requesting information because it provides some assurance that the information provided will be complete and reliable. It benefits those holding the requested information because it enables them to locate and retrieve it easily within the statutory timescales or to explain why it is not held. It also supports control and delivery of information promised in the Council's Publication Scheme.

The Council should ensure it keeps the records it needs for business, regulatory, legal and accountability purposes and records should be kept in systems that enable the records to be stored and retrieved as necessary. The Council should know what records it holds, where they are and that they remain usable for as long as they are required (i.e. that they can be retrieved, used and relied upon). Records should also be stored securely.

Records shared with other bodies or held on their behalf by other bodies should be managed in accordance with the FOIA Code of Practice. Similarly, the policy should be kept up-to-date so that it reflects the current needs of the Council, by reviewing it at agreed intervals, e.g. every year or after major organisational or technological changes.

3. Requests made under the Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR)

As a matter of good practice, the Information Commissioner's Office recommends that any requested information should be kept for at least 6 months after the date of the last communication about the request, to allow for appeals to the Information Commissioner.

4. Paper Filing and Electronic Filing

a) Records titles used on the Council's paper filing system (housed in suspension files in a filing cabinet) should reflect their specific nature and contents, so as to facilitate retrieval.

b) Electronic documents and folders should have file titles which are easily understood by others. Personal file names or uncommon abbreviations should not be used, as they will be meaningless to others. Out-of-date material should not accumulate in a file, and if a document is not accessed in the course of eighteen months, it should probably be deleted from the drive, provided that it is backed-up on the external hard drives.

c) Computer files should not be password protected unless they are confidential and only then if the Chair is provided with the password, so that the information can be accessed during an absence or emergency.

d) The Parish Council will operate a back-up system with an external storage drive. A backup of all records in digital systems is taken regularly. This backup should be carried out on a data-stick and/or the external hard drive and should be off the premises and should be used to restore data in case of emergency. All updated files must be overwritten by the back-up so that only the latest file version is retained. The external hard drive should be stored safely as far away from the computer as possible. Access to data stick(s) and/or external hard drive to be password protected to ensure the records are stored securely and access to the data is controlled; password details retained as long as valid in the Council safe.

e) The Parish Council website should be used for saving and making available non-sensitive information for reference purposes. Data contained on the website is gleaned primarily from computer held records. The remainder is updated online. Therefore all data is replicable and back up storage is of low priority. The website is regularly backed up on a minimum basis of 6 months and is held by the Council's web host provider.

5. Disposal of Records

a) In general, records should be kept for as long as they are needed by the Council, for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.

b) Destruction at the end of the period ensures that office and computer space are not used and costs not incurred in maintaining records that are no longer required. Any personal data (e.g. on CVs submitted for job vacancies) should only be kept for as long as it is needed.

c) Once the minimum retention period has passed, records should be destroyed in a rolling programme, taking into account security of the information contained in the records and confidentiality needs.

d) The Parish Clerk will be responsible for all disposals and destruction of records, in as secure a manner as required by the level of confidentiality. Digital records will be overwritten to ensure that the data is destroyed completely.

e) If any records are not included in the retention and disposal schedule, the Parish Clerk will be responsible for reviewing the records and deciding whether they can be destroyed or archived for indefinite preservation. Such decisions should be documented and kept to provide evidence of which records have been identified for destruction, when the decision was made, and the reasons for the decision, where this is not apparent from the overall policy.

f) Ephemeral material should be disposed of on a routine basis, e.g. print-outs of electronic documents should not be kept after the meeting for which they were printed.

g) Trivial emails should be deleted immediately after being read.

6. Retention of Documents

A Parish Council is required to retain paper and electronic data for a variety of reasons. There is a clear need to retain documentation for audit purposes, staff management, tax liabilities, and the possible eventuality of legal disputes and legal proceedings. Subject to the mentioned reasons for retaining documents, and as a basic starting point, papers and records will be destroyed if they are no longer of use or relevant.

Sutton Cheney Parish Council will retain its important documents for the periods listed in the table (consistent with advice from NALC Legal Topic Note 40). These periods are to be considered as minimum retention times. The Parish Clerk will be responsible for ensuring that the documents are filed in an orderly and secure manner at all times.

In these circumstances the relevant documentation will be kept for the longest of the three limitation periods.

Bank paying-in books	Last 3 completed audit years	Audit
Bank statements, including deposit/savings accounts	Last 3 completed audit years	Audit
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
Cheque book stubs	Last 3 completed audit years	Audit
Cllr's declarations of office	4 years or until they vacate office	Operational
Correspondence According to content –	Review at least every 5 years	Operational
For Allotments – • Register and Plans	Indefinite	Audit, Management
For Burial Grounds – • Register of fees collected • Register of burials • Register of purchased graves • Register/plan of grave spaces • Register of memorials • Applications for interment • Applications for right to erect memorials • Disposal certificates • Copy of certificates of grant of exclusive right of burial	Indefinite	Archives, Local Authorities Cemeteries Order 1977 (SI. 204)
Insurance policies	40 years	Management Investments, Indefinite Audit
Management Magazines, journals and general information from associations	As long as they are useful and relevant	

Personnel files (including training records, appraisals, contract of employment, annual leave / sick leave)	6 years	Risk of investigation regarding any future litigation
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)
Policy documents	Until there is no longer an administrative requirement	Operational
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Receipt books of all kinds	6 years	VAT
Receipt and payment accounts(s)	Indefinite	Archive
Recruitment data	6 months after recruitment finalised	Sex Discrimination Acts, Race Relations Act, Disability Discrimination Act, Employment Equality Regulations
Risk assessments	3 years	Operational
Scale of fees and charges	6 years	Management
Structure plans, Local Plans and similar documents	Retained for as long as they are in force	
Timesheets	Last completed audit	Audit
Title deeds, leases, agreements, contracts	Indefinite Audit	Management
VAT records	6 years	VAT
Wages books, PAYE & NI records	12 years	Superannuation (pensions)

Insurance policies

All insurance policies will be kept for as long as it is possible for a claim to be made under them. Irrespective of how long policies and correspondence are retained, the Parish Council will keep a permanent record of insurance company names and policy numbers for all insured risks. Article 4 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753) requires local councils, as employers, to retain certificates of insurance against liability for injury or disease to their employees arising out of their employment (this insurance is mandatory pursuant to the Employers' Liability (Compulsory Insurance) Act 1969) for a period of 40 years from the date on which the insurance is commenced or renewed.

Documentation relating to staff

This will be kept securely and in accordance with the eight data protection principles contained in the Data Protection Act 1998. The principles provide that personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. However, even after an employment relationship has ended, the Parish Council will retain and access records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council.

The time limits within which a claim (and any appeal) may be lodged against an employer at an employment tribunal are set out in the legislation that contains the employment right in question or

failing that by reference to the Limitation Act 1980 (as amended) considered below. The time for lodging a claim at an employment tribunal is usually measured from the date that the employment relationship ended or the date of the act complained of. Subject to where the Limitation Act 1980 applies, the most common time limit for lodging a claim at an employment tribunal is 3 months (for example a claim for unfair dismissal must, by virtue of s.111 of the Employment Rights Act 1996, be lodged at an employment tribunal within 3 months of the date of the termination of the employment contract) although 6 months applies in redundancy and equal pay claims.

Local/historical information.

The Local Government (Records) Act 1962 provides that parish councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use of such records (defined as materials in written or other form setting out facts or events or otherwise recording information).

Arrangements for the deposit, storage and management of documents.

Documents of local and or historical importance, if not retained and stored by the Parish Council, will be offered first to the Leicestershire County Record Office.