

# EARNLEY PARISH COUNCIL

## DOCUMENT RETENTION GUIDELINES

### **Introduction**

This retention policy has been issued to support Earnley Parish Council in the areas of Data Protection, Freedom of Information and the Local Government Act.

The guidelines cover all documents and records from the creation through to destruction or for the retention for historical or research purposes.

### **Scope of Guidelines**

All copies of a document or record schedule for destruction should be destroyed including back up copies stored on alternative media (cloud storage/computer/paper). This is vital to comply with the requirements of Data Protection and Freedom of Information legislation.

Records for permanent preservation should be archived.

There are some records that do not need to be kept at all and these may be destroyed in the normal course of business, including information that is duplicated, unimportant or only of short term value. Unimportant or records includes:

- "with compliments" slips
- Catalogues and trade journals
- Trivial electronic mail messages or notes that are not related to the business
- Out of date distribution lists
- Working papers which lead to a final report
- Telephone message slips

### **Objectives of the Retention Guidelines**

1. The aim of the guideline is to:
  - Assist in identifying records that may be worth preserving as a permanent record
  - Prevent premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration
  - To provide consistency for the destruction of those records not required permanently after specified periods

### **Transfer of records to the records office**

The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely, provided specific requirements are met.

Records identified at permanent are to be archived, however, these documents may contain information that is sensitive at the time of transfer to the records office and an appropriate closure period should be agreed with the relevant officer at the records office.

### **Destruction of Records**

Whenever there is the possibility of litigation the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed. Records or information that can be used as evidence, to prove that something happened should not be destroyed. If in doubt consult the Chairman of the Parish Council.

The following documents provide a guidance to support the Councillors and officers of Earnley to comply with the requirements of the Data Retention Policy in conjunction with the Data Protection Policy.

## **PART 2. EXPLANTION OF GUIDELINE HEADINGS**

### **Reference number**

The function or entry reference number provides citation and ease of reference

### **Function**

The name of each function is specified in this entry. This relates to group of records that perform the same activity

### **Function Description**

The schedule provides notes that define each function in terms related to the activities.

### **Retention Action**

This entry provides the archival status of each process being either permanent or temporary. In relation to the temporary status of records the entry also provides a retention period or sentence specifying how long the records should be kept prior to destruction and the activity, transaction or event to which the retention period or sentence should be tied.

## **Example of Records**

This section provides common examples of the type of records included within the particular function.

## **Notes**

This indicates if the retention action is common practice or statutory.

## **Glossary of Terms**

### **Closure**

Destroy X years from closure. A record/file is closed when it ceases to be active.

After closure no new papers/information should be added to the record. Triggers for closure of a file include; reaching an unmanageable size; covering a period of X years or more; no records added for X period of time, no action take after X period of time.

### **Closure Period**

Specified period of time during which the record is subject to restrictions on provision of access to staff or the public. May be dictated by statutory requirements or by the Council's policy. Any closure period would comply with current legislation on access to local government information - including Data Protection and Freedom of Information.

### **Last Action**

Destroy X years after last action. Date of most recent amendment/addition/deletion of information.

### **Permanent**

Records which must be kept indefinitely (or for approximately 100 years) for legal and/or administrative purposes, and/or are of enduring value for historical research purposes and so suitable for transfer to the records office.

### Part Three - The Disposal Guidelines - Contents

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MEMBERS

Ref No	Function Description	Retention Action	Examples of Records	Notes
1.1	<b>Council and Committee Meetings</b>			
1.1.1	The process of preparing business for council consideration and making the record of discussion debate and resolution	<b>Permanent</b>	Council and Committee Minutes, Agendas	Common Practice
1.1.2	Minute Taking	<b>Destroy</b> once the minutes have been confirmed	Draft, rough minutes and notes of the meeting	Common Practice
1.1.3	Register of Members Interest	Retain while member of the council, but remove information where member no longer has an interest. <b>Destroy</b> when member ceases to be a member of the council (or on re-election)		Section 29 Localism Act 2011
1.1.4	Members Expenses Claim	Retain for <b>6</b> years; then <b>destroy</b>		
1.1.5	Legal Orders and related documents	<b>Permanent - records office</b>		
1.1.6	Members Declaration of Acceptance of Office	<b>Permanent</b> - offer to records office		

Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>1.2</b>	<b>Complaints and Compliments</b>			
1.2.1	The management of detailed responses on council actions, policy or procedure	<b>Destroy 6</b> years after administrative use is concluded	<ul style="list-style-type: none"> <li>• Reports</li> <li>• Correspondence</li> </ul>	Common Practice

