

DATA RETENTION POLICY

Introduction

1. The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various different types of documents.
2. Records created and maintained by the Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.
3. Documents may be retained in either 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.
4. It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely the Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.
5. In contrast to the above the Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations (GDPR) so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

Scope and Objectives of the Policy

6. The aim of this document is to provide a working framework to determine which documents are:
 - retained and for how long; or
 - disposed of and, if so, by what method.
7. There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:
 - 'with compliments' slips.
 - catalogues and trade journals.
 - non-acceptance of invitations.
 - trivial electronic mail messages that are not related to Council business.

- requests for information such as maps, plans or advertising material.
 - out of date distribution lists.
8. Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.
 9. Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be disposed of under GDPR.

Roles and Responsibilities for Document Retention and Disposal

10. Councils are responsible for determining whether to retain or dispose of documents and should undertake a review of documentation at least on an annual basis to ensure that any unnecessary documentation being held is disposed of under GDPR.
11. Councils should ensure that all employees are aware of the retention/disposal schedule.

Document Retention Protocol

12. Councils should have in place an adequate system for documenting the activities of their service. This system should take into account the legislative and regulatory environments to which they work.
13. Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:
 - facilitate an audit or examination of the business by anyone so authorised;
 - protect the legal and other rights of the Council, its clients and any other persons affected by its actions;
 - verify individual consent to record, manage and record disposal of their personal data; and
 - provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.
14. To facilitate this the following principles should be adopted:
 - records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under GDPR; and
 - documents that are no longer required for operational purposes but need retaining should be placed at the records office.
15. The retention schedules in Appendix A: List of Documents for Retention or Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the

Records Management Society of Great Britain and in accordance with relevant legislation.

16. Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

Document Disposal Protocol

17. Documents should only be disposed of if reviewed in accordance with the following. Is retention required:
 - to fulfil statutory or other regulatory requirements?
 - to meet the operational needs of the service?
 - to evidence events in the case of dispute?
 - because the document or record is of historic interest or intrinsic value?
18. When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned. A record of the disposal will be kept to comply with GDPR.
19. Documents can be disposed of by any of the following methods:
 - non-confidential records: place in waste paper bin for disposal;
 - confidential records or records giving personal information: shred documents;
 - deletion of computer records; and
 - transmission of records to an external body such as the County Records Office.
20. The following principles should be followed when disposing of records:
 - all records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under GDPR;
 - the Freedom of Information Act or cause reputational damage;
 - where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner;
 - where documents are of historical interest it may be appropriate that they are transmitted to the County Records office; and
 - back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).
21. Records should be maintained of appropriate disposals. These records should contain the following information:
 - the name of the document destroyed;

- the date the document was destroyed; and
- the method of disposal.

Data Protection Act 2018 – Obligation to Dispose of Certain Data

22. The Data Protection Act 2018 ('Fifth Principle') requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained. Section 1 of the Data Protection Act defines personal information as:

Data that relates to a living individual who can be identified:

- from the data, or
- from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller.

It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual.

23. The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.

24. Councils are responsible for ensuring that they comply with the principles of the under GDPR namely that personal data:

- is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- shall only be obtained for specific purposes and processed in a compatible manner;
- shall be adequate, relevant, but not excessive;
- shall be accurate and up to date;
- shall not be kept for longer than is necessary;
- shall be processed in accordance with the rights of the data subject.; and
- shall be kept secure.

25. External storage providers or archivists that are holding Council documents must also comply with the above principles of GDPR.

Scanning of Documents

26. In general once a document has been scanned on to a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.

27. As a general rule hard copies of scanned documents should be retained for three months after scanning.

28. Original documents required for VAT and tax purposes should be retained for six

years unless a shorter period has been agreed with HM Revenue and Customs.

