PORLOCK PARISH COUNCIL
POLICY: GDPR & DATA PROTECTION
RETENTION SCHEDULE

Retention Schedule for Council Records
There is a clear need to retain documentation for a variety of reasons including audit purposes, staff management, tax and VAT and the potential eventuality of legal dispute and proceedings.

The Retention Schedule includes the main types of council records. Each entry lists the record series along with the proposed action, the retention periods and reasons for the action. Further information can be sought from the National Association of Local Councils (NALC), the Local County Association or the Society of Local Council Clerks.

The following information provides an explanation for each of the three action terms used within the schedule.

Records identified for permanent preservation
Records in this category have been identified for permanent retention. These should be deposited with the local Archive Service once there is no longer an administrative need for them to be kept locally.

The only financial records recommended for deposit are the payment and receipt books or the annual audited accounts if the former has not survived. These are often filed with receipts and payments that are not necessary for preservation and should be weeded prior to their transfer to the Archive Service.

Records in this category should be transferred to the local Archive Service after the minimum retention period or once they become inactive.

Records to be destroyed
A large number of parish and town council records can be destroyed once they become inactive or the minimum retention period expires. Financial records account for the majority of this category. These must be kept for a minimum of 6 years after the last entry (Limitation Act 1980 (as amended), VAT Act 1994 etc.), but may be retained for longer depending on local circumstances. Records not given a minimum retention period can be destroyed once there is no longer an administrative requirement for their custody. If Council is unsure whether a document or series of records should be destroyed, then please contact the local Archive Service for further guidance.

To protect confidential information, all records assigned for disposal should be securely destroyed. Paper records containing confidential information should be shredded or pulped, and not simply thrown out with other classes of records. Electronic or machine-readable records will require a two-step process for assured confidential destruction:

- Deletion of the contents of digital files, and
- The use of commercially available software applications to remove all residual data from the storage device. These processes may be outsourced to credible commercial companies who specialise in confidential destruction of records.

The Limitations Act 1980 (as amended) provides that legal claims may not be commenced after a specified period. The table below sets out the different limitation periods for different categories of claim.

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

RETENTION PERIODS FOR COUNCIL DOCUMENTS

Administrative	Minimum Retention period	Action	Reason
Minute books	Indefinite	Preserve	Archive
Signed council and committee minutes	Indefinite. Can be transferred to local Archive after 6 years or once they become inactive.	Preserve	Common practice
Draft minutes	Until the date of confirmation of the minutes	Destroy	Operational
Agendas	Until there is no longer an administrative requirement. Can be transferred to local Archive after 6 years or once they become inactive.	Destroy	Operational
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	Common practice
Councillors' declarations of office	4 years or until they vacate office	Destroy	Operational
Register of electors	Until there is no longer an administrative requirement	Destroy	Copies already in existence
Grouping orders	Until there is no longer an administrative requirement	Destroy	Operational
Byelaws and orders	Preserve one of each copy and transfer to local Archive once they become inactive	Preserve	Common practice
Policy documents	Until there is no longer an administrative requirement. Destroy old versions.	Review	Operational
Title deeds more than 100 years old	Indefinite. Transfer to local Archive once they become inactive.	Preserve	Audit/Management Common practice
Title deeds less than 100 years old	Indefinite. Transfer to local Archive for review once they become inactive.	Review	Audit/Management Common practice
Property registers and terriers	Indefinite. Transfer to local Archive once they become inactive.	Preserve	Common practice
Maps, plans, and surveys of property owned by the council or meeting	Indefinite. Transfer to local Archive once they become inactive	Preserve	Common practice
General correspondence	6 Years after correspondence ends	Destroy	Operational
Complaints	6 Years after resolution of complaint	Destroy	Operational
Information Requests	6 Years after resolution of request	Destroy	Operational
Village/parish appraisals, plans, millennium projects and supporting papers	Until there is no longer an administrative requirement	Review	Operational
Planning applications and related papers for major controversial developments	Until there is no longer an administrative requirement	Review with the view to destroy	Operational
Planning applications for minor works where permission is refused	6 years	Destroy	Limitation Act 1980
Leases, agreements, contracts and wayleaves	Indefinite	Preserve	Audit/Management

