



Lancing Parish Council

Document Retention Policy

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Please note that alternative formats of this document may be available upon request.

1.0 INTRODUCTION

- 1.1 Lancing Parish Council has a corporate responsibility to maintain records and record management systems in accordance with the regulatory environment.
- 1.2 There is a clear need to retain documentation for audit purposes, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings.
- 1.3 This policy should be followed in accordance with Lancing Parish Council's Data Protection Policy.
- 1.4 This policy explains how long Lancing Parish Council is required to retain specific documents.

2.0 DOCUMENTATION RELATING TO STAFF

- 2.1 Documents relating to staff should be managed in accordance with the eight data protection principles as set out in the Data Protection Act 1998 and Lancing Parish Council's Data Protection Policy. The principles that 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.
- 2.2 The time limits within which a claim (and any 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 failing that by reference to the Limitation Act 1980 (as amended) considered in paragraph 7 below.
- 2.3 The time for lodging 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. Subject to where the Limitation Act 1980 applies, the most common time limit for lodging a claim at an employment tribunal is 3 months (for example a claim for unfair dismissal must, by virtue of s.111 of the Employment Rights Act 1996, be lodged at an employment tribunal within 3 months of the date of the termination of the employment contract) although 6 months applies in redundancy and equal pay claims.

3.0 DOCUMENTATION RELATING TO INSURANCE

- 3.1 All insurance policies are retained for as long as it is possible for a claim to be made under that policy. Irrespective of how long policies and correspondence are retained, Council will document a permanent record of insurance company names and policies numbers for all insured risks.

4.0 INFORMATION AND PUBLICATIONS FROM OTHER BODIES

- 4.1 Circulars and journals published by outside associations, organisations or authorities should be retained for as long as it is useful and relevant.

5.0 LOCAL/HISTORICAL INFORMATION

- 5.1 The Local Government (Records) Act 1962 provides 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

records (defined as materials in written or other form setting out facts or events or otherwise recording information).

6.0 ARRANGEMENTS FOR THE DEPOSIT, STORAGE AND MANAGEMENT OF DOCUMENTS

- 6.1 The Clerk has overall responsibility for the implementation of this policy and 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.
- 6.2 Officers of the Council maintain a paper and electronic records management system (including those records retained for audit purposes reviewed annually by the Council's Internal Auditor) which ensures the storage and security of, access to and disposal of both paper and electronic records.
- 6.3 Records should be held in paper based or electronic files in shared directories, databases or document management systems. The files should be organised in a structured way and have some indication as to their contents and relevance. Where there are confidentiality issues, files should be held in a separate paper or electronic file in a secure storage area. Paper copies of the Archived records should be indexed and safely stored at an agreed location.
- 6.4 In accordance with s. 227 of the Local Government Act 1972 (the 1972 Act), when requested by Lancing Parish Council, West Sussex County Council 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 for which there is no other provision.
- 6.5 Documents of local and or historical importance, if not retained and stored by Lancing Parish Council, with or without reliance on the provisions of s.227 of 1972 Act, should be offered first to the County Record Office. The County Archivist can advise on which records should be permanently preserved.
- 6.6 Papers and records may be destroyed if they are no longer of use or relevant. If in doubt, document(s) should be retained until proper advice has been received.

Retention of Documents Required for the Audit of Lancing Parish Council – Finance

Document	Minimum Retention Period	Reason
Bank paying-in books	Last completed audit year	Audit
Bank statements, including deposit/savings accounts	Last completed audit year	Audit
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), Management
Cheque book stubs	Last completed audit year	Audit
Insurance policies	While valid	Management
Investments	Indefinite	Audit, Management
Members allowances register	6 years	Tax, VAT Limitation Act 1980 (as amended)
Minute books	Indefinite	Archive
Paid cheques	6 years	Limitation Act 1980 (as amended)
Paid invoices	6 years	VAT
Petty cash, postage and telephone books	6 years	Tax, VAT Limitation Act 1980 (as amended)
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Receipt and payment accounts	Indefinite	Archive
Receipt books	6 years	VAT
Scales of fees and charges	6 years	Management

Retention of Documents Required for the Audit of Lancing Parish Council – Open Spaces, Parish Hall and Council Owned Land

Document	Minimum Retention Period	Reason
Allotments – register and plans	Indefinite	Audit, Management
Allotments – tenants’ agreement	While valid	Management
Beach Hut – tenants’ agreement	While valid	Management
Parish Hall – bills to hirers	2 years	Audit, Management
Recreation Grounds – bills to hirers	6 years	VAT

Retention of Documents for Legal Purposes

Category	Limitation Period	Reason
Breach of Trust	None	Limitation Act 1980 (as amended)
Contract	6 years	Limitation Act 1980 (as amended)
Defamation	1 year	Limitation Act 1980 (as amended)
Leases	12 years	Limitation Act 1980 (as amended)
Negligence and other ‘Torts’	6 years	Limitation Act 1980 (as amended)
Personal Injury	3 years	Limitation Act 1980 (as amended)
Rent	6 years	Limitation Act 1980 (as amended)
Sums recoverable by statute	6 years	Limitation Act 1980 (as amended)
To Recover Land	12 years	Limitation Act 1980 (as amended)