## COMMUNICATION

Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>2.1</b>	<b>Media Functions</b>			
2.1.1	Process of interaction with the media	<b>Destroy 3</b> years from closure	<ul style="list-style-type: none"> <li>• Press releases</li> </ul>	Common Practice
2.1.2	Newsletter	<b>Permanent</b> - offer to records office		Hold no more than three copies of each edition
2.1.3	Promotional materials for events	<b>One year</b>		Common Practice
2.1.4	Village hall marketing	<b>Retain until out of date</b>	<ul style="list-style-type: none"> <li>• Flyers</li> <li>• posters</li> </ul>	Common Practice
<b>2.2</b>	<b>Public Surveys</b>			
2.2.1	Survey Summary	<b>Destroy 3</b> years	<ul style="list-style-type: none"> <li>• Results only</li> </ul>	Common Practice
2.2.2	Survey form	<b>Destroy after summary compiled</b>	<ul style="list-style-type: none"> <li>• Survey forms</li> <li>• Supporting documentation</li> </ul>	Common Practice
<b>2.3</b>	<b>Correspondence</b>			
2.3.1	General correspondence	<b>Destroy after matter closed</b>		

## EMPLOYMENT

Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>3.1</b>	<b>Personal Administration</b>			
3.1.1	Summary management system to monitor and manage employees: Name - Full Name Date of Birth Date of Appointment/Leaving Work History Details Titles and Dates held National Insurance Number Reason for leaving	<b>Permanent</b> - offer to records office	<ul style="list-style-type: none"> <li>Starters/leavers register</li> </ul>	
3.1.2	The process of administering employees to ensure that entitlements & obligations are in accordance with agreed employment requirements. <ul style="list-style-type: none"> <li>Records containing superannuation information</li> </ul>	Termination + 7 years	<ul style="list-style-type: none"> <li>Letter of appointment</li> <li>Letter of acceptance</li> <li>Statement of particulars</li> <li>Assigned job description</li> <li>Probation reports</li> <li>Medical examinations</li> <li>Personal particulars</li> </ul>	

			<ul style="list-style-type: none"> <li>• Education qualifications</li> <li>• Personal relationships &amp; interest declarations</li> </ul>	
3.1.3	Liaison processes of minor and routine employee relation matters	<b>Destroy 5</b> years after administrative use is concluded		
3.1.4	Processing of Capability, Disciplinary & Absence Management investigations where proved	<b>Destroy:</b> Formal written warning (caution) - 6-18 months Final written warning (caution) 18-24 months The above Warnings/Cautions to be disregarded in relation to disciplinary matters after the relevant time has been spent.	<ul style="list-style-type: none"> <li>• Disciplinary</li> <li>• Capability</li> <li>• Absence Management</li> </ul>	Under no circumstances would Warnings involving Children or Health and Safety be removed from personal files.
<b>3.2</b>	<b>Equalities in Employment</b>			
3.2.1	The process of investigation and reporting on specific cases to ensure that entitlements & obligations are in accordance with agreed equalities policy	<b>Destroy 5</b> years after action completed		
<b>3.3</b>	<b>Occupational Health</b>			
3.3.1	The process of checking and ensuring the health of staff	<b>Destroy Termination + 7</b> years	<ul style="list-style-type: none"> <li>• Health questionnaire</li> </ul>	

			<ul style="list-style-type: none"> <li>• Medical clearance</li> <li>• Adjustment to work place</li> <li>• Restrictions</li> <li>• Recommendations</li> </ul>	
<b>3.4</b>	<b>Recruitment</b>			
3.4.1	The selection of an individual for an established position	<b>Destroy 1 year</b> after recruitment has been finalised for unsuccessful candidates. For successful candidate termination + 7 years	<ul style="list-style-type: none"> <li>• Advertisement</li> <li>• Application</li> <li>• Referee Report</li> <li>• Interview Report</li> <li>• Unsuccessful applicants</li> </ul>	
<b>3.5.</b>	<b>Training &amp; Development</b>			
3.5.1	Routine Staff training processes not occupational health and safety or children related.	<b>Destroy Termination + 7 years</b>	<ul style="list-style-type: none"> <li>• Course individual staff assessment</li> </ul>	
3.5.2	Training concerning children	<b>Destroy Termination + 25 years</b>	<ul style="list-style-type: none"> <li>• Course individual Staff assessment</li> <li>• Training register</li> </ul>	
3.5.3	Training occupational health and safety training	<b>Destroy 50 years</b> after training completed if asbestos, chemical or other hazardous materials related. Otherwise Termination + 7 years	<ul style="list-style-type: none"> <li>• OH&amp; S training register</li> </ul>	
3.5.4	Training materials	<b>Destroy 1 year</b> after course is superseded		

