



RETENTION OF DOCUMENTS POLICY

Adopted 8 October 2018

RETENTION OF DOCUMENTS

Broadwindsor Group 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 Parish Council. This Policy provides a framework through which this effective management and retention of public records can be achieved and properly audited.

SCOPE

This Policy applies to all records created, received or maintained by the Parish Council. Records are defined as all those documents which relate to the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its communications, transactions and activities. These records may be created, received or maintained in hard copy or electronically. Some of the Parish Council's records will be selected for permanent preservation as part of the Council's archives and for historical research. Attached is an Annex indicating the appropriate minimum retention periods for documents. Documents are retained for audit, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings.

RESPONSIBILITIES

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory requirements. The person with overall responsibility for the implementation of this Policy is the Clerk to the Parish Council, and the Clerk is 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. This Policy will be publicised to staff and made available for reference, be reviewed annually, amended and re-issued as necessary and members of staff notified accordingly and operate in conjunction with the Council's existing policies on Data Protection (Privacy Policy) and Freedom of Information.

RETENTION OF DOCUMENTS FOR LEGAL PURPOSES

The table below lists the limitation periods of time where legal claims may be brought under the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period.

CATEGORY	LIMITATION PERIOD
Negligence (and other 'Torts')	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums Recoverable by Statute	6 years
Personal Injury	3 years
To Recover Land	12 years
Rent	6 years
Breach of Trust	None

Where the limitation periods above are longer than other periods specified in the attached Annex, the documentation should be kept for the longer period specified.

ANNEX TO RETENTION OF DOCUMENTS POLICY
RETENTION OF DOCUMENTS REQUIRED FOR THE AUDIT OF PARISH COUNCILS

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
PERSONNEL		
Personnel Records	3 years after employee leaves	Limitation Act 1980 (as amended)
Disciplinary/Grievances	Review 6 years after last action	Management
Recruitment Documents	6 months	Management
Wages Records	6 years	Audit
Pension Records	12 years	Superannuation
Timesheets	Last completed audit year	Audit (requirement)
	3 years	Personal injury (best practice)
Members Allowances Register	6 years + current	Tax Limitation Act 1980 (as amended)
AUDIT		
Scales of Fees	6 years + current	Management
Receipt and Payment Account(s)	Indefinite	Archive
Receipt Books	6 years + current	VAT
Bank Statements	Last completed audit year	Audit
Bank Paying-In Books	Last completed audit year	Audit
Cheque Book Stubs	Last completed audit year	Audit
Quotations and Tenders	6 years + current	Limitation Act 1980 (as amended)
Paid Invoices	6 years + current	VAT
Paid Cheques	6 years + current	Limitation Act 1980 (as amended)
VAT Records	6 years + current year generally but 20 years for VAT on rents	VAT
Petty Cash	6 years + current year	Tax, VAT, Limitation Act 1980 (as amended)
Investments	Indefinite	Audit, Management
CONTRACTS AND PROCUREMENT		
Unsuccessful Tenders	2 years	Audit
Successful Tenders	6 years + current year	Audit

ADMINISTRATION

Minute Books	Indefinite	Archive
Insurance Policies	While valid	Management
Certificates for Insurance against Liability for Employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability Compulsory Insurance Regulations 1998 (SI.2753), Management
Litigation	6 years after folder closure	Limitation Act 1980
Title Deeds, Leases, Agreements, Contracts	Indefinite	Audit, Management
FOR ALLOTMENTS		
Register and Plans	Indefinite	Audit, Management
Plot Holder Tenancy Records	6 years + current year	Audit