

# Document Retention and Disposal Policy

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## Introduction

The guidelines set out in this document supports the Town Council's Data Protection Policy and assists us in compliance with the Freedom of Information Act 2000 and other associated legislation.

It is important that the Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. The policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. However it is important to note that this is a live document and will be updated on a regular basis.

Bishop Auckland Town Council will ensure that information is not kept for longer than is necessary, and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

## Aims and Objectives

It is recognised that up to date, reliable and accurate information is vital to support the work that the Council does and the services that we provide to our residents. This document will help us to:

- Ensure the retention and availability of the minimum amount relevant information that is necessary for the Council to operate and provide services to the public.
- Comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the General Data Protection Regulations 2018 and the Environmental Information Regulations 2004.
- Save employees' time and effort when retrieving information by reducing the amount of information that may be held unnecessarily. This will assist them as they carry out their daily duties, or if searching for information requested under the Freedom of Information Act.
- Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

## Scope

For the purpose of this Policy, 'documents' includes electronic and paper records.

Where storage is by means of paper records, originals rather than photocopies should be retained where possible.

## Standards

The Council will make every effort to ensure that it meets the following standards of good practice:

- Adhere to legal requirements for the retention of information as specified in the Retention Schedule to Annex A. This document provides a framework for good practice requirements for retaining information.
- Personal and disclosure information will be retained in locked filing cabinets within the office and access to these documents will only be by authorised personnel.
- Appropriate disposal of information that is no longer required.
- Appropriate measures will be taken to ensure that confidential and sensitive information is securely destroyed.
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes e.g. Equalities data.

- Wherever possible only one copy of any personal information will be retained and that will be retained in a locked filing cabinet within the office.
- Back up of computer files are stored on an encrypted hard drive locked securely in the council office.

### **Breach of Policy and Standards**

Any employee who knowingly or recklessly contravenes an instruction contained in, or following from, this Policy and Standards may, depending on the circumstances of the case, be subject to disciplinary action, which could include dismissal.

### **Roles and responsibilities**

The Town Clerk has overall responsibility for the policy including maintenance, operation and ad-hoc checks to ensure compliance.

Individual employees are responsible for ensuring that the guidelines set out in this policy are adhered to and to ensure that any documents disposed of are done so in accordance with the 'sensitivity' (i.e. whether they are normal waste or 'confidential waste').

### **Confidential Waste**

Any information that is protected by the Data Protection Act or as Confidential under the Council's Constitution should be treated as confidential waste for disposal purposes.

#### **Examples of what constitutes confidential waste:**

- Exempt information contained within committee reports
- Files containing the personal details of an individual and files that predominantly relate to a particular individual or their circumstances. For example, completed application forms and letters.
- Materials given to us on a 'confidential' or on a limited use basis e.g. material provided by contractors or the police.

Fundamentally any information that is required to be produced under the Freedom of Information Act or Environmental Information Regulations, is available on the website or is open to public inspection should NOT be treated as confidential waste.

#### **Examples of what does not constitute confidential waste:**

- Documents that are available to the public via our web site or by submitting an appropriate search request to ourselves for general information.
- All reports and background papers of matters taken to Committee in public sessions unless specifically exempt.

### **Disposal of Documentation:**

All confidential waste will be shredded within the Council office or by a special disposal company.

All other documents requiring disposal are to be shredded. General paper waste will be re-cycled.

### **Retention**

Timeframes for retention of documents have been set using legislative requirements and the National Association of Local Councils guidelines.

Throughout retention the conditions regarding safe storage and controlled access will remain in place.

The Town Council currently do not hold any information appertaining to Disclosure and Barring Checks, however should such checks is required in the future then the following would apply:

- Disclosure and Barring information must be kept securely in a locked cabinet. Only those entitled to see it in the course of their duties should have access. The security and confidentiality of all disclosure information is closely registered under the Police Act 1997.
- Disclosure information must not be retained for a period of more than six months and must be destroyed in a secure manner using the shredder in the main office.
- Any unauthorised employee accessing or attempting to access disclosures or disclosure information or personnel records will be subject to the Council's disciplinary procedures.
- Disclosure information is kept separately from personnel files and in securely lockable, non-portable cabinet with access strictly controlled and limited to the Town Clerk.
- The Council complies with s124 of the Police Act 1997, so that disclosure information is only passed to those who are authorised to receive it in the course of their duties. The Council maintains a record of all those to who disclosure and disclosure information has been revealed and recognises that it is a criminal offence to pass this information to anyone who is not entitled to receive it.
- Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's/employee's consent has been given. Disclosure information will be shared between different areas of the Council, if necessary.
- Where disclosure information is shared with anyone other than the Town Clerk, the employee must be given a reason why this information is being shared.

The attached 'Appendix' shows the minimum requirements for the retention of documents as determined by those officers responsible for the management of these particular documentation types. Officers holding documents should exercise judgement as to whether they can be disposed of at the end of those periods detailed in the attached 'Appendix'.

## Handling

Personal information will on be available to those who are authorised officers.

Customer's details and information will be kept up to date and reviewed annually by the Town Clerk.

## Annex to Retention and Disposal Policy

### Retention of Documents required for the Audit of Parish Councils

Document	Minimum Retention period	Reason
Minute Books	Indefinite	Archive
Scales of fees and charges	6 Years	Management
Receipt and payment accounts	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank Statements including deposit/savings accounts	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	Limitation Act 1980 (as amended)
Paid Invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
VAT records	6 years generally but 20 years for VAT on rents	VAT
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)
Timesheets	Last completed audit year	Audit (requirement)
	3 years	Personal injury (best practice)
Wages Books	12 years	Superannuation
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
Investments	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)
For Room Hire		
Application to hire	6 years	VAT
Lettings Diaries		
Copies of bills to hire		
Record of tickets issued		
Allotments		
Register and plans	Indefinite	Audit, Management