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Retention and Disposal of Documents Policy

Status	Date
Date Adopted	June 2018
Date Reviewed	27th January 2021
Date Reviewed	25th February 2026

1. **Policy Aim**
   Castle Bromwich Parish Council is subject to the General Data Protection Regulation (GDPR) which requires data to be kept only for the purpose it was collected and only for as long as is necessary and in compliance with the Lord Chancellor's Code of Practice on the Management of Records via Freedom of Information Act 2000, section 46.

   Through the application of this policy the Parish Council will, through delegation to its Clerk, periodically review the data it holds to ensure compliance with legal requirements.

2. **Data Protection Principles**
   The Parish Council shall comply with Article 5 of the GDPR which requires personal data to be:

   a) processed lawfully, fairly and in a transparent manner in relation to individuals;

   b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;

   c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;

   d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;

   e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

3. Retention Periods

a) Appendix 1 indicates the appropriate minimum retention periods for the council's most frequently used documents. Documents should be retained for purposes related to audit, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings.

b) Retention of documents for legal purposes

The below table 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 Appendix 1, the documentation should be kept for the longer period specified.

4. Document disposal

The Clerk will periodically review all documents held by all officers across the council.

a) Paperwork that is no longer required for any reason will be shredded and disposed of in an environmentally-friendly manner.

b) Documents stored electronically will be deleted from files. Upon disposal of thecomputer, the hard-drive will be shredded using appropriate means.

This policy will:

- Be publicised to staff and made available for reference
- Apply to all the council's records, regardless of how and where they are held
- Be reviewed annually, amended and re-issued as necessary and members of staff notified accordingly
- Operate in conjunction with the council's existing policies: Data Protection (Privacy Policy) and Freedom of Information.

APPENDIX 1

RETENTION PERIODS

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	12 years	Audit/Pension
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	As long as a claim can be made under it	Management and legal proceedings
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),
Litigation	6 years after folder closure	Limitation Act 1980
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
For Halls, Community Centres, Recreation Grounds		
Application to hire Lettings diaries Copies of bills to hires Record of tickets issued	6 years + current year	VAT