



## **DOCUMENT RETENTION AND DISPOSALS POLICY**

Fownhope Parish Council has adopted a Document Retention and Disposals Policy to provide information about its process of retaining and disposing of records and documents that it keeps physically or electronically.

This policy applies to all records and documents created, received or maintained by the Parish Council in the course of carrying out its functions. Records and documents are defined as physical or electronic pieces of information that are created, received or maintained by the Parish Council in the course of its duties that provide evidence of its decisions, activities and transactions.

Under the Freedom of Information Act, the Parish Council is required to maintain a retention schedule listing the records which it retains in the course of its business and the process for deleting or destroying records when they are no longer needed. 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.

The table below indicates the record type, minimum retention period and reasons for retention. The Parish Council is aware that some of its records have historical value and it seeks to keep these documents indefinitely or, where this might not be possible or advisable, to offer these documents to the Herefordshire Archive Service.

### **Retention of documents required for audit of Parish Councils:**

Disposal procedures for records and documents:

1. 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.

### **Retention of documents to be archived with Herefordshire Archive Service:**

Herefordshire Archive Service has a duty to collect, preserve and make available for research, the county's archival heritage. The written evidence left by local government bodies forms a crucial part of their collections and the records of parish councils, produced since their establishment in 1894, are an important element of this.

The archives of parish and town councils should be deposited with HARC on long term loan. Not all records need to be retained for ever. There are certain types of documentation that need not be kept once their administrative use has passed. Whether an item should be archived or destroyed confidentially is based on statutory requirements as well as an assessment of its long-term historical value. This records management is an essential process for controlling written information, preserving heritage and minimising clutter.

When cataloguing records, items will be appraised and then listed and indexed in accordance with the Record Office's ongoing programme. The Council reserves the right to return to the depositor any records deemed to be of no historical interest, or, with the consent of the depositor, to transfer them to a more appropriate place of deposit or to destroy them. The ownership of and copyright in all lists and other finding aids rest with the Council. A free copy of the list can be provided to the depositor.

All deposited records are stored in the Council's Record Office in secure conditions which comply broadly with BS5454:2000 (Storage and exhibition of archival documents), and all reasonable precautions will be taken to preserve the records from damage, loss or theft. Records may undergo such conservation and preservation, by our trained conservators, as is considered necessary for their safe storage. Extremely fragile records may be withheld from public access.

Records will be made available to the public for research during the advertised opening hours of the Record Office and in accordance with the search room rules, and the principles and conditions of Data Protection Act 1998, and the requirements of the Freedom of Information Act 2000.

With regard to the provisions of the current Copyright Act, copies of records may be supplied to members of the public, on payment of an appropriate charge, for use in private study. Depositors may negotiate restrictions on reproduction.

<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>
Signed Minutes	Indefinite	Archive, Public Inspection
Draft Minutes	Destroy following adoption	Operational Management
Agendas	Paper - 6 years	Operational Management
	Online - Indefinite	Archive, Public Inspection

Reports and other documents circulated with agendas	6 years (unless already included with minutes)	Operational Management
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General Information	3 years	Operational Management
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Community magazines, newsletters, reports, guides, handbooks from other organisations	3 years	Operational Management
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Information requests	6 years	Operational Management
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Quotations and tenders (successful)	6 years	Legal - Limitation Act 1980 (as amended)
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Routine internal correspondence & emails	3 years	Operational Management
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Complaints	3 years from resolution	Operational Management
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Policy documents	Until superseded or until there is no longer an administrative requirement	Operational Management
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Risk Assessments	Until superseded or until there is no longer an administrative requirement	Operational Management
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Personnel Files	6 years after termination of service	Retained for risk of investigation regarding any future litigation
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Recruitment data	If successful, add to personnel file If unsuccessful, destroy after 1 year	Legal (Equalities Act)
Members Declarations of Acceptance	Term of Office	Operational Management
Members Register of Interests Book	Until the end of the term of office following completion of book	Operational Management
Annual Accounts	Indefinite	Archive, Public Inspection
Annual Return	Indefinite	Archive, Public Inspection
Bank Statements and Reconciliations	6 years	Audit, Management
Cheque and Paying In Books	6 years	Audit, Management
Paid Invoices	6 years	Audit/VAT
VAT Records	6 years	Audit/VAT
Salary Records	6 years	Audit
Tax & NI Records	6 years	Audit
Budgets	6 years	Operational Management
Assets Register	Indefinite	Audit
Health and Safety Inspection Records	6 years	Audit, Operational Management

Investments	Indefinite	Audit, Operational Management
Insurance Policies	6 years	Audit
Insurance Certificates - Employers Liability Public Liability	40 years	Audit/Legal – Employers’ Liability Act 1969 Employers’ Liability Regulations 1998
Title Deeds, Leases, Agreements, Contracts	Indefinite	Audit

### Planning Applications

All planning applications and relevant decision notices are available from Herefordshire Council. There is no requirement to retain duplicates locally. All Parish Council recommendations in connection with these applications are recorded in the Council minutes which are retained indefinitely. Correspondence received in connection with applications will be retained as states in the above schedule.

### Retention of Documents for Legal Purposes:

Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified 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. The reference to ‘category’ in the table refers to claims brought in respect of that category

Category	Limitation Period
Negligence (and other ‘Torts’)	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal Injury	3 years
To Recover Land	12 years
Rent	6 years
Breach of Trust	None

Adopted at a meeting of full council on: 2<sup>nd</sup> November 2022

To be reviewed: 4-yearly