Parish council newsletter	Indefinite. Transfer one copy to local Archive.	Preserve	Common practice
Newsletter mailing list	Retain until consent withdrawn or following regular review consent no longer provided	Destroy	Operational
Routine internal correspondence and papers	Until there is no longer an administrative requirement	Review with the view to destroy	Operational
Scale of fees and charges	Until superseded by new charges	Destroy	Operational
Employers' liability insurance policies	40 years after expiry date	Destroy	Employers' Liability Act 1969 Employers' Liability Regulations 1998
Risk assessments	Once superseded by a new risk assessment or once inactive	Destroy	Operational
Personnel	**Retention period**	**Action**	**Reason**
Personnel files	6 Years after termination of service	Destroy	Risk of investigation regarding any future litigation
Personnel files – annual leave	2 years	Destroy	Operational
Recruitment data Successful Unsuccessful	 Add to personnel file 6 months after recruitment finalised plus current year	Destroy	Equalities Act
Financial	**Retention period**	**Action**	**Reason**
Scales of fees and charges	6 years	Destroy	Management
Receipt and payment books	Indefinite. Transfer to local Archive once they become inactive	Preserve	Council financial regulations
Rate books	Indefinite. Transfer to local Archive once they become inactive	Preserve	Common practice
Receipt books of all kinds	6 years	Destroy	VAT
Annual audited accounts	6 years.	Destroy, but preserve if the receipt and payment books have not survived.	Council financial regulations
Accounts and statements	6 years	Destroy	Council financial regulations
Vouchers before 1950	6 years	Destroy	Council financial regulations
Cash and petty cash books, rent books, postage and telephone books	6 years	Destroy	Tax, VAT, Limitations Act 1980 (as amended) Council financial regulations
Receipt books of all kinds	6 years	Destroy	Council financial regulations
Postage and telephone books	6 years	Destroy	Council financial regulations
Bank statements including deposit/saving accounts	6 years	Destroy	Council financial regulations

Bank paying-in books	Last completed Audit year	Destroy	Council financial regulations
Cheque book stubs	Last completed Audit year	Destroy	Council financial regulations
Paid invoices	6 years	Destroy	VAT Council financial regulations
Paid cheques	6 years	Destroy	Limitation Act 1980 (as amended) Council financial regulations
VAT records	6 years	Destroy	VAT Act 1994
VAT claims	6 years	Destroy	VAT Act 1994
Time sheets	Last completed Audit year	Destroy	Council financial regulations
Wage books	12 years	Destroy	Superannuation & Limitation Act 1980 (as amended)
Members' allowances register	6 years	Destroy	Tax, Limitation Act 1980 (as amended)
Quotations and tenders (successful)	6 years after contract ends	Destroy	Limitation Act 1980
Quotations and tenders (unsuccessful)	2 years	Destroy	Operational
Insurance policies	While valid	Destroy	Operational
Certificate for Insurance against liability for employees	40 years from date on which insurance commenced or was renewed.	Preserve	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management
Investments	Indefinite	Preserve	Audit, Management
Parish Halls, Centres and Recreation Grounds	**Retention period**	**Action**	**Reason**
Records relating to applications to: • Hire; • Letting diaries; • Copies of bills to hirers; • Records of tickets issued.	6 years	Review with the view to destroy	VAT Council financial regulations
Allotments	**Retention period**	**Action**	**Reason**
Register & Plans	Indefinite	Preserve	Audit, Management

Burial Grounds	Retention period	Action	Reason
• Register of fees collected; • Register of Burials; • Register of Purchased Graves; • Register/plan of Grave Spaces; • Register of Memorials; • Applications for interment; • Applications for right to erect memorials; • Disposal certificates; • Copy certificates of Grant of Exclusive Right of Burial.	Indefinite	Preserve	Archives, Local Authorities Cemetery Order 1977 (SI. 204)
Miscellaneous	**Retention period**	**Action**	**Reason**
Marketing Consent Forms	3 years	Destroy	Best Practice
Maps created under the provision of the Rights of Way Act 1932	Transfer to HRO once they become inactive	Preserve	Common practice
Papers concerning Rights of Way	Until there is no longer an administrative requirement	Destroy	Operational
Community magazines or newsletters(not created by the parish council)	Until there is no longer an administrative requirement	Review	Operational
Charity papers	Until there is no longer an administrative requirement	Review	Operational
Press cuttings book	Until there is no longer an administrative requirement	Review	Operational
Photographs	Until there is no longer an administrative requirement	Review	Operational
Any records predating the establishment of Parish Councils (1894), e.g. poor law, surveyors of the highway, tithe maps and apportionments, enclosure awards etc.	Transfer to local Archive as soon as possible	Preserve	Common practice
Records of other bodies such as burial boards, charities, fire brigades, Home Guard unit, local society or ad hoc committee	Transfer to local Archive once they become inactive	Preserve	Common practice
Reports, guides, handbooks etc received from other organisations	Until there is no longer an administrative requirement	Review	Operational