

Stoke Climsland Parish Council
Document Retention Policy
Approved: 20th May 2019

1. Introduction

1.1 Town and Parish Councils are required and/or advised to retain certain hard and soft copy documents. The duration of, and reason for, retention varies by type of document.

1.2 Guidance on this subject is contained in NALC's Legal Topic Notice (LTN) 40 (Local Councils' Documents and Records) published in November 2016. The basis for the retention schedule contained in this policy document is taken from CALC 'Guidance on retention, disposal and care of parish and town council and parish meeting records' (V 3 - 2011) and on Cornwall Record Office 'Parish Council Records: document retention schedule 2018'.

1.3 Stoke Climsland Parish Council ('the PC') does not have premises on which to hold (in particular) hard copy documents. Accordingly, under s. 227 of the Local Government Act 1972 '*...the relevant principal authority must provide proper depositories for all the specified papers (defined as public books, writings, council papers and all documents directed by law to be kept) belonging to the parish or community for which there is no other provision*.' This means that Cornwall Council is obliged to provide an appropriate depository for Town and Parish Council documents. The nominated depository is the Kresen Kernow Centre in Redruth, which incorporates Cornwall Record Office. This centre opens to record deposits in Summer/Autumn of 2019 so records will be retained within the parish until this time.

1.4 The PC's documents commence in 1896 to the present day. Current records are to be held within the parish with the parish clerk (stored digitally where appropriate). Historical records which are scheduled for permanent preservation will be deposited with Kresen Kernow in accordance with The Local Government Act 1972 (s.224) which requires local authorities to '*make proper arrangements with respect to any documents that belong to or are in the custody of the council of any of their officers*'.

1.5 The PC's document retention policy covers three broad categories: documents required for audit purposes; planning documents; documents relating to staff; documents of local/historical information; and all other documents.

2. Documents Required for Audit Purposes

2.1 The following table is taken from the Cornwall Record Office retention schedule. The PC's actions have been added in the final column.

TYPE OF RECORD	TERM KEPT IN PARISH (YEARS)	FINAL DISPOSAL	RELEVANT LEGISLATION OR REASON
PARISH ADMINISTRATION			
Signed Minutes of council and committees.	5	Permanent Retention in CRO	ARCHIVE
Reports and agendas not attached or duplicated within council minutes	5	Permanent Retention in CRO	ARCHIVE
Councillors' declarations of acceptance of office	Term of Office + 7	Permanent Retention in CRO. Forward copies to Monitoring Officer	ARCHIVE
Correspondence and other papers on routine administration	6	Review, sample and Weed & Destroy or	GDPR

		preserve anything historically significant at CRO	
Papers relating to major parish developments not duplicated in minutes but associated with decisions.	5	Permanent Retention in CRO	CONTEXT and ARCHIVE
Maps of parish boundaries	5	Permanent Retention in CRO	ARCHIVE
Copies of replies to important questionnaires regarding major developments.	5	Permanent Retention in CRO	ARCHIVE
Copies of circulars sent by other organisations, non-local material	1	Weed & Destroy	NOT ARCHIVAL AND PRESERVED ELSEWHERE
Byelaws and Orders	Transfer to CRO as soon as there is no longer an administrative requirement	Permanent Retention in CRO	Preserve one copy of each for inclusion in future member's information packs.
Policy Documents	Transfer to CRO as soon as there is no longer an administrative requirement	Permanent Retention in CRO	ARCHIVE
PROW: Consultation papers, surveys	5	Permanent Retention in CRO	ARCHIVE
PROW: Maps	5	Permanent Retention in CRO	ARCHIVE
Allotments: Registers of tenants, plot maps	5	Permanent Retention in CRO	ARCHIVE
Allotments: Rent records	7	Sample for permanent retention in CRO (if containing personal data impose 100 year Public Record seal)	ARCHIVE
Village Green: Registration records, consultation papers	5	Permanent Retention in CRO	ARCHIVE
Playground Safety inspection reports	Current & Previous year	Weed & Destroy	Information preserved by RoSPA
FINANCIAL RECORDS			
Annual audited accounts	7	Permanent Retention in CRO	ARCHIVE
Ledgers	7	Permanent Retention in CRO	ARCHIVE
Cash books, quarterly reviews, payment schedules	7	Permanent Retention in CRO	ARCHIVE
Bills, vouchers, other subsidiary financial records	7	Weed & Destroy	VAT

