



## **Data Retention and Erasure Policy**

### **1. Purpose**

Information is one of Headley Parish Council's corporate assets; in the course of carrying out its business, Headley Parish Council accumulates information from both individuals and external organisations. Headley Parish Council also generates a wide range of data, which is recorded in documents and records.

- a) These documents and records are in several different formats, examples of which include, (but are not limited to) communications such as letters, emails and attendance notes;
  - i) Financial information including invoices, statements and reports;
  - ii) Legal documents such as contracts, deeds, loan and finance agreements;
  - iii) Information relating to various types of financial transactions, including bank statements, investment statements, asset registers, tax records, payroll information and insurance policies.
- b) For the purposes of this Policy, the terms 'Documents' and 'Records' include information in both hard copy and electronic form.
- c) Premature destruction of documents could result in inability to defend litigious claims, operational difficulties and failure to comply with the Freedom of Information Act 2000 and also the Data Protection Act 1998
- d) The retention of all documents and records is impractical. Disposal allows Headley Parish Council to maintain sufficient electronic and office storage space and will de-clutter office accommodation, resulting in a more desirable working environment. It also ensures that Headley Parish Council complies with the Data Protection Act 1998 and the General Data Protection Regulation.
- e) It is important for the above reasons that Headley Parish Council has in place systems for the timely and secure disposal of documents and records that are no longer required for business or statutory purposes.

### **2. Aims and Objectives**

- a) The key objective of this Policy is to provide Headley Parish Council with a simple framework which will govern decisions on whether a particular document should be retained or disposed of. In the case of documents which are to be retained by

Headley Parish Council, the Policy includes guidance on the format in which they should be retained and appropriate retention periods.

- b) Implementation of the Policy should save Headley Parish Council staff time when retrieving information, in particular by reducing the amount of information that may be held unnecessarily.
- c) The Policy clarifies the different roles of Headley Parish Council officers in relation to document retention and disposal in order that they understand their responsibilities, and who to refer to if they are unsure about any document and require clarification.
- d) It is envisaged that this Policy will assist Headley Parish Council in securing compliance with legal and regulatory requirements, including the Freedom of Information Act 2000, the Environmental Information Regulations 2005, the Data Protection Act 1998 and the Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000 and General Data Protection Regulation 2018. In addition to assisting officers in their day to day business. This should also ensure that searches for information requested under the Freedom of Information legislation are as quick as possible.
- e) Additionally, the Policy should help to ensure that Headley Parish Council archives records and documents that are of historical value appropriately for the benefit of future generations.

### **3. Scope**

- a) This Data Retention & Erasure Policy applies to all information owned by Headley Parish Council and any external service providers in the event that such an organisation is processing information on Headley Parish Council's behalf.

### **4. Policy Statement**

- a) Headley Parish Council will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of its auditing services.

### **5. Retention and Disposal Policy**

- a) Decisions relating to the retention and disposal of documentation should be taken in accordance with this Policy, in particular the document retention schedules in the appendix.
- b) In circumstances where a retention period of a specific document has expired, a review should always be carried out prior to a decision being made to dispose of it. This review should not be particularly time consuming and should be straightforward. If the decision to dispose of a document is taken, then that

document will be disposed of securely by shredding and subsequent destruction in relation to paper documents or deleted from electronic storage using a permanent delete application.

## **6. Roles and Responsibilities**

- a) The Clerk will be responsible for determining (in accordance with this Policy) whether to retain or dispose of specific documents within the remit of their service area.
- b) The Clerk should seek legal advice if they are uncertain as to whether minimum retention periods are prescribed by law, or whether the retention of a document is necessary to protect Headley Parish Council's position where a potential evidentiality issue has been identified.
- c) The Clerk should ensure that the Schedule in Appendix 2 which is relevant to Headley Parish Council's services is kept up to date.
- d) On leaving Office, Councillors should delete electronic records they hold and destroy hard copy documents.
- e) Councillors on leaving office will be asked to confirm, in writing, that they have destroyed all relevant information whether electronic or hard copy in a secure manner.
- f) When a Councillor leaves Office, the Clerk will be responsible for deleting their Council email address.