3.5.5	Training proof of completion	<b>Destroy</b> termination +7 years	<ul style="list-style-type: none"> <li>• Certificates</li> <li>• Awards</li> <li>• Exam Results</li> </ul>	
<b>3.6</b>	<b>DBS Disclosures</b>			
3.6.1	The process of obtaining appropriate Disclosure & Barring Service (DBS) disclosures for staff members to ensure satisfactory clearance	Existing Staff: <b>Destroy</b> each DBS disclosure document after disclosure periodically renewed. Leavers: <b>Destroy</b> termination +7years		
<b>3.7</b>	<b>Gifts &amp; Hospitality Register</b>			
<b>3.7.1</b>	Gifts and Hospitality offered to staff must be recorded in the gifts and hospitality register	<b>Destroy</b> 4 years from date of hospitality or offer of gift but not before		
<b>3.8</b>	<b>Payroll</b>			
3.8.1	Accountable processes	<b>Destroy</b> 6 years after end of financial year	<ul style="list-style-type: none"> <li>• Payroll deduction</li> <li>• Payroll disbursements</li> <li>• Employee pay records</li> <li>• Employee taxation</li> </ul>	Statutory
<b>3.9</b>	<b>Staff Retention</b>			
3.9.1	Performance	<b>Destroy</b> termination +7 years	<ul style="list-style-type: none"> <li>• Probation reports</li> <li>• Performance appraisals</li> </ul>	
3.9.2	Process of monitoring staff leave and attendance	<b>Destroy</b> termination + 7 years	<ul style="list-style-type: none"> <li>• Jury service e</li> <li>• Study leave</li> </ul>	

			<ul style="list-style-type: none"> <li>• Special and personal leave</li> <li>• Annual leave</li> </ul>	
<b>3.10</b>	<b>Termination</b>			
3.10.1	the process of termination of staff through voluntary redundancy, dismissal and retirement	<b>Destroy 7 years after termination</b>	<ul style="list-style-type: none"> <li>• Resignation</li> <li>• Redundancy</li> <li>• Dismissal</li> <li>• Death</li> <li>• Retirement</li> </ul>	

#### LEGAL

Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>4.1</b>	<b>Litigation</b>			
4.1.1	The process of managing undertaking or defending against litigation on behalf of the authority.	<b>Destroy 7 years after last action in case.</b>	<ul style="list-style-type: none"> <li>• Criminal prosecution file</li> <li>• Civil case file</li> </ul>	
<b>4.2</b>	<b>Advice</b>			
4.2.1	The process of providing legal advice to the council on matter of law.	<b>Destroy 3 years after last action - emails destroyed after 3 months</b>	<ul style="list-style-type: none"> <li>• General and miscellaneous files</li> </ul>	Common practice
<b>4.3</b>	<b>Contracts &amp; Tendering</b>			
4.3.1	The process of calling for expression of interest	<b>Destroy 2 years after contact let or not proceeded with</b>	<ul style="list-style-type: none"> <li>• Expression of interest</li> </ul>	Common practice

4.3.2	The process involved in the development and setting of terms of a contract	<b>Destroy 6 years</b> after the terms of the contract have expired	<ul style="list-style-type: none"> <li>• Tender specification</li> <li>• Note: for project files containing drafts leading up to the final version these records can be destroyed</li> </ul>	Statutory
4.3.3	The process involved in the issuing and return of the tender	<b>Destroy 1 year</b> after the start of the contact	<ul style="list-style-type: none"> <li>• Opening notice</li> <li>• Tender envelopes</li> </ul>	Common practice
4.3.4	Evaluation of Tender	<b>Destroy 6 years</b> after the terms of contract have expired		
4.3.5	Successful tender documents	<b>Destroy 6 years</b> after the terms of the contract have expired	<ul style="list-style-type: none"> <li>• Tender documents</li> <li>• Quotations</li> </ul>	Statutory
4.3.6	Unsuccessful tender documents	<b>Destroy 1 year</b> after start of contract	<ul style="list-style-type: none"> <li>• Tender documents</li> <li>• Quotations</li> </ul>	Common practice
4.3.7	The process in negotiation of a contract after a preferred tender is selected	<b>Destroy 1 year</b> after the terms of the contract have expired	<ul style="list-style-type: none"> <li>• Clarification of contract</li> <li>• Post tender negotiation minutes</li> </ul>	Common practice
4.3.8	The process of awarding of contract	<b>Destroy 6 years</b> after the terms of the contact have expired	<ul style="list-style-type: none"> <li>• Signed contract</li> </ul>	Statutory