Bank statements	most recent completed audit	Weed & Destroy	AUDIT
Cheque book stubs	most recent completed audit	Weed & Destroy	AUDIT
Insurance policies	7 years after expiration unless asbestos content then 40 years	Weed & Destroy	Employer's Liability Compulsory Act 1969
Receipt and payment books	6	Permanent Retention in CRO	ARCHIVE
Petty Cash records	6	Weed & Destroy	VAT, Statute of Limitation
Successful Tenders & Quotes	12	Weed & Destroy	Statute of Limitation
Unsuccessful Tenders & Quotes	2	Weed & Destroy	
LEGAL RECORDS			
Deeds, statutory documents, etc; title deeds, other documents relating to title, acquisition, purchase, disposal or rights over property, statutory notices, orders, etc.	Transfer to CRO as soon as there is no longer an administrative requirement	Permanent Retention in CRO	ARCHIVE
CHARITIES			
Schemes, constitutions, articles	Transfer to CRO as soon as there is no longer an administrative requirement	Permanent Retention in CRO	ARCHIVE
Minutes	5	Permanent Retention in CRO	ARCHIVE
Accounts	7	Permanent Retention in CRO	ARCHIVE
Routine correspondence & Papers	Review with a view to secure destruction, retain anything of historical interest under 100 year Public Records seal	Permanent Retention in CRO or Weed & Destroy	GDPR
STAFF RECORDS			
Contracts	Until superseded	Weed & Destroy	GDPR

	unless requested by council and clerk to be retained.		
Appraisals	6 years after employment ceases unless ill health or tribunal in which case until individual reaches 65 years (100 years if asbestos related illness)	Weed & Destroy	GDPR
Timesheets & Annual Leave	Last audit year	Weed & Destroy	GDPR
Payslips	12 years	Weed & Destroy	GDPR
Pension & HMRC records	12 years	Weed & Destroy	GDPR
Reimbursements	12 years	Weed & Destroy	GDPR

3. Planning Documents

3.1 The local planning authority (LPA) is Cornwall Council which has introduced a policy of 'paperless planning'. As a result, the PC no longer receives hard copy planning documents from the LPA. All documents are received in soft copy format via email and/or downloaded from Cornwall Council's website.

3.2 Cornwall Council retains all relevant planning documents on its own website. This removes the need for the PC to retain the same documents.

3.3 The PC may keep certain documents (both hard copies and/or soft copies on the two secure flash drives) for as long as they are useful and relevant, and at the discretion/request of Councillors and the Clerk. After this time, the documents will be destroyed.

3.4 Neighbourhood Development Plan (NDP). The records relating to the NDP will be weeded of any information containing personal data. The remaining evidence records and copies of all drafts of the NDP report will be stored electronically on a memory stick by the clerk in secure storage; a copy of this information will be offered to CRO in digital form for permanent preservation. The NDP final documents will be accessible via the Parish Council website.

4. Staff Records

4.1 The Clerk keeps digital copies of the following: monthly time sheets; monthly reimbursement sheets; monthly payslips; monthly pension RTI statements. The Clerk keeps in hard copy: the Clerk's employment contract; the Clerk's annual reviews.

4.2 NALC's LTN 40 states documents relating to staff '*Should be kept securely and in accordance with the eight data protection principles contained in the Data Protection Act 1998. The principles provide that personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held.*'

4.3 The Table above confirms that time sheets and records of annual leave should be kept for the last audit year. After this time, hard and soft copies will be destroyed.

4.4 The table above confirms 'wages books' should be kept for 12 years. This time period also applies to monthly payslips and monthly pension RTI statements. Given that 'superannuation' is the main reason for this time period, it also applies to correspondence with The Pensions

Regulator and National Employment Savings Trust. After this time, hard and soft copies will be destroyed.

4.5 The Clerk's employment contract is retained for as long as it is in force. Preceding contracts to the one currently in force will be kept (as hard copies and/or soft copies on the two secure flash drives) for as long as they are useful and relevant, and at the discretion/request of Councillors and the Clerk. Otherwise, hard and soft copies will be destroyed.

