Thame Town Council

Document Retention and Disposal Policy

1. Introduction

1.1 The guidelines set out in this document support the Town Council's Information and Data Protection Policy and assists us in compliance with the UK GDPR and Data Protection Act 2018, the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and other associated legislation.

1.2 The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various different types of documents.

1.3 Records created and maintained by the Town Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.

1.4 Documents may be retained in either 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.

1.5 It is imperative that documents are retained for an adequate period of time. If documents - are destroyed prematurely the Town Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Town Council.

1.6 In contrast to the above the Town Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the UK GDPR and Data Protection Act 2018 so that personal information including Employee Records are not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

2. Scope and Objectives of the Policy

2.1 The aim of this document is to provide a working framework to determine which documents are:

- Retained – and for how long; or
- Disposed of – and if so by what method.

2.2 It is recognised that up to date, reliable and accurate information is a vital tool to support the work that the Town Council does and the services provided for its residents.

2.3 There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value.

2.4 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.

2.5 Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be undertaken as prescribed under the UK GDPR and Data Protection Act 2018.

3. Roles and Responsibilities for Document Retention and Disposal

3.1 The Town Council is responsible for determining whether to retain or dispose of documents and should undertake an annual review of documents to ensure that any unnecessary documentation being held is disposed of as detailed under the UK GDPR and Data Protection Act 2018.

3.2 The Data Protection Officer is responsible for maintenance and operation of the Retention and Disposal Policy, including ad hoc checks to ensure compliance.

3.3 The policy will be circulated annually and staff will be asked to sign to confirm they have understood how they should proceed accordingly.

4. Document Retention Protocol

4.1 The Town Council should have in place an adequate system for documenting the activities of our service. This system should take into account the legislative and regulatory environments to which we work.

4.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:

- Facilitate an annual audit.
- Protect the legal rights of the Town Council and any other persons affected by its actions.
- Verify individual consent to record, manage and disposal of their personal data.
- Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.

4.3 To facilitate this the following principles should be adopted:

- Records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the UK GDPR and Data Protection Act 2018.
- Documents that are no longer required for operational purposes but need retaining could be placed at the County Records Office.

4.4 The Retention Schedule in Appendix A: List of Documents for Retention and Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. This schedule has been compiled from recommended best practice from recognised sector bodies NALC and SLCC.

4.5 Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

4.6 General information can be placed in clear recycling bags and disposed of as general paper waste for recycling purposes.

5. Document Disposal Protocol

5.1 Documents should only be disposed of if reviewed in accordance with the following:

- Is retention required to fulfil statutory or other regulatory requirements?
- Is retention required to meet the operational needs of the service?
- Is retention required to evidence events in the case of dispute?
- Is retention required because the document or record is of historic interest or intrinsic value?

5.2 When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned**.**

5.3 Documents can be disposed of by any of the following methods:

- Non-confidential records: place in clear recycling bags for disposal.
- Confidential records or records giving personal information: shred - Documents are shredded onsite securely as and when required with onsite shredder and annually in bulk securely by a reputable Shredding Company appointed to undertake the on-site shredding at the Town Hall and a Certificate of Destruction will be issued in accordance with the provisions as set out in the Information Destruction BS EN 15713.eletion of computer records. All confidential paperwork is stored in locked cabinet prior to any shredding whether on site or offsite.
- Transmission of records to an external body such as the County Records Office.

5.4 The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the UK GDPR and Data Protection Act 2018.
- Where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner's Office (ICO).
- Where documents are of historical interest it may be appropriate that they are transmitted to the County Records office.
- Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

6. UK GDPR and Data Protection Act 2018 – Obligation to Dispose of Certain Data

6.1 The Retention and Disposal Policy sits side by side with the Town Council's Information and Data Protection Policy as well as the UK GDPR and Data Protection Act 2018.

6.2 The Town Council is responsible for ensuring that we comply with the six Data Protection Principles which are set out in the Data Protection Act 2018 and summarised below:

- Personal data shall be processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- 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.

7. Review of Document Retention

7.1 It is planned to review, update and where appropriate amend the Document Retention and Disposal Policy on a regular basis in accordance with advice and recommendations from the recognised sector bodies NALC and SLCC.

8. List of Documents

8.1 The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

9. List of Documents for Retention and Disposal

9.1 The retention period should be the number of years specified **plus** the current financial period (i.e. three years plus the current period, therefore at least three years documentation will always be retained at any given point in time).

9.2 This list is not exhaustive. If you are unsure about any documentation, contact the Data Protection Officer for clarification.

Document	Retention Period	Method of Disposal Shredding
Financial		
Receipt and payment account(s)	Indefinite	
Receipt books of all kinds	6 years	
Bank statements, including deposit/ savings accounts	Last completed audit year	
Bank paying-in books	Last completed audit year	
Cheque book stubs	Last completed audit year	
Paid invoices	6 years	
Paid cheques	6 years	
VAT and HMRC records	6 years	
Petty cash, postage and telephone books	6 years	
Salary Sheets including superannuation	12 years	
Investments	Indefinite	
Time Sheets	Last completed audit year	
Personnel		
Pension Records	Until individual is 66-69years old, retained under pension legislation and pension scheme requirements	
Personnel Records / Employment Contracts	7 years after termination of employment	
Identification Documents	2 years after termination of employment	
Recruitment records for unsuccessful candidates (application forms, interview notes and scoring sheets)	6 months after appointment decision	
Recruitment records for successful candidate	Transfer to confidential personnel files	
Corporate		
Minutes	Indefinite	
Scales of fees and charges	6 years	
Quotations and tenders	6 years	
Insurance policies	While valid	
Certificates for insurance for liability for employees	40 years from date insurance commenced or was renewed	
Title deeds, leases, agreements, contracts	Indefinite	
Hall hire	1 year	
Allotments register and plans	Indefinite	
Parking	3 years	
Complaints	3 years	
Members Allowance Register	6 years	
Member Filming Records of Public Meetings	6 years	
Planning Applications	1 year	
Neighbourhood Plans	Indefinite	
Play Area Inspection Reports	21 years	
CCTV	30 Days unless investigation	

Freedom of Information Request or Subject Access Request	**3 years**	
Health & Safety		
Accident Forms **Incident Forms** **Risk Assessments** **H&S Docs and External Contractor** **Records of any reportable injuries, diseases or dangerous occurrences**	**25 years** **25 years** **On going** **4 years** **3 years**	