Review of Document Retention

29. It is planned to review, update and where appropriate amend this document on a regular basis.
30. This document has been compiled from various sources of recommended best practice and with reference to the following documents and publications:
 - *Local Council Administration*, Charles Arnold-Baker, 12th edition, Chapter 11
 - NALC LTN 40 – *Local Councils' Documents and Records*, January 2013
 - NALC LTN 37 – *Freedom of Information*, July 2009
 - *Lord Chancellor's Code of Practice on the Management of Records* issued under Section 46 of the *Freedom of Information Act 2000*

List of Documents

31. The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

Date adopted: May 2026

Date of review: May 2027

Based on model data retention policy, SLCC

HASLINGFIELD PARISH COUNCIL

APPENDIX A - List of Documents for Retention and Disposal

Records	Retention period	Action
Administrative		
Signed council and committee minutes	Transfer to Cambridge Archive Service (CAS) after 6 years or once they become inactive	Preserve
Draft minutes	Until the date of confirmation of the minutes	Destroy
Agendas	Until there is no longer an administrative requirement	Destroy
Reports and other documents circulated with agendas	Until there is no longer an administrative requirement. Destroy these reports if copies are already included with signed minutes.	Review
Land ownership reports and papers	Transfer to CAS after 6 years or once they become inactive	Preserve
Councillors' declarations of office	4 years or until they vacate office	Destroy
Byelaws and orders	Preserve one of each copy and transfer to CALS once they become inactive.	Preserve
Policy documents	Until there is no longer an administrative requirement	Review
Title deeds more than 100 years old	Transfer to CAS once they become inactive.	Preserve
Title deeds less than 100 years old	Transfer to CAS for review once they become inactive.	Review
Property registers and terriers	Transfer to CAS once they become inactive	Preserve
Maps, plans, and surveys of property owned by the council or meetings	Transfer to CAS once they become inactive	Preserve
Correspondence and papers on important local	Until there is no longer an administrative requirement	Review

issues or activities		
Village/parish appraisals, plans, millennium projects and supporting papers	Until there is no longer an administrative requirement	Review
Planning applications and related papers for major controversial developments	Until there is no longer an administrative requirement	Review with the view to destroy
Planning applications for minor works where permission is refused	6 years	Destroy
Leases, agreements, contracts and wayleaves	Until there is no longer an administrative requirement	Review
Quotations and tenders (successful)	12 years	Destroy
Quotations and tenders (unsuccessful)	2 years	Destroy
Routine correspondence and papers	Until there is no longer an administrative requirement	Review with the view to destroy
Scale of fees and charges	Until superseded by new charges	Destroy
Employers' liability insurance policies	40 years after expiry date	Destroy
Risk assessments	Once superseded by a new risk assessment or once inactive	Destroy
Personnel files	6 Years plus 6 Years for summary for non-management staff; 12 Years after termination of service for management staff	Destroy
Personnel files – annual leave	2 years	Destroy
Financial		
Receipt and payment books	Transfer to CALS once they become inactive	Preserve
Rate books	Transfer to CALS. CALS	Preserve

	may make a selection (e.g. one year in every ten years)	
Annual audited accounts	6 years	Destroy, but preserve if the receipt and payment books have not survived
Accounts and statements	6 years	Destroy
Vouchers before 1950	6 years	Destroy
Cash and petty cash books and rent books	6 years	Destroy
Receipt books of all kinds	6 years	Destroy
Postage and telephone books	6 years	Destroy
Bank statements including deposit/saving accounts	6 years	Destroy
Bank paying-in books	Last completed Audit year	Destroy
Cheque book stubs	Last completed Audit year	Destroy
Paid invoices	6 years	Destroy
Paid cheques	6 years	Destroy
VAT records	6 years	Destroy
VAT claims	6 years	Destroy
Time sheets	Last completed Audit year	Destroy
Wage books	12 years	Destroy
Members' allowances register	6 years	Destroy
Records relating to parish halls, centres and recreation grounds, applications to hire, letting diaries, copies of bills to hirers and records of tickets issued	6 years	Review with the view to destroy
Miscellaneous		
Maps created as part of the authority's official business	Transfer to CAS once they become inactive	Preserve

Papers concerning Rights of Way	Until there is no longer an administrative requirement	Review
Community magazines or newsletters	Until there is no longer an administrative requirement. CALS may transfer these records to the local studies collections	Review
Photographs	Until there is no longer an administrative requirement	Review
Any records created by predecessor authorities, e.g. poor law, surveyors of the highway, tithe maps and apportionments, enclosure awards etc.	Contact CAS as soon as possible with view to transfer	Preserve
Records of other bodies such as burial boards, charities, fire brigades, Home Guard unit, local society or ad hoc committee	Transfer to CAS once they become inactive	Preserve