4.6 The Clerk's annual appraisals will be retained for six years and then destroyed.

5. Documents of Local/Historical Information

5.1 NALC's LTN 40 states '*The Local Government (Records) Act 1962 provides that parish councils ...may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use of such records (defined as materials in written or other form setting out facts or events or otherwise recording information).*'

5.2 Such documents will be accepted and retained (in hard copy and/or soft copy on the two secure flash drives) for as long as they are useful and relevant, and at the discretion/request of Councillors and the Clerk. After this time, the documents (a) will be offered to CRO (when deposits can be made there) or (b) destroyed if CRO does not want them.

5.3 The Clerk keeps a hard copy of the 'definitive map' for Stoke Climsland. This shows all recorded public rights of way (PROWs) for the parish and is provided by Cornwall Council. The map can be viewed within the parish by members of the public but must not be removed or copied by them. Requests for copies must be made directly to Cornwall Council. The definitive map is unlikely to change over time unless new PROWs are added or existing ones amended. Advice on retaining or destroying a definitive map will be sought with Cornwall Council if/when a new version is issued.

5.4 All records which are not referred to specifically in the above table may be deposited with CRO upon consultation. Where these records contain, or are likely to contain sensitive information or personal information which is subject to GDPR regulations, the PC as depositor will insist on a closure period of no less than 100 years, in accordance with the Public Records Act 1958.

6. All Other Documents

General

6.1 This may include, for example: one-off projects; comments on public consultations; general correspondence; information from other organisations; magazines, journals and other publications. Such documents will be retained (in hard copy and/or soft copy on the two secure flash drives) for as long as they are useful and relevant, and at the discretion/request of Councillors and the Clerk. Otherwise, hard and soft copies will be destroyed.

Contractual and Legal

6.2 This may include, for example: service level agreements; documents relating to registration with the Information Commissioner's Office. Such documents will be retained (in hard copy and/or soft copy on the flash drives) for as long as they are valid and in force. Preceding documents to those currently in force will be kept (as hard copies and/or soft copies on the two secure flash drives) for as long as they are useful and relevant, and at the discretion/request of Councillors and the Clerk. Otherwise, hard and soft copies will be destroyed.

Governance Documents

6.3 The Clerk keeps hard copies of all current governance documents. Soft copies are kept on the two secure flash drives. The documents are reviewed at least annually (e.g. at the PC annual meeting). Documents that are superseded by updates are destroyed.

6.4 The Clerk keeps a hard copy of the procedures manual. A soft copy is kept on the two secure flash drives. The document is reviewed at least annually (e.g. at the PC annual meeting). Sections that are superseded by updates are destroyed.

Documents Covered by the Data Protection Act 1998 ('the 1998 Act')

6.5 Documents relating to Councillors (e.g. declaration of acceptance of office) (excepting the register of interests, which are held and managed by Cornwall Council) in both hard copy

and soft copy on the two secure flash drives, are kept for the full term of their office and for four years after their term of office ends. After this time, the documents will be destroyed.

6.6 Electoral rolls for the parish (as provided by Cornwall Council) are kept in soft copy only (if provided in that format) and destroyed when superseded by an updated version.

6.7 Personal email addresses (e.g. for parishioners, members of the public sending in general correspondence) are reviewed annually and destroyed if not used for the preceding 12 months.

6.8 All other documents (hard and/or soft copy) that contain personal data (as defined by the 1998 Act and in GDPR 2019) will be reviewed at least annually (e.g. at the PC annual meeting) and a resolution passed on whether to retain or destroy information. This might include, for example, responses to surveys where names, contact details and/or opinions have been given.

6.9 In all matters, the PC will comply with the 2018 General Data Protection Regulations principles.

7. Policy Implementation and Review

7.1 This policy is to be reviewed at least annually (e.g. at the PC's annual meeting) and also when CRO re-opens in 2019.

7.2 Hard copy documents will be destroyed via level 3 shredding or incineration.

7.3 Soft copy documents will be deleted from all drives and then removed from 'trash' (securely, where possible).

7.4 Email addresses will be removed from the relevant software's contacts list.

7.5 The two secure flash drives will remain in use until CRO starts taking documents from Town and Parish Councils. At this time, they will be replaced with new flash drives and the old ones offered to CRO. If CRO does not want the drives, the PC will destroy them. From then on, it is suggested that the flash drives be replaced every four years (to coincide with local elections).