

# Bradwell with Pattiswick Parish Council

## Retention of Documents and Records Policy

<b>Version</b>	1.3
<b>Issue date</b>	5 <sup>th</sup> April 2016
<b>Author</b>	Parish Clerk & Responsible Finance Officer
<b>Reviewed by</b>	Parish Councillors
<b>Approved</b>	11 <sup>th</sup> April 2016
<b>Minute</b>	16/080

## Contents

SCOPE OF THIS POLICY .....	3
Responsibilities .....	3
Retention Schedule.....	3
Disposal .....	5

The Parish 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 Bradwell with Pattiswick Parish Council.

This document provides the policy framework through which this effective management can be achieved and audited. It covers:

- Scope
- Responsibilities
- Retention Schedule

## SCOPE OF THIS POLICY

This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions.

### Definition of “records”

Records are defined as all those documents, including financial information, that facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions and activities. These records may be created, received or maintained in hard copy or electronically. All documents and files that relate to the business of the Parish Council whether received electronically or in hard copy are deemed to be the property of the Parish Council.

Some Parish Council records may be selected and deposited with the Essex Records Office for permanent preservation as part of the Council’s archives and for historical research.

## Responsibilities

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for the implementation of this policy is the Clerk to the Parish Council, who is required to manage the Council’s records in such a way as to promote compliance with this policy so that information can be retrieved easily, appropriately and in a timely manner.

Parish Councillors are required to pass all documents and records whether received electronically or in hard copy to the Parish Clerk for retention in accordance with this policy and in the event of a Parish Councillor resigning or failing to retain their post as a result of an election, it is the Parish Councillor’s responsibility to ensure anything that remains within their possession but is related to the business of the Parish Council is passed to the Parish Clerk within 10 working days of ceasing to hold the position of a Parish Councillor.

## Retention Schedule

The retention schedule refers to any record, regardless of storage method: hardcopy or electronically. A back-up copy of all electronic files and documents will be created weekly and stored securely.

Document/file	Minimum retention	Reason
Advertising materials for display on noticeboards	For as long as it is useful or relevant	Information

Annual Accounts	Indefinite	Parish Archives																				
Annual Return	Indefinite	Parish Archives																				
Assets Register	Indefinite	Audit/Parish Archives (after 10 years)																				
Bank statements	7 years	Audit/management																				
Certificate of Employer's Liability	40 years	Audit/legal																				
Certificate of Public Liability	40 years	Audit/legal																				
Cheque book stubs	24 months from last completed audit	Audit/Management																				
Complaints	3 years from clearance	Management																				
Correspondence	2 years	Management																				
Correspondence relating to staff	Term of employment plus 7 years	Management																				
Deeds, leases, agreements and contracts	Indefinite	Audit/Parish Archives (5 years after cessation of document period)																				
Documents for legal purposes	<table border="1"> <thead> <tr> <th>Category</th> <th>Limitation period</th> </tr> </thead> <tbody> <tr> <td>Breach of Trust</td> <td>None</td> </tr> <tr> <td>Contract</td> <td>6 years</td> </tr> <tr> <td>Defamation</td> <td>1 year</td> </tr> <tr> <td>Leases</td> <td>12 years</td> </tr> <tr> <td>Negligence</td> <td>6 years</td> </tr> <tr> <td>Personal injury</td> <td>3 years</td> </tr> <tr> <td>Rent</td> <td>6 years</td> </tr> <tr> <td>Sums recoverable by statute</td> <td>6 years</td> </tr> <tr> <td>To recover land</td> <td>12 years</td> </tr> </tbody> </table>	Category	Limitation period	Breach of Trust	None	Contract	6 years	Defamation	1 year	Leases	12 years	Negligence	6 years	Personal injury	3 years	Rent	6 years	Sums recoverable by statute	6 years	To recover land	12 years	Legal
Category	Limitation period																					
Breach of Trust	None																					
Contract	6 years																					
Defamation	1 year																					
Leases	12 years																					
Negligence	6 years																					
Personal injury	3 years																					
Rent	6 years																					
Sums recoverable by statute	6 years																					
To recover land	12 years																					
Documents, plans, maps or articles having local or historical interest	For as long as they are useful	Archives (Essex Records Office will advise on what should/could be retained in their archives.)																				
E-mails not covered above	6 months	Management																				
General information	6 months	Management																				
Insurance policies	Whilst valid plus 1 year or for as long as it is possible for a claim to be made under them	Audit/management																				
Magazines and journals published by or on behalf of the Parish Council	For as long as they are useful	(The Legal Deposits Libraries Act 2003 requires local councils that have published works in print (including pamphlet, magazines, newspapers, map, plan, chart or																				

		table) to deliver a copy to the British Library Board which manages and controls the British Library.
Members' and employees' allowances and expenses	7 years	Audit/tax/management
Minute books/files	Indefinite	Parish Archives
Newsletters – legal briefings and advisory notices	5 years	Management
Newsletters, general	For as long as relevant or useful	Management
Paid invoices	7 years	Audit/VAT
Paying in book stubs	24 months from last completed audit	Audit/management
Planning application correspondence received from residents	2 years	Management
Planning applications	All planning applications and relevant documentation and decision notices are retained by and available from Braintree District Council	
Quotations and tenders	7 years	Audit
Receipt and payment accounts (financial statements)	Indefinite	Parish Archives
Salary records	7 years	Audit
Structure Plans, Parish Plans and similar documents	For as long as they are in force + 2 years	Management
Tax and NI records, including Pension	7 years	Audit
Training records	Term of office or period of employment + 6 months	Management
Trust documents	Indefinite	Audit/Parish Archives (after 25 years)
VAT records	7 years	Audit/VAT

## Disposal

Electronic documentation and e-mails may be deleted by Councillors **only** when they are confident that a copy has been passed to or is already held by the Parish Clerk. Appropriate checks must be carried out in the event of any uncertainty. Other records may be disposed of in accordance with the retention schedule and only when the minimum retention period has expired.

In the case of any doubt, e-mails and attached documentation should be passed to the Parish Clerk for saving within Parish Council records or disposal in accordance with the retention schedule.

All records and documents held by a Councillor in hardcopy and no longer required must be shredded and disposed of securely. Any record thought to have business value should be passed to the Parish Clerk for retention or disposal as appropriate.

The Parish Clerk may delete electronic documentation and e-mails in accordance with the retention schedule and only when the minimum retention period has expired. All attachments must be retained according to the retention schedule and will determine whether the e-mail may be deleted. In all cases the minimum retention period of the attachment will take precedence over the content of the e-mail.

Any e-mails, attachments or documents that form part of an on-going enquiry or legal procedure must be retained until the completion of that action and may be disposed of only when that enquiry or legal procedure has been completed in accordance with the minimum retention period only.