

Elmstead Parish Council Data Retention Policy

Under this policy retention periods for key documents are outlined.

Document	Minimum Retention Period/Agreed Retention Period	Reason
Minute Books	Indefinite	Archive (Hard copies may be archived to Records Office)
Receipt and payment accounts	Indefinite	Archive
Annual Return	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank Statements, including deposit/savings accounts	Last completed audit year/ Keep for 6 years.	Audit
Cheque Book Stubs	Last completed audit/ Keep for 6 years.	Audit
Bank paying in books	Last completed audit/Keep for 6 years	Audit
Quotations & tenders	6 years	Limitation Act 1980 (as amended)
VAT Records	6 years	VAT
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
Wages information	12 years	Superannuation
Timesheets	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice)
Insurance Policies	Whilst valid (for as long as it is possible to make a claim under them)/ Keep for 6 years	Management
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employer's Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management
Certificate of Public Liability	Whilst valid	Audit/legal
Assets Register	Indefinite	Audit
Title Deeds, leases, agreements, contracts	Indefinite	Audit, Management
Letters – general correspondence (hard copy and electronic)	3 years	PC
Surveys – Results Only, do not retain the supporting documentation once the survey has been compiled	3 years or for as long as necessary for the performance of the task specified in the survey.	
For recreation grounds: <ul style="list-style-type: none"> • Applications to hire • Lettings diaries • Copies of bills to hires • Record of tickets issued 	6 years	VAT

Elmstead Parish Council Data Retention Policy

Planning Papers

All planning applications and decision notices are available at Tendring District Council. There is no requirement to retain duplicates locally. All Parish Council resolutions in connection with these applications are recorded in the Minutes and retained indefinitely.

- Where planning permission is granted, the planning application, any plans and the decision letter will normally be retained until the development has been completed so that, if required, the council can check that the development proceeds in accordance with the terms and conditions of the permission. Where planning permission is granted on appeal, a copy of the appeal decision will also be retained. It may sometimes be sensible to retain an appeal decision indefinitely because of wider implications (e.g. the decision may set a precedent for other developments in the locality).
- Where planning permission is refused, the papers will be retained until the period within which an appeal can be made has expired. If an appeal is made, and dismissed, the decision letter may, as in (a) above, be worth retaining against further applications relating to the same site.
- Copies of Local Plans and similar documents will be retained as long as they are in force.

Insurance Policies

Insurance policies and significant correspondence will be kept for as long as it is possible to make a claim under the policy. Article 4 of the Employers Liability (Compulsory Insurance) Regulations 1998 (SI 2753) requires that local councils, as employers, retain certificates of insurance against liability for injury or disease to their employees arising out of their employment for a period of 40 years from the date on which the insurance is commenced or renewed.

Information from other bodies

Circulars and legal topic notes from SALC, National Association of Local Councils and other bodies such as principal authorities will be retained for as long as the information contained therein is useful and relevant.

Correspondence

- If related to audit matters, correspondence will be kept for the appropriate period specified to the Annex thereto.
- In planning matters correspondence will be retained for the same period as suggested for other planning papers.
- All other correspondence will be kept for 1 year or for as long as the matter contained therein is still of use for the specific purpose for which it was sent.

Personnel matters

Documentation relating to staff will be kept securely and for as long as it would be possible for a claim to be made against the council (see limitation periods in paragraph below).

Elmstead Parish Council Data Retention Policy

RETENTION OF DOCUMENTS FOR LEGAL PURPOSES

Most legal proceedings are governed by 'the Limitation Acts' which state that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim.

Claims under 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

Other Documents

Declarations of Acceptance	Term of office + one year
Members register of interests	Term of office + one year
Complaints	1 year
Routine Correspondence and e-mails	1 year
General Information	1 year

When retention periods expire documents should be shredded and computer data securely deleted using software that prevents retrieval.

Elmstead Parish Council
Policy adopted 19th April 2018 agenda item 18/087i)