4.3.9	Contract operation and monitoring	<b>Destroy 2 years</b> after the terms of contract have expired	<ul style="list-style-type: none"> <li>• Service level agreements</li> <li>• Compliance reports</li> <li>• Performance reports</li> </ul>	Common practice
4.3.10	Management and amendment of contract	<b>Destroy 6 years</b> after the terms of contract have expired	<ul style="list-style-type: none"> <li>• Minutes and papers of meetings</li> <li>• Changes to requirements</li> <li>• Variation forms</li> <li>• Extension of contract</li> <li>• Complaints</li> <li>• Disputes on payment</li> </ul>	Statutory

#### FINANCE

Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>5.1</b>	<b>Reporting:</b>			
5.1.1	Process that consolidates financial transactions on annual basis for corporate reporting purposes	<b>Permanent</b>  <b>Destroy after 6 years.</b>	<ul style="list-style-type: none"> <li>• Consolidated Annual Report</li> <li>• Consolidated Financial</li> </ul>	Common Practice

		<b>Destroy</b> when replaced	Statement working party <ul style="list-style-type: none"> <li>• Statements of financial position</li> <li>• Operating statements</li> <li>• General ledger</li> <li>• Assets Register - live document</li> </ul>	
5.1.2	Process that supports and consolidates financial transactions on periodic basis, superseding those from previous period	<b>Destroy</b> once administrative use completed	<ul style="list-style-type: none"> <li>• Consolidated Monthly/Quarterly Reports</li> <li>• Consolidated Monthly/Quarterly Financial Statements</li> <li>• Working papers for above</li> <li>• Cash flow statements</li> <li>• Creditor/debtors listings and report</li> </ul>	Common Practice
5.2	<b>Transaction Management</b>			
5.2.1	Management of approvals process for payment	<b>Destroy</b> after 6 years	<ul style="list-style-type: none"> <li>• Payment Schedule</li> </ul>	Statutory
5.2.2	Identification for receipt, expenditure and write offs of public monies	<b>Destroy</b> after 6 years	<ul style="list-style-type: none"> <li>• Allowances, invoices, credit</li> </ul>	Statutory

			<ul style="list-style-type: none"> <li>card statements, cash books</li> <li>• Receipts</li> <li>• Cheque counter foils</li> <li>• Bank statements</li> </ul>	
5.2.3	Process that balance and reconcile financial accounts	<b>Destroy after 6 years</b>	<ul style="list-style-type: none"> <li>• Reconciliations</li> <li>• Summaries of Accounts</li> </ul>	Common Practice
5.2.4	Taxation records	<b>Destroy 6 years after end of financial year</b>	<ul style="list-style-type: none"> <li>• Taxation records</li> </ul>	Statutory
<b>5.3</b>	<b>Budgets and Estimates</b>			
5.3.1	Process of finalising annual budget	<b>Permanent</b>		Common Practice
5.3.2	Process of developing annual budget	<b>Destroy after 2 years</b>	<ul style="list-style-type: none"> <li>• Draft budgets</li> <li>• Committee budgets</li> <li>• Council tax calculation</li> </ul>	Common Practice
5.3.3	Reporting which examines budget in relation to income and expenditure	<b>Destroy after subsequent budget adopted</b>	<ul style="list-style-type: none"> <li>• Quarterly statements</li> </ul>	Common Practice
5.3.4	Budgeting for capital expenditure and receipts	<b>Destroy after 2 years</b>	<ul style="list-style-type: none"> <li>• Quarterly statement</li> <li>• Draft budgets</li> <li>• Draft receipt estimates</li> </ul>	Common Practice
<b>5.4</b>	<b>Loans</b>			
5.4.1	Borrowing money to perform functions	<b>Destroy 7 years after loan has been repaid</b>	<ul style="list-style-type: none"> <li>• Loan files</li> </ul>	Statutory

