**NORTH MARSTON PARISH COUNCIL**

**DATA RETENTION POLICY**

1. **Introduction**
   1. North Marston Parish Council recognises the need to retain documentation for audit purposes, staff management, tax liabilities and the eventuality of legal disputes and legal proceedings. Subject to these, or other relevant considerations, documents that are no longer used or relevant should be destroyed.
   2. Documents may be created, received or maintained in hard copy or electronically.
   3. A small percentage of the Parish Council’s records will be selected for permanent preservation as part of the Council’s archives and for historical interest.
   4. NALC have provided a general list of documentation/records and recommend retention periods as maybe required by law, general convention or by the Council’s need. This is included in Annex A. This policy supplements the NALC guidance.
2. **Responsibilities**

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with the overall responsibility for the implementation of this policy is the Clerk to the Parish Council, and the Clerk is required to manage the Council’s records in such a way as to promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner

1. **Electronic Storage**

All electronic documents and emails will be held remotely via office 365 on a Personnal Onedrive, which was chosen for its GDPR compliant security credentials. Access is via the clerk and is password protected.

1. **Sharing**

It is necessary for the Clerk to share information with the Councillors in order that they can address Parish Council Business. All Councillors have agreed to comply with the Councillors Briefing, and will ensure no individual’s personal data obtained from the Parish Council, will be stored on their own electronic devices. Copies of publicly available reports and papers, may be held as required.

1. **Information Audit**

An information audit was conducted in April 2018, and unnecessary documentation was removed, but useful information has been preserved by creating several key spreadsheets;

* Councillor List; listing every Councillor who has been elected or co-opted to North Marston Parish Council, including a start and finish date.
* Village Hall Hirers; name and date of hire
* Personal contacts held as email addresses

1. **Retention Timescales**

        Appendix A details the minimum time limits on the retention of council documents required for the purposes of audit and other reasons. Documents outside this schedule are as follows:

**1. Planning documents**: All planning applications and relevant decision notices are available from Aylesbury Vale District Council. There is no requirement to retain duplicates locally. All Parish Council recommendations in connection with these applications are recorded in the Council minutes and are retained indefinitely. However;

**a) Contentious planning application documents**: Where permission is granted documents should be retained until the development is complete so that the Council can satisfy itself that development has proceeded according to the terms and conditions of the permission.

b) Where planning permission is refused the papers should be retained until the period in which an appeal can be made has expired

c) If an appeal is made and dismissed any appeal papers should be kept for use in evidence against any application on the same site.

d) Copies of structure plans, local plans and similar documents should be retained as long as they are in force.

**2. Information from Other Bodies** (eg circulars etc from County associations, NALC etc)

**3. Correspondence**: For audit matters data should be kept for the period specified in Annex A. For planning matters correspondence should be retained for the same period as suggested for other planning papers. For other correspondence no firm guidelines can be laid down but it is good practise to review the councils documentation annually and any data that is no longer of use or value should be destroyed.

**4. Insurance policies:** All insurance policies should be kept for as long as it is possible for a claim to be made under them. The Council will keep a permanent record of insurance company names and policy numbers for all insured risks. Article 4 of the Employers’ Liability (Compulsory Insurance) Regulations 1998 requires local councils, as employers, to retain certificates of insurance against liability for injury or disease to their employees arising out of their employment for a period of 40 days from when the insurance commenced or was renewed.

**5. Documents relating to staff**: Data relating to staff is kept securely and in accordance with the 8 data protection principles contained in the Data Protection Act 1998, and are not kept for longer than is necessary for the purpose it was held. However, records about former staff may be retained and accessed for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any legal claims made against the council.

**Annex A – NALC list Legal Top Note 40**

Retention of Documents required for the audit of Parish Councils

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| **Document** | **Minimum Retention Period** | **Reason** |
| Financial Documents |  |  |
| 1. Banking paying – in books | Last completed audit year | Audit |
| 1. Bank statements | Last completed audit year | Audit |
| 1. Cheque book stubs | Last completed audit year | Audit |
| 1. Paid Cheques | 6 years | Statute of Limitations |
| 1. Paid Invoices | 6 years | VAT |
| 1. Quotations and Tenders | 12 years/indefinate | Statute of Limitations |
| 1. Receipt and payments | Indefinate | Archive |
| 1. Wages | 12 years | Superannuation |
| 1. VAT records | 6 years | VAT |
| Insurance Policies | While valid | Management |
| Minute Books | Indefinate | Archive |
| Title deeds, leases, agreements, contracts | Indefinate | Audit |
| Village Hall application to hire, copies of bills to hire, letting diaries | 6 years | VAT |