

Ilmington Parish Council

Document Retention Policy

Ilmington Parish Council (“the Council”) recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Council.

Legal Background

The Council has a legal duty under section 224 of the Local Government Act 1972 to “make proper arrangements with respect to any documents that belong to or are in the custody of the Council or any of their officers”.

It is also a legal requirement under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 that personal data is not kept longer than necessary.

Scope of the policy

Records created and maintained by the Council in the course of its business 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.

This policy applies to all records created, received or maintained by the Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

Responsibilities

The Council has overall responsibility for this policy. The person responsible for the day to day implementation of this policy is the Clerk to the Council, and they are required to manage the Council’s records in such a way as to promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner.

Retention Schedule

In line with best practice under the Section 46 Code of Practice on Records Management, the Council maintains a retention schedule listing the records it creates in the course of its business, how long they will be retained, and the action which should be taken when a record is of no further administrative use.

This is provided at [Appendix A: Retention Schedule](#).

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. Many retention periods are determined by statute.

The Clerk is expected to manage current record keeping systems using the schedule and to take account of different retention periods when creating new record keeping systems.

Archival of Records

Records identified for permanent preservation should be deposited with the County Archive Service once there is no longer an administrative need for them to be kept locally.

Safe Disposal of Records

Where records contain personal or confidential information they should be securely destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the UK General Data Protection Regulations.

The following principles should be followed when securely disposing of records:

- (a) Paper records can be shredded or sent for confidential recycling.
- (b) Where computer records are deleted, steps should be taken to ensure that data is permanently erased and cannot be recovered.
- (c) Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

Records must not be destroyed if they may serve as evidence in legal proceedings. Whenever there is a possibility of litigation, records that may be affected should not be amended or disposed of until the threat of litigation has been removed.

Records that have been requested under the Freedom of Information Act 2000 (FOIA) must not be destroyed until the request has been fully resolved, including any appeals or reviews. Once the request process has been completed, the normal retention and disposal procedures can be followed.

Guidance

This policy has been compiled from various sources of recommended best practice and with reference to the following documents and publications:

- (a) [NALC Legal Topic Note 40: Local Councils' Documents and Records](#), 2022
- (b) [Code of Practice on the Management of Records](#) issued under Section 46 of the Freedom of Information Act 2000

Policy Adoption and Review

This policy was adopted on

It will be reviewed and updated on a regular basis, and at least every three years in accordance with the Code of Practice on the Management of Records.

Appendix A: Retention Schedule

Class of Records	Retention Period	Reason / notes
Council business		
Minute books	Permanent	Archive
Draft minutes	Destroy when minutes confirmed	Management
Agendas, and documents circulated with agendas	End of administrative use	But if minutes do not survive, preserve
Councillors' declarations of acceptance of office	2 years from end of term of office	But if minutes do not survive, preserve
Register of electors	One year (when new one is issued destroy previous)	Management
Finance		
Annual accounts	Permanent	Archive
Annual Return	Permanent	Archive
Receipts, invoices, bank statements, cheque stubs / petty cash records etc.	6 years from end of financial year to which they relate	Audit
Scale of fees and charges	6 years from end of financial year to which they relate	Management
VAT records	6 years from end of financial year to which it relates (20 years for option to tax)	VAT
Land and Property		
Asset register	Permanent	Archive
Byelaws and Orders	Permanent	Archive
Maps, plans and surveys of property owned by council	Permanent	Archive
Title deeds	Permanent	Archive
Legal documents other than title deeds e.g. wayleaves	Permanent	Archive
Contracts under seal	12 years after the term of the contract has expired	Limitation Act 1980 (as amended)
Tenders and quotations for contracts under hand	6 years after the term of the contract has expired	Limitation Act 1980 (as amended)
Tenders and quotations (unsuccessful)	One year after award of contract	
Personnel		
Recruitment records	One year after recruitment	
Right to work records	Duration of employment plus two years	

Individual personnel records	6 years after date of employment ending	Tax
Employee leave and sickness absences	3 years from the end of the tax year they relate to	Statutory Sick Pay (General) Regulations 1982
Employer's liability insurance certificates	40 years from the date on which the policy commences or is renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998
Pension scheme records	6 years from the end of the tax year they relate to	Registered Pension Schemes (Provision of Information) Regulations 2006
Income tax / PAYE records, statutory payments	3 years from the end of the tax year they relate to	Income Tax (Employments) Regulations 1993
Timesheets	3 years from the end of the tax year they relate to	Working Time Regulations 1998
Wages / salary records (inc. councillor allowances)	6 years from the end of the tax year they relate to.	Tax, National Minimum Wage Act 1998
Accident records	3 years from the date of the incident or until age 21 if involving a child	The Social Security (Claims and Payments) Regulations 1979 / RIDDOR 2013
For parish halls, centres, recreation grounds		
Applications to hire, lettings diaries, bills, tickets issued	6 years	VAT
Miscellaneous		
Correspondence	12 months or until end of administrative use	Management
Community magazines or newsletters	Permanent	Review
Planning applications	Six months (unless of local significance)	Originals are held by the LPA and there is no need to retain local copies.
Press cuttings	Permanent	Archive (but this does not imply that councils have a duty to compile these)
Photographs	Permanent	Archive, but note that photos need to be identified and dated to be useful
Any records dating from before 1894 now held by the Council such as poor law or surveyor's records	Permanent	Review with a view to transfer to County Archives
Records of other bodies such as a burial board, charity, local society.	Permanent	Notify County Archives of the existence of these records

Appendix B: Best Practice Guidelines for Parish Records

Creating your records

A proactive approach to preservation is needed from the start of the records lifecycle. For example, it may be appropriate to use archival paper for records identified for permanent deposit with the Archive Service. Parish clerks should also avoid the use of Post-It notes, self-adhesive tape or correction fluid on documents earmarked for permanent retention. Brass paperclips or brass staples will not rust and are an economical alternative to their stainless steel counterparts. All these precautions will extend the life of the record. However, it would be over-zealous (not to mention expensive) to apply these guidelines to routine correspondence or financial information.

Storage

The first step to preserving paper documents is to store them in a cool, clean and dry environment, and away from direct sunlight. Ideally 13-18°C, and 50-65% relative humidity. For this matter, avoid basements and attics, as these are likely to suffer from dampness or high temperatures. Records held in such unsuitable conditions can deteriorate very quickly. Records should also be secured against fire, flood, theft or unauthorised access.

Whenever possible separate documents from immediate contact with metal, cupboard walls, shelves, trays etc. Make sure that the records are packed in boxes, preferably acid-free boxes, rather than plastic bags. Plastic bags prevent air circulation and can also give off gases harmful to paper.

Documents must not be placed at floor level or where leaking water pipes could cause damage. It is prudent to store items in elevated positions if an area is prone to flooding.

For further advice about storing records then please contact the Archive Service.

<https://heritage.warwickshire.gov.uk/county-record-office>

(Based on advice at

www.herefordshire.gov.uk/downloads/file/8544/keeping_parish_council_records.pdf).

Minute books

The Council's signed and bound minute books form an important historical and legal record and must be preserved permanently. To ensure their long-term protection and accessibility, minute books should be transferred to the county archives when they are no longer required for day-to-day reference, typically after a period of **six to ten years**.

Before transfer, the Council must ensure that all minute books are complete, properly indexed, and in good condition. Digital copies should be retained for ease of reference. The transfer should be arranged in consultation with the county archives service to confirm their requirements and ensure proper documentation of the handover.