

UPTON & NORTH ELMSALL PARISH COUNCIL DATA RETENTION & DISPOSAL POLICY

1. Introduction

Upton & North Elmsall Parish Council recognises that the efficient management of its records is necessary to comply with legal and regulatory obligations and to support effective governance.

This policy sets out how long records should be retained and the procedures for their secure disposal when they are no longer required.

The policy applies to all records held by the Council, whether in paper or electronic format, and includes records created internally or received from external sources.

Appropriate retention of records ensures the Council can:

- Meet statutory obligations
- Support transparency and accountability
- Comply with audit requirements
- Respond to Freedom of Information and Subject Access Requests
- Protect the Council in the event of legal claims

Where possible, records should be stored electronically; however, the same retention periods apply regardless of format.

2. Legislative and Regulatory Framework

This policy is informed by the following legislation and guidance:

- Local Government Act 1972
- Data Protection Act 2018 and UK GDPR
- Freedom of Information Act 2000
- Limitation Act 1980
- Employers' Liability (Compulsory Insurance) Regulations 1998
- NALC guidance on Local Council Documents and Records

Some records must be retained longer due to legal limitation periods or statutory requirements.

3. Responsibilities

The Clerk to the Council is responsible for:

- Ensuring records are stored securely
- Ensuring records are retained only as long as necessary
- Maintaining an organised filing system
- Ensuring confidential records are disposed of securely

Councillors and staff must ensure records created or received during council business are handled in accordance with this policy.

4. **Storage of Records**

Records may be stored:

- Electronically (cloud storage, secure council systems)
- In paper format within council offices
- In secure archival storage where necessary

Documents of historical importance may be offered to the county record office or archives where appropriate.

5. **Disposal of Records**

Records that have reached the end of their retention period must be disposed of securely.

Approved methods include:

- Confidential shredding of paper records
- Permanent deletion of electronic files
- Secure destruction by an authorised contractor

Care must be taken when disposing of records that contain personal or sensitive data.

Where litigation, investigation, audit or insurance matters are ongoing, relevant records must not be destroyed until the matter has concluded.

6. **Retention Schedule**

The following retention periods are based on recommended minimum periods for parish and town councils.

Governance Documents

Document	Retention Period	Notes
Council Minutes	Permanent	Signed minutes are the legal record of council decisions
Agenda papers	6 years	May be retained longer with minutes
Minute books	Permanent	Includes committee minutes
Standing Orders	Until superseded + 6 years	
Financial Regulations	Until superseded + 6 years	
Policies and procedures	Until superseded + 6 years	
Councillor registers of interests	Until superseded + 6 years	Often also held by the principal authority
Declaration of acceptance of office	Term of office + 6 years	

Document	Retention Period	Notes
Councillor training records	Term of office + 6 years	
Council election notices	1 year	
Election results notices	Permanent	

Financial Records

Document	Retention Period	Notes
Annual accounts	Permanent	Includes accounting statements
Annual Return / AGAR	Permanent	
Budget papers	6 years	
Cashbooks	Permanent	
Bank statements	6 years	
Bank reconciliation records	6 years	
Paid invoices	6 years	
Receipts	6 years	
VAT records	6 years	Required by HMRC
Payroll records	6 years	
PAYE records	6 years	
Pension records	12 years	
Grant applications (awarded)	6 years	
Grant applications (unsuccessful)	2 years	
Grant monitoring records	6 years	
Precept documentation	6 years	

Contracts, Land & Property

Document	Retention Period	Notes
Title deeds	Permanent	
Leases	Permanent	
Land registry documents	Permanent	
Contracts	6 years after expiry	Limitation Act
Tender documentation	6 years	
Specifications	6 years	
Maintenance contracts	6 years after expiry	
Service agreements	6 years after expiry	
Property inspection reports	6 years	
Asset register	Permanent	Updated annually

Document	Retention Period	Notes
Asset valuations	6 years	

Planning Matters

Document	Retention Period	Notes
Planning applications	6 years	
Planning consultation responses	6 years	
Planning enforcement correspondence	6 years	
Neighbourhood plan documents	Permanent	If applicable

Employment Records

Document	Retention Period	Notes
Personnel files	6 years after employment ends	
Contracts of employment	6 years after employment ends	
Job descriptions	Until superseded + 6 years	
Recruitment records (successful applicants)	Duration of employment + 6 years	
Recruitment records (unsuccessful applicants)	6 months	Data protection
Disciplinary records	6 years after case closure	
Grievance records	6 years after case closure	
Staff training records	Duration of employment + 6 years	
Timesheets	6 years	
Absence records	3 years	
Health surveillance records	40 years	Where applicable

Insurance & Risk Management

Document	Retention Period	Notes
Insurance policies	Duration of policy + 6 years	
Employers liability insurance certificates	40 years	Legal requirement

Document	Retention Period	Notes
Public liability insurance documents	6 years	
Insurance claims	6 years after settlement	
Risk assessments	Current + 3 years	
Fire risk assessments	Current + 3 years	
Accident books	3 years	If involving children: until age 21

Health & Safety

Document	Retention Period	Notes
Accident reports	3 years	
Health & safety policies	Until superseded + 6 years	
Fire safety inspection reports	3 years	
Equipment inspection records	6 years	
Playground inspection reports	6 years	Often kept longer

Complaints & Legal Matters

Document	Retention Period	Notes
Complaints records	6 years	
Legal correspondence	6 years after closure	
Litigation records	6 years after case closure	
Data protection requests	3 years	Subject access requests

Correspondence & Communications

Document	Retention Period	Notes
Routine correspondence	As long as relevant	
Complaints correspondence	6 years	
Significant correspondence	6 years	
Press releases	2 years	
Public consultation responses	1 year	
Parish newsletters	Permanent (optional archive)	

Miscellaneous

Document	Retention Period	Notes
CCTV footage	30 days (unless required for investigation)	
Freedom of Information requests	3 years	
Data breach records	6 years	
Community event records	2 years	Unless historically important

Retention periods should be treated as minimum requirements, and records may be retained longer if necessary for legal or operational reasons.

7. Electronic Records

Electronic records must:

- Be stored securely
- Be backed up regularly
- Follow the same retention periods as paper records
- Be permanently deleted when no longer required

Electronic signatures are acceptable where permitted by law.

8. Archiving

Records of historical value may be retained permanently or transferred to a local archive or county record office where appropriate.

The Council may retain records relating to:

- Significant council decisions
- Community events
- Historical parish information

9. Review of this Policy

This policy will be reviewed every three years or earlier if legislation or guidance changes.