

HARGRAVE AND HUXLEY PARISH COUNCIL

Records Management Policy

1. Scope of this policy

For the purposes of this policy 'document' and 'record' include paper & electronic versions of reports & other 'papers' and 'correspondence' including email- held on computers used by Hargrave and Huxley Parish Council and all documents received to the Council's registered address.

2. Overview

Hargrave and Huxley Parish Council ("The Council") will implement a system of paper & electronic records management which will include those records retained for audit purposes reviewed annually by a councils internal auditor.

The system will ensure the storage, security of, access to & disposal of, both paper & electronic records.

This system will include an annual review of the records themselves. This will ensure that documents that are no longer required, or are otherwise out of date, are securely destroyed.

3. Reason for retention/destruction of documents

The Council is required to retain paper & electronic data for a number of reasons. There is a clear need to retain documentation for audit purposes, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings. However, data protection legislation requires that records that permit the ID of individuals should only be kept for as long as necessary to fulfil the purpose for which they were originally collected. Therefore, the timely and secure destruction of data is also an essential part of a record management system.

Subject to the requirements for retaining documents, and as a basic started point, papers and records will be destroyed if they are no longer of use, are without a context or relevant. Such documents will be destroyed after 3 years. Documents produced by, and readily available from, other sources will be destroyed when they are no longer required.

4. Retention

Under the Freedom of Information Act 2000 the Council is required to maintain a retention schedule listing the record series which it creates in the course of its business. The retention schedule lays down the length of time which the record needs to be retained and the action that should be taken if it is of no further administrative use.

- a. Working documents and drafts will not be retained. These should be destroyed on completion/approval
- b. Final & approved documents will be saved in pdf format with all reasonable accessibility modifications included.
- c. 'Live' documents are records or documents that are used regularly & are less than 2 years old
- d. Wherever possible all paper documents received by the office that require retention will be scanned & saved to the Hargrave and Huxley Google Drive Folder.

5. Insurance

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

6. Documentation relating to staff

- a. This will be kept securely and in accordance with the seven data protection principles contained in the GDPR 2018.
- b. The principles provide that personal data in relation for staff should not be kept for longer than is necessary for the purpose it was held. However, even after an employment has ended, the Council will retain and access records for former staff for the purposes of giving references, payment of tax, national insurance contributions & pensions, and in respect of any related legal claims made against the council.
- c. The time limits within which a claim (and appeal) may be lodged against an employer at an employment tribunal are set out in the legislation that contains the employment right in question, or if not by the Limitation Act 1980 (as amended). The time for filing a claim at an employment tribunal is usually measured from the date that the employment relationship ended, or the date of the act complained of.
- d. Subject to where the Limitation Act 1980 applies, the most common time limit for lodging a claim at an employment tribunal is 3 months (e.g. Unfair dismissal), although 6 months applies in redundancy & equal pay claims.

7. Local/Historic Records

The Local Government (Records) Act 1962 provided that parish councils may require records of local interest and accept gifts or records of general and local interest in order to promote the use of such records (defined as materials in written or other form setting out facts or events or otherwise recording information).

8. Deposition, storage & management of documents

Documents of local and or historical importance, if not retained and stored by the Council, will be offered first to the County Record Office where they are accessible to all members of the public.

Once Councillors have retired from their position, they should either return or dispose of all correspondence within one month of retirement – this includes all emails, correspondence and hard copies of paperwork.

9. Retention of documents for Legal Purposes

Most legal proceedings are governed by the Limitation Act 1980 (and amendments). This Act states that legal claims may not be commenced after a specified period. These specified periods vary depending on the claim in question. A summary of the main categories and their retention period is provided below. If a legal claim falls into more than one category then the relevant document will be kept for the longest of the limitation periods.

| Category | Limitation Period |
|------------------------------|-------------------|
| Breach of Trust | None |
| Contract | 6 years |
| Defamation | 1 year |
| Leases | 12 years |
| Negligence (and other Torts) | 6 years |
| Personal Injury | 3 years |
| Rent | 6 years |
| Sums recoverable by statute | 6 years |
| To recover land | 12 years |

10. Retention Summary

The following documents will be retained for periods defined below and the reasons given, these timescales apply regardless of the media in which they are stored:

| Document | Minimum Period of Retention | Reason |
|--|------------------------------------|------------------|
| Minute Books | Indefinite | Archive |
| Annual Accounts | Indefinite | Archive |
| Annual Return | Indefinite | Archive |
| Bank Statements | 7 years | Audit/management |
| Cheque book stubs | Last completed | Audit/management |
| Paying in books | Last completed | Audit/management |
| Quotations | 7 years | Audit |
| Paid invoices | 7 years | Audit/VAT |
| VAT records | 7 years | Audit/VAT |
| Salary records | 7 years | Audit |
| Tax & NI records | 7 years | Audit |
| Insurance policies | Whilst valid | Audit |
| Cert of Employers Liability | 40 years | Audit/legal |
| Cert of Public Liability | 40 years | Audit/legal |
| Asset register | Indefinite | Audit |
| Deeds, leases | Indefinite | Audit |
| Declarations of acceptance | Term of Office + 1 year | Management |
| Members register of interest books | Term of Office + 1 year | Management |
| Complaints | 1 year | Management |
| General information (including emails) | 1 year | Management |
| Routine correspondence & emails | 6 months | Management |

Planning Applications- All planning applications and relevant decision notices are available via Cheshire West and Chester Council. There is no requirement to retain duplications locally. All Parish Council recommendations in connection with these requirements are recorded in the Council minutes and are retained indefinitely. Correspondence received in connection with the applications will be retained as stated in the above schedule.

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Reviewed: 4th May 2025

Reviewed: 10th May 2026

Next Review Date: May 2027