Lympstone Parish Council

Draft - Document Retention Policy

1. **Introduction**

   Lympstone Parish Council (LPC) recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Council.

   LPC has a legal duty under section 224 of the Local Government Act 1972 to "make proper arrangements with respect to any documents that belong to or are in the custody of the Council or any of their officers".

   It is also a legal requirement under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 that personal data are not kept longer than necessary.

2. **Scope of the policy**

   Records created and maintained by LPC during its business 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 LPC's transactions and are necessary to ensure it can demonstrate accountability.

   This policy applies to all records created, received or maintained by LPC while carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the LPC and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

3. **Principles of Records Management**

   The Council will ensure that records are:

   • created and maintained as evidence of Council business;
   • accurate, complete and accessible;
   • protected against unauthorised access, alteration, loss or destruction;
   • retained only for as long as necessary;
   • securely disposed of when no longer required;
   • preserved where they have historical, legal or administrative value.

4. **Responsibilities**

   LPC has overall responsibility for this policy. The person responsible for the day-to-day implementation of this policy is the Clerk to the Council, and they are required to manage the LPC'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.

5. **Retention Schedule**

   In line with best practice under the Section 46 Code of Practice on Records Management, the Council maintains a retention schedule listing the records it creates in the course of its business, how long they will be retained, and the action

which should be taken when a record is of no further administrative use. This is shown in Appendix A: Retention Schedule.

These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation. Many retention periods are determined by statute. The Clerk is expected to manage current record keeping systems using the schedule and to take account of different retention periods when creating new record keeping systems.

6. **Archival of Records**

   Records identified for permanent preservation should be deposited with the County Archive Service once there is no longer an administrative need for them to be kept locally.

7. **Safe Disposal of Records**

   Where records contain personal or confidential information, they should be securely destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the UK General Data Protection Regulation(UK GDPR). The following principles should be followed when securely disposing of records:

   (a) Paper records can be shredded or sent for confidential recycling.

   (b) Where computer records are deleted, steps should be taken to ensure that data are permanently erased and cannot be recovered.

   (c) Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

   Records must not be destroyed if they may serve as evidence in legal proceedings. Whenever there is a possibility of litigation (including Police investigations, ICO investigations, Employment tribunals etc) records that may be affected should not be amended or disposed of until the threat of litigation has been removed. Records that have been requested under the Freedom of Information Act 2000 (FOIA) must not be destroyed until the request has been fully resolved, including any appeals or reviews. Once the request process has been completed, the normal retention and disposal procedures can be followed.

8. **Guidance**

   This policy has been compiled from various sources of recommended best practice and with reference to the following documents and publications: (a) NALC Legal Topic Note 40: Local Councils' Documents and Records, 2022 (b) Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000 Policy Adoption and Review

9. **Policy Review**

   Review Cycle: This policy will be reviewed every 3 years, or upon a significant change.

Initial policy adopted: July 2026
Updated: July 2026 LPC Minutes Reference:
Next review: July 2029

Appendix A : Retention Schedule

Class of Records	**Retention Period**	**Reason**
Council Business		
Minutes of Meetings	Permanent	Archive
Draft minutes	3 months after minutes of meeting approved	Management
Agendas and documents circulated with agendas	3 months after minutes of meeting approved	Management
Councillors' declaration of acceptance of office	6 Years from end of term of office	Management
Finance		
Annual Accounts	Permanent	Archive
Annual Return	Permanent	Archive
Internal Audit Reports	Permanent	Archive
Receipts, Invoices, Bank Statements etc	6 years from end of financial year to which they relate	Audit
Scale of fees and charges (Burial, copy etc)	6 years from end of financial year to which they relate	Management
VAT Records	6 years from end of financial year to which they relate	HMRC - VAT
Land and Property		
Asset register	Permanent	Archive
Bylaws and orders	Permanent	Archive
Maps, plans and surveys of property owned by LPC	Permanent	Archive
Title deeds	Permanent	Archive
Legal documents other than deeds (eg wayleaves)	Permanent	Archive
Contracts under seal	12 years after expiry	Archive
Tenders and quotations for contracts in hand	6 years after the term of the contract has expired	Limitation Act 1980

Tenders and quotations (unsuccessful)	Two years after the award of contract	Limitation Act 1980
Personal/HR		
Recruitment records (unsuccessful)	6 months	Management
Recruitment records (successful)	Add to Personal File - 6 years after date of employment ending	Add to personnel file
Individual personnel file	6 years after date of employment ending	HMRC - Tax
Employee leave and sickness records	6 years after date of employment ending	Statutory Sick Pay (General) Regulations 1982
Pension scheme records	6 years from end of the tax year that they relate to	Registered Pension Schemes (Provision of Information) Regulations 2006
Income tax/PAYE records, statutory payments	6 years from end of the tax year that they relate to	Income Tax (Employments) Regulations 1993
Timesheets	6 years from end of the tax year that they relate to	Working Time Regulations 1998
Wages/salary records (including Councillor allowances)	6 years from end of the tax year that they relate to	Tax, National Minimum Wage Act 1998
Training Records	6 years from end of employment or ceasing to be a councillor	Management
Planning		
Appeals	3 Years	Management
Neighbourhood Plan	Permanent	Management
Planning applications	2 years (unless of local significance)	Originals are held by the LPA and no need to retain local copy
Miscellaneous		
Employers' liability insurance certificates	Permanent	The Employers Liability (Compulsory Insurance) Regulations 2006
Other Insurances (Company name, Policy numbers)	6 years after expiry	Management
Correspondence	12 months or until end of administrative use ceases (max 6 years)	Management
Community magazines	Permanent	Review
Play and outdoor Equipment Inspection reports	Life of equipment plus 6 years	Management

Accident records	Adults 3 years from incident Children – until age 21 Serious incidents – until claim concluded	Insurance claim purposes
CCTV footage	1 month rolling tape	Security
Photos	6 years	Management
FOI and Subject Access Requests	3 Years	Management
Code of Conduct complaints	6 years after closure	Management

Initial policy adopted: September 2026

Updated: September 2026 LPC Minutes Reference: 26/65.1

Next review: September 2027