



Sedlescombe Parish Council

Data Retention Policy

SEDLSCOMBE PARISH COUNCIL – DATA RETENTION POLICY

This procedure is a document that sets out Sedlescombe Parish Councils approved and agreed practices. Any deviation must be by resolution of the full 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 document provides the policy framework through which this effective management can be achieved and audited. It covers:

- **Scope**
- **Responsibilities**
- **Retention Schedule**

Scope of Policy

This policy applies to all records created, received or maintained by the Parish Council while 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.

This policy has been drawn up within the context of:

- Freedom of Information
- Data Protection

And with other legislation or regulations (including audit and Statute of Limitations) affecting the Parish Council.

Responsibilities

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment.

The person with overall responsibility for the implementation of this policy is the Clerk to the Parish Council, and the Clerk is required to manage 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.

Disclosure

Documents generally and e-mails are publicly disclosable under and in accordance with the Freedom of Information Act 2000 (and the Council's Publication Scheme), the Data Protection Act 1998, Environmental Information Regulations 2004/3391 and access to information. Information held (and this includes e-mails) should always be regarded as disclosable unless there are sound legal reasons in the statutory framework which justify their withholding, e.g. that it is properly exempt under the Freedom of Information Act 2000, or it is personal data not disclosable other than to a data subject under the Data Protection Act 1998 or it is subject to an obligation of confidentiality. So far as access to information is concerned, a Council's policy on sharing or giving information to Members should be as open as possible.

Members may request the Clerk to provide them with such information, explanation and advice about the Council's functions as they may reasonably need to assist them in discharging their role as Members. This may range from a request for general information about some aspect of a service's activities to a request for specific information on behalf of a parishioner. Where such information is requested on behalf of a third party, it shall only be requested if it is capable of being in the public domain: i.e. it is not confidential, data protected or subject to exemptions from disclosure under the Local Government Act 1972 Part 5A (access to information) and equivalent legislation, the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Any Council information provided to a Member must only be used by the Member for the purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council.

Retention Schedule

Under the Freedom of Information Act 2000, the Parish Council is required to maintain a retention schedule listing the record series which it creates during 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. 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.

Document	Minimum Retention	Reason
Minute Books	Indefinite	Archive
Annual Accounts	Indefinite	Archive
Annual Audit Returns	Indefinite	Archive
Receipt and payment account(s)	6 years	Audit
Bank Statements	6 years	Audit
Cheque Book Stubs	Last completed audit year	Audit
Paying in books	Last completed audit year	Audit
Quotations and tenders	12 years / indefinite	Limitation Act 1980
Paid Invoices	6 years	VAT
Paid Cheques	6 years	Limitation Act 1980
Receipts	6 years	Audit
VAT Records	6 years	Audit
Salary Records	12 years	Superannuation
Insurance Policies	Whilst valid	Audit
Certificate of Employers Liability	40 years	Audit / Legal
Certificate of Public Liability	40 years	Audit / Legal
Investments	Indefinite	Audit / Management
Council Policies	Current version indefinite Previous version 1 year	Audit / Management
Asset Register	Indefinite	Audit
Title deeds, leases, agreements, contracts	Indefinite	Audit
Declaration of acceptance of Office (Cllr)	Term of office + 1 year	Management
Members Register of Interests	Term of office + 1 year	Management
Members Allowances	6 years	Limitation Act 1980
Complaints	One year	Management
General Information	Three months	Management
Routine Correspondence/emails	6 months after relevant issue completed	Management
Public Consultation, survey & returns	5 years	Management

Documentation for Legal purposes (unless extended)		
Negligence	6 years	Limitation Act 1980 (as amended)
Defamation	1 years	Limitation Act 1980 (as amended)
Contract/Agreement	6 years	Limitation Act 1980 (as amended)
Sums recoverable by Statute	6 years	Limitation Act 1980 (as amended)
Rental Agreement	12 years	Limitation Act 1980 (as amended)
Personal injury	3 years	Limitation Act 1980 (as amended)
To recover land	12 years	Limitation Act 1980 (as amended)
Rent	6 years	Limitation Act 1980 (as amended)
Breach of Trust	None	Limitation Act 1980 (as amended)

Planning applications

Are retained by the Rother District Council and the East Sussex County Council. There is no requirement to retain duplicates locally. All Parish Council recommendations in connection with these applications are recorded in the Council minutes and are retained indefinitely. Correspondence received in connection with applications will be retained as stated above (see Correspondence)

Disposal Procedures

All documents that are no longer required for administrative purposes will be shredded and disposed of.

Document Revision History

Date	Version	Revision
27-Mar-18	1.0 Final	Parish Council adoption as per minute 202.1