PORLOCK PARISH COUNCIL
POLICY: RETENTION & DISPOSAL

Purpose
The purpose of this Retention and Disposal Policy is to ensure that Porlock Parish Council manages its records lawfully, securely, and efficiently throughout their lifecycle. The policy provides a consistent framework for the creation, retention, storage, and disposal of records, ensuring compliance with statutory and regulatory requirements, including UK GDPR and the Data Protection Act 2018. It aims to support transparency, accountability, operational effectiveness, and data protection by ensuring records are retained for no longer than necessary and disposed of in a secure and appropriate manner, while preserving records of historical, legal, or evidential value.

1. Introduction

1. Porlock Parish Council collects, generates, and holds a variety of information in the course of its operations, including data from staff, councillors, volunteers, residents, and external organisations.
2. Proper retention and disposal of records is essential to ensure compliance with legal obligations, accountability, operational efficiency, and data protection standards.
3. Records may exist in paper, electronic, or cloud formats, including emails, scanned documents, and databases.
4. This policy is cross-referenced to the IT Policy (2025) for security and storage, and the Data & IT Compliance Pack (2026) for inventory, privacy notices, and disaster recovery.
5. Failure to comply with retention obligations may expose the council or individual officers to legal or operational risk.

2. Scope

1. This policy applies to all council staff, councillors, volunteers, contractors, and third-party processors handling Council records.
2. It covers all types of records, including:
   - Administrative and governance records
   - Financial and accounting records
   - Human resources and payroll
   - Correspondence, including emails
   - Resident and public enquiries
   - Policies, reports, and minutes

3. Roles and Responsibilities

Role	Responsibility
Clerk / RFO	Data Protection Officer: ensures compliance with this policy, GDPR, and IT & Digital Policy; maintains records of disposal; liaises with ICO.
Councillors, Staff & Volunteers	Follow retention schedules, secure handling, report incidents or breaches.
Third-Party Contractors	Only process records as instructed; comply with retention/disposal procedures; sign data processing agreements.

4. Retention Principles

1. Records are retained only for as long as necessary for legal, operational, or historic purposes.
2. Retention decisions are guided by:
   - Legal or regulatory requirements
   - Operational needs of the Council

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- Potential evidential use in litigation or disputes
- Historic, archival, or research value
- Retention periods are detailed in **Appendix A – Retention Schedule**.
- Records under active legal proceedings must not be disposed of until resolved.

3. Electronic and cloud records are subject to the same retention rules as physical records.

5. Disposal Principles

1. Disposal must ensure data confidentiality
2. Methods of disposal:
   - **Non-confidential paper records:** general waste
   - **Confidential or personal data:** shredding or secure destruction
   - **Electronic records:** secure deletion, encrypted destruction, or secure wipe of devices
   - **Historical records of value:** transfer to County Records Office or archive facility
3. Disposal logs must be maintained, documenting:
   - Name/type of document
   - Date of disposal
   - Method of disposal
4. Backup copies of electronic records must also be securely destroyed unless required by law or policy.

6. GDPR and Data Protection Compliance

1. Personal data must not be retained longer than necessary, in compliance with **UK GDPR**, Data Protection Act 2018, and the Fifth Principle of the DPA.
2. Retention must be fair, lawful, and transparent, and respect the rights of data subjects.
3. Sensitive and special-category data must be handled securely and disposed of appropriately at the end of the retention period.
4. External storage providers must also comply with GDPR principles and Council requirements.

7. Scanning and Electronic Records

1. Paper documents may be scanned and retained electronically; originals may be destroyed once scanned unless legally required to keep.
2. General rule: paper originals retained 3 months after scanning; tax/VAT originals retained 6 years unless HMRC guidance differs.
3. Emails, cloud files, and digital databases are subject to the retention schedule and IT security standards in the IT Policy.

8. Review and Update

1. This policy is reviewed at least annually or when legislation, guidance, or council requirements change.
2. Updates are communicated to all staff, councillors, volunteers and contractors.

Dated: 13th May 2026

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Duncan McCanlis	Johnathan Jones
Chair	Clerk & Responsible Financial Officer