Carn Brea Parish Council

Data Retention Policy

Adopted on: **19th July 2018 (Minute Number: 18/07/09)**

Last Review: **21st September 2023 (Minute Ref: 23/09/24)**

Reviewed: **16th April 2026 (Min Ref: 26/04/15)**

Retention Schedule for Council Records

There is a clear need to retain documentation for a variety of reasons including audit purposes, staff management, tax and VAT and the potential eventuality of legal dispute and proceedings.

The Retention Schedule includes the main types of Council records. Each entry lists the record series along with the proposed action, the retention periods and reasons for the action. Further information can be sought from the National Association of Local Councils (NALC) and, in particular, Legal Topic Note LTN 40.

The following information provides an explanation for each of the three action terms used within the schedule.

Records identified for permanent preservation

Records in this category have been identified for permanent retention. These may be deposited with the local Archive Service once there is no longer an administrative need for them to be kept locally.

The only financial records recommended for deposit are the payment and receipt books or the annual audited accounts if the former has not survived. These are often filed with receipts and payments that are not necessary for preservation and should be weeded prior to their transfer to the Archive Service.

Records in this category may be transferred to the local Archive Service after the minimum retention period or once they become inactive.

Records to be destroyed

A large number of parish and town council records can be destroyed once they become inactive or the minimum retention period expires. Financial records account for the majority of this category. These must be kept for a minimum of 6 years after the last entry (Limitation Act 1980 (as amended), VAT Act 1994 etc.) but may be retained for longer depending on local circumstances. Records not given a minimum retention period can be destroyed once there is no longer an administrative requirement for their custody. If Council is unsure whether a document or series of records should be destroyed, then please contact the local Archive Service for further guidance.

To protect confidential information, all records assigned for disposal should be securely destroyed. Paper records containing confidential information should be shredded or pulped and not simply thrown out with other classes of records. Electronic or machine-readable records will require a two-step process for assured confidential destruction:

- Deletion of the contents of digital files, and
- The use of commercially available software applications to remove all residual data from the storage device. These processes may be outsourced to credible commercial companies who specialise in confidential destruction of records.

The Limitations Act 1980 (as amended) provides that legal claims may not be commenced after a specified period. The table below sets out the different limitation periods for different categories of claim. (Please see the NALC Legal Topic Note 40 for further information):

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
Trust Deeds	Indefinite

RETENTION PERIODS FOR COUNCIL DOCUMENTS

Records	Minimum Retention period	Action	Reason
Administrative	**Minimum Retention period**	**Action**	**Reason**
Minute Book - Signed Council and Committee Minutes.	Indefinite. Can be transferred to local Archive after 5 years or once they become inactive.	Preserve	Archive
Draft minutes	Until the date of confirmation of the minutes	Destroy	Operational
Reports and other documents circulated with agendas	Until there is no longer an administrative requirement. Destroy these reports if copies are already included with signed minutes	Review	Common practice
Councillors' declarations of office	Term of Office + 4 Years	Preserve	Operational Archive
Councillor' Register of Interests	Term of Office + 1 Year	Destroy	Copies are sent to Monitoring Officer
Register of electors	Until there is no longer an administrative requirement	Destroy	Copies already in existence
Byelaws and orders	Preserve one of each copy and these may be transferred to local Archive once they become inactive	Preserve	Common practice
Policy documents	Until there is no longer an administrative requirement. Archive old versions.	Review	Operational
Title deeds more than 100 years old	Indefinite. These may be transferred to local Archive once they become inactive.	Preserve	Audit/Management Common practice
Title deeds less than 100 years old	Indefinite. These may be transferred to local Archive for review once they become inactive.	Review	Audit/Management Common practice
Property registers and terriers	Indefinite. These may be transferred to local Archive once they become inactive.	Preserve	Common practice
Maps, plans, and surveys of property owned by the council or meeting	Indefinite. These may be transferred to local Archive once they become inactive	Preserve	Common practice
General correspondence	6 Years after correspondence ends	Destroy	Operational
Complaints	6 Years after resolution of complaint	Destroy	Operational
Information Requests	6 Years after resolution of request	Destroy	Operational
Village/parish appraisals, plans, millennium projects and supporting papers	Until there is no longer an administrative requirement	Review	Operational
Planning applications and related papers for major controversial developments	Until there is no longer an administrative requirement	Review with the view to destroy	Operational
Planning applications for minor works where permission is refused	6 years	Destroy	Limitation Act 1980

Administrative	Minimum Retention period	Action	Reason
Playground Inspection Reports	21 Years	Destroy	Common Practice
Emails / Electronic	Until required for audit, governance or accountability purposes in line with the Retention Policy.	Destroy	Common Practice
Leases, agreements, contracts and wayleaves	Indefinite	Preserve	Audit/Management
Parish Council newsletter	Indefinite. Transfer one copy to local Archive.	Preserve	Common practice
Event / general mailing list	Retain until consent withdrawn or following annual regular review consent no longer provided	Destroy	Operational / GDPR
Routine internal correspondence and papers	Until there is no longer an administrative requirement	Review with the view to destroy	Operational
Risk assessments	Once superseded by a new risk assessment or once inactive.	Destroy	Operational
Incident / Accident Records	3 Years – Statute of limitation 40 years – Hazardous Materials Incidents	Destroy	Best Practice / Potential Claim

