



North Mymms Parish Council
Document Retention Policy

Adopted by North Mymms Parish Council on 26 October 2022

Date of next Review: October 2025

Document Retention Policy

1. Policy for Retention of Documents

- The table identifies when the retention period of records is due to expire and how immediate action will be taken to ensure the disposal of documents is undertaken in a proper and secure manner.
- The table identifies the retention reasons such as audit, staff management, tax liabilities and the possibility of legal disputes and proceedings.
- When the information reaches the expiry date for retention, the Parish Clerk will ensure that all copies of that information are permanently destroyed. If the information is held in more than one media the information must be removed from all the Council's record systems.
- The Parish Council will endeavour to minimise the amount of paperwork both produced and received, notwithstanding this there will still be a certain amount of paperwork to process.
- To method of destruction of all confidential or sensitive paper documents, with the exception of junk mail which will be returned to sender, is that it will be shredded.
- The method of destruction for all electronic data will be electronic erasing and in the case of CD or DVD the method of disposal will be by a registered waste disposal operator with a certificate of destruction obtained.
- Electronic copies will be completely deleted from any memory source or other media.

2. Storage of Documents

- Archived records will be stored at the County Archives or North Mymms Parish Council Office.
- Minutes will be kept at County archives or North Mymms Parish Council Office.
- If records need to be kept indefinitely, the Parish Clerk will consider the most effective way of storage taking into account any space restrictions.
- The Parish Clerk may consider all forms of media for storage to accommodate the needs of the Council provided reproduction from that media is legally acceptable.

3. Other documents may be treated as follows:

a) Information from other bodies

For example, circulars from County Associations, NALC and other bodies (e.g. principal authorities) - Information should be retained for as long as it is useful and relevant.

b) Magazines and Journals

A council may want to keep its own publications (e.g. newsletters). The Legal Deposit Libraries Act 2003 requires a local council which after 1 February 2004 has published works in print (this includes a pamphlet, magazine, newspaper, map, plan, chart or table), to deliver at its own expense, a copy of them to the British Library Board (which manages and controls the British Library).

c) Correspondence

- If related to audit matters, correspondence should be kept for the appropriate period specified in the Table. In planning matters, correspondence should be retained for the same period as suggested for other planning

papers. For other correspondence (unless relating to staff), no firm guidelines can be laid down but the following standards should be adhered to:

- Staff documentation should be kept securely and in accordance with the Data Protection Act 2018. Personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. However even after an employment relationship has ended, a Council may need retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the Council. This is 3 months for unfair dismissal and 6 months for redundancy and equal pay claims.
- Local/historical information - The Local Government (Records) Act 1962 states that parish councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use of such.

4. Additional Retention Table Information

a) Planning papers

- Should any planning papers have to be printed, the planning application, any plans and the decision letter should 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 should also be retained likewise. 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 should 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 Structure Plans, Local Plans and similar documents should be access via the local authority planning portal.

b) Insurance policies

All insurance policies should be kept for as long as it is possible for a claim to be made under them. Irrespective of how long policies and correspondence are retained, the recommendation is that councils ensure that they keep a permanent record of insurance company names and policy numbers for all insured risks. Article 4 of Employers' Liability (Compulsory Insurance) Regulations 1998 (SI.2753) requires local councils, as employers, to retain certificates of insurance against liability for injury or disease to their employees arising out of their employment (this insurance is mandatory pursuant to the Employers' Liability (Compulsory Insurance) Act 1969) for a period of 40 years from the date on which the insurance is commenced or renewed.

c) Arrangements for the deposit, storage and management of documents

In accordance with s. 227 of the Local Government Act 1972, if a parish council requests the district /county council in which the parish is situated in which the community is situated, the relevant principal authority must provide proper depositories for all the specified papers (defined as public books, writings, council papers and all documents directed by law to be kept) belonging to the parish or community for which there is no other provision

d) Retention of documents for legal purposes

Most legal proceedings are governed by the Limitation Act 1980 (as amended) which provides that legal claims may not be commenced after a specified period. The period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim.

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

Where the limitation periods above are longer than other periods specified in this Note the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories.

As there is no limitation period in respect of trusts, councils are advised that they never destroy trust deeds and schemes and other similar documentation.

e) General Data Protection Regulations, Data Protection and Freedom of Information Considerations

The General Data Protection Regulations (GDPR) 2018, the Data Protection Act 2018 and Freedom of Information Act 2000 and various other legislation and standards, set out specific requirements in relation to the creation, management and disposal of records to which North Mymms Parish Council must comply.

