

Funtington Parish Council

Data Retention and Disposal Policy

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For assurance that the most up to date policy is being used, staff should refer to the version held on the Funtington website www.funtingtonpc.org	

1 Introduction

1.1 The guidelines set out in this document supports Funtington Parish Council's (the Council) Data Protection Policy and assists us in compliance with the Freedom of Information Act 2000 (FOI), the General Data Protection Regulation (GDPR), the Data Protection Act 2018 (DPA) and other associated legislation.

1.2 It is important that the Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. However it is important to note that this is a live document and will be updated on a regular basis.

1.3 The Council will ensure that information is not kept for longer than is necessary and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

2 Aims and Objectives

2.1 It is recognised that up to date, reliable and accurate information is vital to support the work that the Council do and the services that it provides to its residents. This document will help us to:

- ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public;
- comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Data Protection Act 1998, the General Data Protection Regulation, the Data Protection Act 2018 and the Environmental Information Regulations 2004;
- save employees' time and effort when retrieving information by reducing the amount of information that may be held unnecessarily. This will also assist in searching for information requested under the Freedom of Information Act; and
- ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

3 Scope

3.1 For the purpose of this policy, 'documents' includes electronic, microfilm, microfiche and paper records.

4 Standards

4.1 The Council will make every effort to ensure that it meets the following standards of good practice:

- Adherence to legal requirements for the retention of information as specified in the Retention Schedule at Annex A.
- Retention of personal information in locked filing cabinets within the Clerk's Office; access to these documents will only be by authorised personnel;
- Wherever possible only one copy of any personal information will be retained and that will be held within the Clerk's Office;
- Where storage is by means of paper records, originals rather than photocopies should be retained where possible;
- Appropriate disposal of information that is no longer required;

- Appropriate measures will be taken to ensure that confidential and sensitive information is securely destroyed; and
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes e.g. equalities data.

5 Breach of Policy and Standards

5.1 Any member who knowingly or recklessly contravenes any instruction contained in, or following from, this policy may, depending on the circumstances of the case, have disciplinary action, which could include dismissal from office, taken against them.

6 Confidential Waste

6.1 Fundamentally any information that is required to be produced under the Freedom of Information Act or Environmental Information Regulations, is available on the website or is open to public inspection, should NOT be treated as confidential waste.

6.2 Any information that is protected by the Data Protection Act or as Confidential under the Council's Constitution should be treated as confidential waste for disposal purposes.

6.3 Examples of what constitutes 'confidential' waste:

- Exempt information contained within committee reports e.g. minutes not open to the public;
- Files containing the personal details of an individual and files that predominantly relate to a particular individual or their circumstances. (e.g. completed application forms and letters); and
- Materials given to us on a 'confidential' or on a limited use basis e.g. material provided by contractors or the police.

6.4 Examples of 'normal' waste (i.e. not confidential):

- Documents that are available to the public via our website or by submitting an appropriate search request to ourselves for general information; and
- All reports and background papers of matters taken to Committee in public session unless specifically exempt.

7 Disposal of Documentation

7.1 Confidential waste which clearly shows any personal information or information which can be identified using the parameters set out in 7.3 will be shredded either by the clerk or by an external company compliant with BS EN 15713 (certificate of destruction must be supplied).

8 Retention

8.1 Timeframes for retention of documents have been set using legislative requirements and the Chartered Institute of Personnel and Professional Development (CIPD) guidelines;

8.2 Throughout retention the conditions regarding safe storage and controlled access will remain in place.

8.3 Appendix A shows the minimum requirements for the retention of documents. The clerk may exercise judgement as to whether they can be disposed of at the end of those periods.

9. Storage and Access

9.1 Physical access to information should be restricted by locking in cabinets and drawers;

9.2 Information, whether original or duplicate, should never be kept outside the council system (e.g. on PCs, CDs or other removable media) except as a temporary off line copy driven by a need to work off site or off line, or for authorised transfer to other users or systems.

9.3 Information in all formats should be stored in conditions that protect it from threats to its physical integrity through unnecessary wear and tear.

9.4 Information should be stored in systems that enable it to be readily identified and retrieved throughout its existence.

9.5 Information held in digital formats should be managed and stored in such a way as to ensure usability and accessibility through time.

9.6 Protection from unauthorised access will require mechanisms such as password protection or encryption of digital files and data, and sign in sheets for access to non-digital information.

9.7 Where information is stored on a mobile device (e.g. PDA, USB drive), special care must be taken to ensure that the device is physically protected from theft, loss, or damage.

10 Handling

10.1 Councillors details and information will be kept up to date and reviewed annually by the clerk

Recommended Document Retention Timescales

The retention period should be the number of years specified plus the current financial period (i.e. three years plus the current period, therefore at least three years documentation will always be retained at any given point in time).

This list is not exhaustive; if you are unsure about any document contact the Parish Clerk

Document Retention Period

Finance

Document	Retention Period
Financial Published Final Accounts	6 years
Signed Audited Accounts	6 years
Final Account working papers	6 years
Cash Books (records of monies paid out and received)	6 years
Purchase Orders	6 years
Cheque Payment Listings (Invoices received)	6 years
Payment Vouchers Capital and Revenue (copy invoices)	6 years
BACS listings	6 years
Goods received notes, advice notes and delivery notes	3 years
Copy receipts	6 years
Petty cash vouchers and reimbursement claims	6 years
Debtors and rechargeable works records	6 years
Expenses and travel allowance claims	6 years
Asset Register for statutory accounting purposes	6 years
Published budget	6 years
Bank Statements (Hardcopy)	6 years
Grant/Funding Applications & Claims	6 years
Precept Forms	6 years
Payroll and tax information relating to employees	6 years
Loans and Investment Records; temporary loan receipts and loan tabulations	6 years (after redemption of loan)
VAT, Income Tax and National Insurance Records	6 years
Current and expired insurance contracts and policies indefinitely Insurance records and claims	6 years
Final accounts of contracts executed under hand (i.e. contracts signed by either party)	6 years from completion of contract
Final accounts of contracts executed under seal (i.e. contracts signed by either party AND witnessed and executed as a deed)	12 years from completion of contract

Personnel

Unsuccessful application forms	3 years
Unsuccessful reference requests	3 years
Successful applications forms and CVs	For duration of employment + 5 years
References received	For duration of employment + 5 years
Personnel files and training records	For duration of employment + 5 years
Disciplinary or grievance investigations - proved -Verbal -Written -Final warning - Anything involving children	3 years 3 years 3 years permanently
Disciplinary or grievance investigations - unproven	Destroy immediately after investigation or appeal
Wages/salary records, overtime, bonuses, expenses etc	6 years

Corporate

Approved minutes and reports of Committee meetings	Indefinitely
Approved minutes and reports for Special Committee meetings	Indefinitely
Draft/Rough notes taken at meeting	Until minutes are approved
Notes and reports of working groups	Indefinitely
Policies and Procedures	Until updated or reviewed
Asset Register	Indefinitely
Questionnaire data	Indefinitely
Successful tender documentation life of contract	6 years
Unsuccessful tender documentation	6 years
Deeds of land and property	Indefinitely
Land and property rental agreements	6 years after expiry of the agreement
Documentation referring to externally funded projects	6 years

Additional Items	
Freedom of Information requests	If there is an outstanding request or appeal the documents need to be retained until the appeal is completed
Electoral register	N/A - maintained by CDC