Personnel	Retention period	Action	Reason
Personnel files	6 Years after termination of service (Unless through ill health or tribunal case – keep until employee reaches standard retirement age)	Destroy	Risk of investigation regarding any future litigation
Timesheets	3 years	Destroy	Audit (requirement) and personal injury best practice
Personnel files – annual leave	2 years	Destroy	Operational
Recruitment data Successful Unsuccessful	 Add to personnel file. 6 months after recruitment finalised plus current year	Destroy	Equalities Act

Financial	Retention period	Action	Reason
Scales of fees and charges	6 years	Destroy	Management
Receipt and Payment books	Indefinite. These may be transferred to local Archive once they become inactive	Preserve	Council financial regulations
Rate books	Indefinite. These may be transferred to local Archive once they become inactive	Preserve	Common practice
Annual audited accounts	6 years.	Destroy, but preserve if the receipt & payment books have not survived.	Council financial regulations
Accounts and statements	6 years	Destroy	Council financial regulations

Financial	Retention period	Action	Reason
Cash and petty cash books, rent books, postage and telephone books / Other receipt books	6 years	Destroy	Tax, VAT, Limitations Act 1980 (as amended) Council financial regulations
Bank statements including deposit/saving accounts	Last completed audit year	Destroy	Audit
Bank paying-in books / Cheque Book Stubs	Last completed Audit year	Destroy	Council financial regulations
Paid invoices / Paid Cheques	6 years	Destroy	Statute of Limitations Act 1980 (As amended) Council financial regulations / VAT
VAT records	6 years	Destroy	VAT Act 1994
VAT claims	6 years	Destroy	VAT Act 1994
Time sheets	3 Years - Personal Injury best practice	Destroy	Best Practice
Wage books	12 years	Destroy	Superannuation & Limitation Act 1980 (as amended)
Members' allowances register	6 years	Destroy	Tax, Limitation Act 1980 (as amended)
Quotations and tenders (successful)	6 years after contract ends	Destroy	Limitation Act 1980
Quotations and tenders (unsuccessful)	2 years	Destroy	Operational
General Insurance policies	While valid – See Additional Point	Destroy	Operational
Insurance Company Names & Policy Numbers	Indefinite	Review	Best Practice
Certificate and policies for Insurance against liability for employees	40 years from date on which insurance commenced or was renewed.	Preserve	The Employers' Liability act 1969 and (Compulsory Insurance) Regulations 1998 (SI. 2753), Management
Investments	Indefinite	Preserve	Audit, Management
Grants Paid	6 Years	Destroy	Operational

Parish Halls, Centres and Recreation Grounds	Retention period	Action	Reason
Records relating to applications to: • Hire; • Letting diaries; • Copies of bills to hirers; • Records of tickets issued.	6 years	Review with the view to destroy	VAT Council financial regulations

Allotments	Retention period	Action	Reason
Register & Plans	Indefinite	Preserve	Audit, Management

Miscellaneous	Retention period	Action	Reason
Marketing Consent Forms	3 years	Destroy	Best Practice
Maps created under the provision of the Rights of Way Act 1932	Transfer to HRO once they become inactive	Preserve	Common practice
Papers concerning Rights of Way	Until there is no longer an administrative requirement	Destroy	Operational
Community magazines or newsletters (not created by the parish council)	Until there is no longer an administrative requirement	Review	Operational
Charity papers	Until there is no longer an administrative requirement	Review	Operational
Press cuttings book	Until there is no longer an administrative requirement	Review	Operational
Photographs	Until there is no longer an administrative requirement	Review	Operational
Any records predating the establishment of Parish Councils (1894), e.g. poor law, surveyors of the highway, tithe maps and apportionments, enclosure awards etc.	Transfer to local Archive as soon as possible	Preserve	Common practice
Records of other bodies such as burial boards, charities, fire brigades, Home Guard unit, local society or ad hoc committee.	Transfer to local Archive once they become inactive	Preserve	Common practice
Reports, guides, handbooks etc received from other organisations	Until there is no longer an administrative requirement	Review	Operational

Data Retention Policy Amendment Record:

This policy was adopted on 19th July 2019, and previous versions of this policy will be kept for 6 years.

Review date:	**Reviewed by:**	**Minute Number:**	**Amendments:**
16/04/26	Full Council	16/04/15	Addition of Electronic Email and Correspondence, Playground Inspections. Cllr Register of Interests, Employee files, Timesheets and Declaration of Office retention period amendments.