## **7. Disposal**

- a) Hard copies of confidential waste documents should be cross-shredded. These are any documents that may contain confidential or personal data.
- b) Disposal of documents other than those containing confidential or personal data may be disposed of by binning, recycling, and permanent deletion (in the case of electronic documents), or the transfer of documents to external bodies. Transfer of documents to external bodies will be unusual but could be relevant where documents are of evidentiality interest and may therefore be sent to the investigating authority, e.g. the Police or HMRC.
- c) Records of disposal should be maintained by the Clerk and should detail the document disposed of and the date of its disposal as well as the method of disposal.

APPENDIX - Document Retention Schedules

Document	Minimum Retention	Reason	Disposal
<b>Minutes &amp; Correspondence</b>			
Minute books	Indefinite	Archive	Original signed copies must be kept indefinitely in safe storage. At intervals of not more than 5 years they must be archived and deposited in Hampshire County Council archive.
Agendas	5 years	Management	Bin (shred confidential waste)
Correspondence/papers on important local issues/activities	Indefinite	Archive	N/A
Routine correspondence, paper & emails	1 year	Management	Shred
<b>Finance &amp; payroll</b>			
Receipts & payments books	Indefinite	Archive	N/A
Annual Return & audited accounts	Indefinite	Archive	N/A
Correspondence relating to Audit	Last completed audit	Audit/ Management	Shred
Cheque book stubs	Last completed audit	Management	Shred
Paying in books	Last completed audit	Management	Shred
Petty cash	6 years	Tax/VAT	Shred
Budgetary control papers	2 years + current year	Audit	Shred
Bank statements	Last completed audit	Audit/ Management	Shred
Quotations	6 years	Audit	Shred. A list will be kept of documents disposed of to meet GDPR requirements.
Paid invoices	6 years	Audit/VAT	Shred
VAT records	6 years	Audit/VAT	Shred
Payroll	12 years	Superannuation	Shred

Document	Minimum Retention	Reason	Disposal
Tax & NI records	12 years	Superannuation	Shred
<b>Insurance policies</b>			
Insurance policies	Whilst valid	Audit	Shred
Insurance company names + policy numbers	Indefinite	Management	N/A
Cert of employers' liability	At the least while valid or 40 years (although not mandatory)	Audit/Legal	Shred
Cert of public liability	Whilst valid	Audit/Legal	Shred
Insurance claim records	7 years after conclusion	Legal	Shred
Policy renewal records	Whilst valid	Management	Shred
<b>General Management</b>			
Assets register	Indefinite	Audit	N/A
Deeds; leases	Indefinite	Legal	N/A
<b>Health &amp; Safety</b>			
Equipment inspection reports	21 years	Management	Shred
Premise inspection reports	21 years	Management	Shred
Risk Assessments	3 years from last	Management	Shred
Accident reports	20 years	Potential claims	Shred. A list will be kept of documents disposed of to meet GDPR regulations requirements
<b>Members</b>			
Register of members' interests	18 months after individual ceases to be a member	Management	Shred
Declarations of acceptance	While in office	Management	Shred
<b>Human Resources</b>			
Application forms ( <i>unsuccessful</i> )	6 months	Management	Shred
Application forms ( <i>successful</i> )	Period of employment + 6 months	Management	Shred
Disciplinary records	Period of employment + 6 months	Management	Shred

<b>Document</b>	<b>Minimum Retention</b>	<b>Reason</b>	<b>Disposal</b>
Personal files (appraisals/pay (reviews etc.))	Period of employment + 6 months	Management	Shred
Time sheets	3 years	Personal injury	Shred
<b>Miscellaneous</b>			
Complaints	2 years after closure	Management	Shred
Information requests	2 years after closure	Management	Shred
Reports, Newsletters	As long as is useful	Management	Shred

Planning application documents and relevant decision notices are available at East Hampshire District Council.

There is no requirement to retain duplicates locally. All Parish Council recommendations in connection with these applications are recorded in the Council's Minutes which are retained indefinitely. Correspondence received in connection with applications will be retained as stated above.