DOCUMENT RETENTION POLICY			
RECORD	ACTION	MINIMUM RETENTION PERIOD	REASON
Agendas	Destroy	5 years	Archive
Minutes (signed) of the Council & Committees	Preserve	Indefinite	Archive. At regular intervals of not more than 7 years they must be archived and deposited with the higher authority.
Draft Minutes	Destroy	Destroy when minutes approved	Management
Byelaws and orders	Preserve	Indefinite	Archive
Councillors Declarations of Acceptance of Office	Preserve	Indefinite	Archive
Councillors Register of Interest	Destroy	1 year after member leaves Council	GDPR
Routine correspondence	Destroy	Records should be kept for as long as they are needed for reference or accountability purposes to comply with regulatory requirements or to protect legal and other rights and interests.	Management
Correspondence & papers on important local issues	Preserve	Indefinite	Archive
Asset Register	Preserve	Indefinite	Archive
Gifts and Hospitality Records	Preserve	Indefinite	Challenge
Health and Safety Records	Preserve	Indefinite	Challenge
Accident/Incident Book	Destroy	3 years	Reporting of injuries, potential claims, Disease and Dangerous Occurrences Act 2013
Insurance policies	Destroy	While valid (but see next two items below)	Management
Insurance policy company name & policy number	Preserve	Indefinite	Challenge
Insurance policies – certificates for insurance against liability for employees	Preserve	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998
Leases, licenses and agreements.	Preserve	Indefinite	Archive

Personnel – employee records Application forms, contracts of employment, sickness records, routine employment documents	Destroy	6 years from date of leaving (past employees)	Personal injury claims, tribunal claims
Property registers including plans for allotments, open spaces, amenity areas	Preserve	Indefinite	Archive
Quotations and tenders for Works	Destroy	6 years after completion of contract	Limitation Act 1980 (as amended)
Recruitment records; application forms, CV's, interview notes, supporting documents	Destroy	6 months (from date of appointment)	Discrimination claims from interviewees
Scales of fees and charges	Destroy	6 years	Management
Title deeds, leases, property agreements	Preserve	Indefinite	Audit, Management
Members allowances register	Destroy	6 years	Tax, Limitation Act 1980 (as amended)

FINANCIAL			
RECORD	ACTION	MINIMUM RETENTION PERIOD	REASON
Audit returns to external Auditor	Preserve	Indefinite	Archive
Bank Statements	Destroy	Last completed audit year	Audit and grant Funding
Bank paying in book and cheque book stubs	Destroy	Last completed audit year	Audit and grant Funding
Borrowing	Preserve	Indefinite	Audit, management
Hiring records of properties	Destroy	6 years	VAT
Internal Audit Management	Preserve	Indefinite	Audit, Management
Investments	Preserve	Indefinite	Audit, Management
Paid invoices	Destroy	6 years	VAT / grant funding
Paid cheques	Destroy	6 years	Limitation Act 1980 (as amended)/ grant funding
Petty Cash, postage and telephone books	Destroy	6 years	Tax, VAT, Limitation Act 1980 (as amended)
Precept requests	Destroy	Retain as long as of value	
Project management records	Preserve	Indefinite	Archive /Audit/ grant Funding
Receipt books of all kinds	Destroy	6 years	VAT
Receipts and Payments Records	Preserve	Indefinite	Archived
Salary and wages records	Destroy	12 years	Superannuation, NI and HMRC audit
Staff time sheets	Destroy	Last completed audit year 3 years	Audit Personal injury (best practice)
VAT records	Destroy	6 years	VAT

OTHER (INCLUDING PLANNING)			
RECORD	ACTION	MINIMUM RETENTION PERIOD	REASON
Allotment registers individual holder documents	Destroy	1 year after allotment tenant termination	Management
Allotment Register and plans	Preserve	Indefinite	Archive
General historic information relating to North Mymms Parish Council	Preserve	Indefinite	Archive
Legal papers	Preserve	Indefinite	Archive
Planning documents relating to NMPC generally	Destroy	After comment made by NMPC	Available on WHBC website
Planning documents relating to NMPC <ul style="list-style-type: none"> • Local Plan • Design Statements • Policies 	Preserve	Indefinite	Archive