

**HOOE PARISH COUNCIL
DOCUMENT RETENTION POLICY**

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Hooe Parish Council

Document Retention Policy

1. Introduction

The guidelines set out in this policy are managed in accordance with the General Data Protection Regulations 2018 and the Data Protection Act 2018, Freedom of Information Act 2000, the Limitations Act 1980, the Employers' Liability (compulsory insurance) Regulations 1998 and other relevant legislation.

The parish council must demonstrate adequate systems are in place to manage the parish council's records to safeguard the information. Through the parish council's management documentation system, it must be able to deliver transparency and accountability.

2. Management of Parish Council Documents

Documents may be retained in either 'hard' paper form or in electronic forms. A 'document' and 'record' refers to both hard copy and electronic records.

The parish clerk must retain and manage documents on behalf of the parish council. No one, be it a councillor or third party may take possession or hold documents belonging to the parish council. Such actions would be a breach of the General Data Protection Regulations 2018 and would be required to be reported to the Information Commissioners Office.

The clerk must ensure all documentation is kept secure while under their management and control. Confidential or sensitive financial documentation must be locked away in a secure cabinet. Any breaches of this policy must be reported to the chairman with immediate effect.

It is imperative that documents are retained in line with statutory requirements. If documents are destroyed prematurely or lost, the parish council and the clerk could face prosecution for not complying with legislation, and may cause operational difficulties, reputational damage and difficulty in defending any claim brought against the parish council. The parish council must demonstrate adequate systems are in place to manage the parish council's documents.

The parish council should not retain documents longer than is necessary. Documents must be disposed of in line with General Data Protection Regulations 2018 so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space. Documents for disposal should be shredded at the parish council's business address and disposed in a safe manner.

Where documents are either to be retained for long periods of time or indefinitely, the parish council should retain records at the Records Office, the Keep in Brighton in accordance with East and West Sussex Parish Councils retention schedule.

3. Retention of Documents for Legal Purposes

Most legal proceedings are governed by the Limitation Act 1980 (as amended). The Limitation Act 1980 (as amended) provides that legal claims may not be commenced after a specific 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.

Category	Limitation Period
Negligence (and other torts)	6 years
Defamation	1 year

Category	Limitation Period
Contract	6 years
Leases	12 years
Sums Recoverable by Statute	6 years
Personal Injury	3 years
To recover land	12 years

Some limitation periods can be extended. Examples include:

- Where individuals first become aware of damage caused at a later date (e.g. in the case of personal injury)
- Where damage is latent (e.g. to a building)
- Where a person suffers from a mental incapacity
- Where there has been a mistake or where one party has defrauded another or concealed relevant facts

4. Retention Document Periods

The parish council must retain all documentation for the periods and methods set out in the table below:

Type of Record	Minimum Retention Period	Reason
Approved parish council and committee agendas / minutes	Indefinite	Archive – keep 7 years in parish office, store thereafter in East Sussex County Archive
Hand written minutes and meeting notes for transcription to typed documents	Destroyed once typed and documents are formally approved	Only typed, approved version retained
Draft documents	Destroy once the final version is produced	Management
Correspondence and general files	If associated with any other area as per this table, otherwise review annually. Records of a short term values should be destroyed in the normal course of business	Management / Archive
Emails	To be dealt with in the same way as other correspondence	Management
Members Declaration of acceptance of office		
Register of Member's Interests	Retain whilst a member	Publication Scheme
Scales of Fees and Charges	6 years	Management

Type of Record	Minimum Retention Period	Reason
Freedom of Information Log	5 years after record is opened	Management
Details of requests made under the Data Protection Act 2018 or the Freedom of Information Act	5 years after request is received	Management
Complaints	3 years unless legal or insurance claim pending	Management
Information from other bodies i.e. National Association of Local Councils	As long as useful and relevant	Management
Personal Data	To be kept no longer than is necessary for the purpose for which it is held	Data Protection Act 2018 and General Data Protection Regulations 2018
Allowances and expenses records	6 years	Limitation Act 1980 (as amended)
Standing orders, Policies and Procedures	Indefinite – superseded policies to marked as such	Management / Reference
Receipts and Payments Spread Sheets	Indefinitely	Archive – keep 7 years in parish office, store thereafter in East Sussex County Archive
Receipt Books	6 years	VAT
Paid Invoices	6 years	VAT
Bank Reconciliation	Quarterly statements kept with minutes	Archive / Minute Record
Bank Statements	Last completed audit year	Audit
Bank Paying in Books	Last completed audit year	Audit
Cheque Book Stubbs	6 years	Audit
Payment of Account Record	Indefinitely	Minute Record
Quotations and Tenders	6 years	Limitation Act 1980 (as amended)
Paid Invoices	6 years	VAT
Paid Cheques	6 years	Limitation Act 1980 (as amended)
VAT Records	6 years	VAT
Wages and Salary Records	6 years	Management / Tax / Audit
Tax and National Insurance records including tax code notifications, P11, P35	6 years	Tax / Audit
Petty Cash / Postage / Telephone Books	6 years	Tax / VAT / Limitation Act 1980 (as amended)

Type of Record	Minimum Retention Period	Reason
Payslips / Expenses	6 years	Tax / Audit
Employee letters of employment, contracts and associated personnel records	6 years from termination of employment	Management
Budget	6 years / minute record	Reference
Asset Register	Current and last completed audit version	Management
Title Deeds, Leases, Agreements and Contracts	Indefinitely	Audit Management / Limitation Act 1980 (as amended). Deeds to be held by clerk.
Trust Deeds	Indefinitely	Audit Management / Limitation Act 1980 (as amended). Deeds to be held by clerk.
Investments	Indefinitely	Audit / Managements
Audited Annual Return	Indefinitely	Archive
Any other Audit documentation and correspondence	6 years	Audit / Management
Insurance documentation including policies	10 years	To cover any claim under insurance policies. A permanent record of insurance companies to be retained
Certificate of Employers Liability Insurance	40 years from date of the commencement of the policy	The Employer's Liability (Compulsory Insurance) Regulations 1998
Safety Inspections and Maintenance	12 years	Tax Limitation Act 1980 (as amended)
Accident Book	4 years. For incidents involving minor's records kept 3 years after they become 18	Reporting of injuries, Diseases and Dangerous Occurrences Act 2013
Risk Assessments / Management Reports	Indefinitely	
Planning Observations	Minutes	Reference
Local Plans/Structure Plans etc.	As long as valid	Reference
Allotment Agreements / Annual Land Licences	2 years	Audit
Allotment Register & Plans	Indefinite	Audit and Management
Village Hall / Recreation Ground Hire Agreements	6 years	VAT and Management