MARSH GIBBON PARISH COUNCIL

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Data Retention and Disposal Policy

Marsh Gibbon Parish Council will hereinafter be known as 'the Council.'

1. **Introduction**
   The Council 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 Parish Council. This policy provides the framework through which this effective management can be achieved and audited.

2. **Scope**
   This policy applies to all records created, received, or maintained by the Council during its operations. Records are defined as all documents that facilitate the business carried out by the Council and are thereafter retained for a set period to provide evidence of its transactions or activities. These records may exist in hard copy or electronically.

   A small percentage of the Council's records will be selected for permanent preservation as part of the Council's archives and for historical research.

3. **Responsibilities**
   The Council has a corporate responsibility to maintain its records in accordance with the regulatory environment. The Clerk is responsible for the day-to-day implementation of the policy and for ensuring compliance.

   The Clerk will provide guidance for good records management practices and promote compliance with this policy to ensure that information is easily retrievable, appropriately handled, and available in a timely manner.

   The Council will only retain data for as long as necessary, in accordance with the lawful basis for processing under GDPR (e.g. legal obligation, public interest, consent).

4. **Relationships with Existing Policies**
   This policy aligns with the following:

   • General Privacy Notice
   • Data Protection Policy
   • Publication Scheme

   It also takes into account applicable legislation and regulations, including audit requirements and the Statute of Limitations.

5. **Retention Schedule**
   Under the Freedom of Information Act 2000, the Council is required to maintain a retention

schedule. This outlines the length of time each record series needs to be retained and the action to be taken when a record is no longer needed for administrative use. Staff must manage their current record-keeping systems using the retention schedule and must consider the different retention periods when creating new systems. The retention schedule applies regardless of whether the records are stored electronically or in hard copy. The retention schedule will be reviewed annually to ensure compliance with evolving legal obligations and best practices.

6. Document Retention Protocol

Councils must have systems for documenting their activities in compliance with legal and regulatory environments. These records should:

- Facilitate audit or examination by authorised bodies.
- Protect the legal rights of the Council, clients, and other affected persons.
- Provide proof of individual consent for personal data handling and disposal.
- Ensure authenticity of records, demonstrating their credibility as evidence.

Records must be maintained in systems that ensure quick and easy retrieval, in compliance with GDPR. Documents no longer required for operational purposes but needed for preservation may be archived at the County Records Office.

The retention schedule, detailed in "Appendix A: List of Documents for Retention or Disposal", provides guidance on minimum retention periods.

If there is a possibility of litigation, affected records must not be disposed of until the threat of litigation has been removed.

7. Data Subject Rights

A data subject has the right to:

- Access their information.
- Correct information they believe to be inaccurate.
- Request the deletion of data.
- Object to the processing of their data.
- Request the transfer of their data to another controller.
- Withdraw consent for the processing of data.
- Lodge a complaint with the Information Commissioner's Office (ICO).

Data subject requests will be addressed within one month, unless complexity necessitates an extension. A data subject wishing to exercise these rights may contact the Clerk

8. Document Disposal Protocol

a. Before disposal, documents must be reviewed with the following considerations:
   - Is retention required to meet statutory or regulatory requirements?
   - Is retention necessary for operational needs?
   - Is retention necessary for evidential purposes in case of a dispute?
   - Is the document of historical interest or intrinsic value?

b. Disposal methods should match the nature and sensitivity of the documents:

- Non-confidential records: placed in wastepaper bins.
- Confidential or personal information: shredded.
- Electronic records: deleted securely to ensure compliance with ICO guidelines.
- Historical documents: transmitted to the County Records Office.

c. Principles for disposal:
   - Records containing personal or confidential information must be securely destroyed.
   - Electronic records must be irretrievably deleted.
   - Documents of historical interest may be transmitted to archives for preservation.
   - Backups must also be securely destroyed, unless special provisions apply.

d. An audit trail of document disposal will be maintained for sensitive records, including logs of dates, methods, and responsible persons.

9. Training and Awareness

Staff involved in handling records will be trained regularly to ensure compliance with this policy, GDPR, and best practices for document management.

Document	Minimum Retention Period	Reason	Disposal
Minutes	Indefinite	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals they must be archived and deposited with the Higher Authority.
Accident/incident reports	20 years	Potential claims	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scales of fees and charges	6 years	Management	Bin
Receipt and payment accounts	Indefinite	Archive	n/a
Bank statement	Last completed audit year	Audit	Confidential waste
Bank paying-in books and cheque book stubs	Last completed audit year	Audit	Confidential waste
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Paid invoices	6 years	VAT	Confidential waste
Paid cheques	6 years	Limitation Act 1980 (as amended)	Confidential waste
VAT records	6 years	VAT	Confidential waste
Petty cash, postage and telephone books	6 years	Tax, VAT Limitation Act 1980 (as amended)	Confidential waste
Timesheets	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice)	Bin
Wages books/payroll	12 years	Superannuation	Confidential waste
Insurance policies	While valid	Management	Bin
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753)	Bin
Investments	Indefinite	Audit Management	N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit Management	N/A
Members' allowances register	6 years	Tax, Limitation Act 1980 (as amended)	N/A

Document	Minimum Retention Period	Reason	Disposal
Local/historical information	Indefinite – to be securely kept for benefit of the Parish	Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use for such records.	
Report-keeping			
To ensure records are easily accessible it is necessary to: • Have a list of files stored in cabinets • Save electronic files using relevant file names	The electronic files will be backed up periodically on a portable hard drive and also in the cloud-based programme supplied by the Council's IT company.	Management	Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
General Correspondence	Records should e kept for as long as hey are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.	Management	Bin (shred confidential waste). A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Correspondence relating to staff	These should be kept securely. Any personal data in relation to staff should not be kept longer than is necessary for the purpose it was held. Recommend this period be for 3 years.	A council may need to 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.	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Documents from legal matters, negligence and other torts			
Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Where the limitation periods are longer than other periods specified the documentation should e kept for the longer period specified. Some types of legal proceedings may fall within two or more categories. If in doubt, keep for the longest of the three limitation periods.			
Negligence	6 years		Confidential waste. A list will be kept of those documents disposed of to meet the

Document	Minimum Retention Period	Reason	Disposal
			requirements of the GDPR regulations.
Defamation	1 year		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Contracts	6 years		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Leases	12 years		Confidential waste.
Sums recoverable by statue	6 years		Confidential waste.
Personal injury	3 years		Confidential waste.
To recover land	12 years		Confidential waste.
Rent	6 years		Confidential waste.
Breach of trust	None		Confidential waste.
Trust deeds	Indefinite		N/A
Burial Grounds			
Register of: • Fees collected • Burials • Purchased graves • Grave spaces • Memorials Applications for: • Interment • Right to erect memorials • Disposal certificates • Copy certificates of grant of exclusive right of burial	Indefinite	Archives, Local Authorities Cemeteries Order 1977 (SI204)	N/A
Planning Papers			
Applications	1 year	Management	Bin
Appeals	1 year unless significant development	Management	Bin
Trees	1 year	Management	Bin
Local Development Plans	Retained as long as in force	Reference	Bin
Local Plans	Retained as long as in force	Reference	Bin
Town/Neighbourhood Plans	Indefinite	Historical purposes	N/A

VERSION HISTORY					
Version	**Approved by**	**Date**	**Description of Change**		**Author**
1.0	Full Council	May 2026	New document to replace archiving policy		CJ
PREPARED BY	Carole Jackman	**TITLE**	CLERK	**Date**	April 2026