5.4.2	Management of loans	<b>Destroy 10 years after loan has been repaid/redeemed</b>	<ul style="list-style-type: none"> <li>• Loan Register</li> </ul>	Statutory
<b>5.5</b>	<b>Insurance</b>			
5.5.1	Management of policy documents	<b>Permanent</b>  <b>Destroy after 7 years</b>	<ul style="list-style-type: none"> <li>• Public liability certificate</li> <li>• Claims Register</li> <li>• Renewal documents</li> <li>• Policy documents</li> </ul>	Statutory
5.5.2	Management of Claims against the council	<b>Destroy 7 years after settlement</b>	<ul style="list-style-type: none"> <li>• Settlement Documents, claims correspondence, accident reports, and any relevant correspondence</li> </ul>	Statutory
5.5.3	Management of Claims by the Council	<b>Destroy 7 years after settlement</b>	<ul style="list-style-type: none"> <li>• Settlement documents, claims correspondence, accident reports and any relevant correspondence</li> </ul>	Statutory
<b>5.6</b>	<b>Contracts</b>			
5.6.1	The process of developing and settling terms of contacts with other persons or organisations	<b>Destroy 6 years after last action</b>	<ul style="list-style-type: none"> <li>• Contracts for services</li> </ul>	Common Practice
<b>5.7</b>	<b>Grants</b>		<ul style="list-style-type: none"> <li>•</li> </ul>	
5.7.1	Grant applications by Parish Council	<b>Destroy 6 years after end of financial year</b>	<ul style="list-style-type: none"> <li>• Application forms</li> </ul>	

			<ul style="list-style-type: none"> <li>• Supporting documents</li> </ul>	
5.7.2	Grant applications received by Parish Council	<b>Destroy 6 years</b> after end of financial year	<ul style="list-style-type: none"> <li>• Application forms</li> <li>• Supporting documents</li> </ul>	

#### LAND AND PROPERTY

Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>6.1</b>	<b>Conveyance</b>			
	Results of Land Registry Search	<b>Destroy 10 years</b> from date of search results	Legal documents revealed in search records	Statutory
Ref No	Function Description	Retention Action	Examples of Records	Notes
<b>6.2</b>	<b>Property acquisition and disposal</b>			
6.2.1	Disposal	<b>Destroy 15 years</b> after all obligations/entitlements are concluded  Offer material to records office	<ul style="list-style-type: none"> <li>• Legal documents relating to the sale</li> <li>• Particulars of sale documents</li> <li>• Survey</li> <li>• Tender documents</li> <li>• Conditions of contract</li> </ul>	Common Practice
6.2.2	Marketing particulars for disposal sites	Keep for one year after sale/let	<ul style="list-style-type: none"> <li>• Particulars for property</li> </ul>	Common Practice

6.2.3	Management of disposal (by sale or write off) process of property	<b>Destroy 15</b> years after all obligations/entitlements are concluded	<ul style="list-style-type: none"> <li>• Legal documents relating to the sale</li> <li>• Particulars of sale documents</li> <li>• Survey</li> <li>• Tender documents</li> <li>• Conditions of contracts</li> </ul>	Common Practice
6.2.4	Marketing Particulars for disposal of sites	<b>Destroy 1</b> year after sale/let	<ul style="list-style-type: none"> <li>• Particulars for disposal</li> </ul>	Common Practice
6.3	<b>Property Development and Renovation</b>		<ul style="list-style-type: none"> <li>•</li> </ul>	
6.3.1	The process of managing and undertaking renovations and development of property		<ul style="list-style-type: none"> <li>•</li> </ul>	
6.3.2	Management of buildings	Retain for life of property or building	<ul style="list-style-type: none"> <li>• Project specifications</li> <li>• Plans</li> <li>• Installation manuals</li> <li>• Certificates of approval</li> </ul>	Common Practice
6.3.3	The process involved in the development and renovation of property	<b>Destroy 7</b> years after the conclusion of the transaction that records support	<ul style="list-style-type: none"> <li>• Works order</li> <li>• Tender documents</li> <li>• Conditions of contract</li> </ul>	Common Practice
<b>6.4</b>	<b>Asset management</b>			
6.4.1	Asset management plan designed to assist members and staff to maintain assets	<b>Retain 3</b> years	<ul style="list-style-type: none"> <li>• Asset management plan</li> </ul>	
6.4.2	Reports on management on overall property of the parish council	<b>Permanent</b>	<ul style="list-style-type: none"> <li>• Summary of properties owned</li> </ul>	Common Practice

			or leased by the parish council	
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**INFORMATION TECHNOLOGY**

Ref No	Function Description	Retention Action	Examples of Records	Notes
7.1	IT infrastructure of the Council	<b>Destroy</b> after contract is concluded	<ul style="list-style-type: none"> <li>• Supplier material</li> </ul>	
7.2	Data Information	<b>Destroy 1</b> year after conclusion	<ul style="list-style-type: none"> <li>• Request for information</li> </ul>	

A review of these guidelines shall be undertaken bi-annually (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full council for approval. The Council will undertake to ensure that its members and employees are trained in the processes required by this policy as deemed appropriate.

Adopted by Full Council 15<sup>th</sup> May 2023

Minute Number 48.23 (7)

Reviewed 18<sup>th</sup> May 2026

Minute Number 38.26(2)