DOCUMENT RETENTION SCHEME

Adopted by resolution on 13/02/2019

1. Introduction
1.1 The council recognises the need to retain documents for audit purposes, employee management, tax liabilities and the eventuality of legal disputes and proceedings.

1.2 By establishing and adopting a Document Retention Scheme, the council has addressed these needs, and taken into account its obligations under the following legislation:
   - Local Government Act 1972 sections 225 – 229, and section 234,
   - Audit Commission Act 1998,
   - Public Records Act 1958,
   - Data Protection Act 1998,
   - Employers’ Liability (Compulsory Insurance) Regulations 1998,
   - Limitation Act 1980,
   - Employment Rights Act 1996,
   - Local Authorities, Cemeteries Order 1977,
   - Local Government (Records) Act 1962,
   - Freedom of Information Act 2000 and

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

<table>
<thead>
<tr>
<th>Category</th>
<th>Limitation Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negligence (and other torts)</td>
<td>6 years</td>
</tr>
<tr>
<td>Defamation</td>
<td>1 year</td>
</tr>
<tr>
<td>Contract</td>
<td>6 years</td>
</tr>
<tr>
<td>Leases</td>
<td>12 years</td>
</tr>
<tr>
<td>Sums recoverable by statute</td>
<td>6 years</td>
</tr>
<tr>
<td>Personal Injury</td>
<td>3 years</td>
</tr>
<tr>
<td>To recover land</td>
<td>12 years</td>
</tr>
<tr>
<td>Rent</td>
<td>6 years</td>
</tr>
<tr>
<td>Breach of trust</td>
<td>None</td>
</tr>
</tbody>
</table>
2.2 Some types of legal proceedings may fall into two or more categories. In these circumstances, the documents should be kept for the longest of the differing limitation periods.

2.3 As there is no limitation period in respect of trusts, the council will never destroy or otherwise dispose trust deeds and schemes, and other similar documentation.

2.4 Some limitation periods can be extended. Examples include:
- where individuals first become aware of damage caused at a later date (e.g. in the case of personal injury);
- where damage is latent (e.g. to a building);
- where a person suffers from a mental incapacity;
- where there has been a mistake or where one party has defrauded another or concealed relevant facts.

2.5 In such circumstances, the council will take into consideration (i) the costs of storing relevant documents and (ii) the risks of:
- claims being made;
- the likely value of such claims; and
- the consequences of inability to defend any claims made if the relevant documents have been destroyed.

3. Document retention schedule
3.1 The council has agreed a minimum document retention schedule, based on the obligations under the acts, codes, orders and regulations listed above

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>MINIMUM RETENTION PERIOD</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minute books</td>
<td>Indefinite</td>
<td>Archive</td>
</tr>
<tr>
<td></td>
<td>Note: Handwritten notes of minutes will be destroyed once the minutes have been approved.</td>
<td></td>
</tr>
<tr>
<td>Scale of fees and charges</td>
<td>6 years</td>
<td>Management</td>
</tr>
<tr>
<td>Income and expenditure account(s)</td>
<td>Indefinite</td>
<td>Archive</td>
</tr>
<tr>
<td>Receipt books of all kinds, including ledgers</td>
<td>6 years</td>
<td>VAT</td>
</tr>
<tr>
<td>Bank statements, including savings/deposit</td>
<td>6 years</td>
<td>Audit</td>
</tr>
<tr>
<td>Bank paying-in books</td>
<td>Last completed audit year</td>
<td>Audit</td>
</tr>
<tr>
<td>Cheque book stubs</td>
<td>Last completed audit year</td>
<td>Audit</td>
</tr>
<tr>
<td>Quotations and tenders</td>
<td>6 years after completion of contract</td>
<td>Limitation Act 1980</td>
</tr>
<tr>
<td>Paid invoices</td>
<td>6 years</td>
<td>VAT</td>
</tr>
<tr>
<td>Paid cheques</td>
<td>6 years</td>
<td>Limitation Act 1980</td>
</tr>
<tr>
<td>VAT records, P60s and P45s</td>
<td>6 years</td>
<td>VAT, Tax</td>
</tr>
<tr>
<td>Document Type</td>
<td>Retention Period</td>
<td>Relevant Regulations</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>Salary records</td>
<td>12 years</td>
<td>Superannuation, Management</td>
</tr>
<tr>
<td>Insurance policies</td>
<td>While valid</td>
<td>Management</td>
</tr>
<tr>
<td>Certificates for insurance against liability for employees</td>
<td>40 years from date on which the insurance commenced or was renewed</td>
<td>Employers’ Liability (Compulsory Insurance) Regulations 1998, Management</td>
</tr>
<tr>
<td>Investments</td>
<td>Indefinite</td>
<td>Audit, Management</td>
</tr>
<tr>
<td>Title deeds, leases, agreements, contracts</td>
<td>Indefinite</td>
<td>Audit, Management</td>
</tr>
<tr>
<td>Correspondence and emails</td>
<td>1 year</td>
<td>Limitation Act 1980</td>
</tr>
<tr>
<td>Accident book</td>
<td>3 years</td>
<td>Reporting of Injuries, Diseases and Dangerous Occurrences Act 2013</td>
</tr>
<tr>
<td>Annual accounts and asset registers</td>
<td>Indefinite</td>
<td>Archive</td>
</tr>
<tr>
<td>Pension contribution records</td>
<td>6 years</td>
<td>Pensions Act 2014</td>
</tr>
<tr>
<td>Personnel records, including SSP and maternity records</td>
<td>6 years</td>
<td>Limitations Act 1980</td>
</tr>
<tr>
<td>Asbestos and hazardous materials records</td>
<td>Indefinite</td>
<td>Asbestos Regulations</td>
</tr>
<tr>
<td>Previous versions of policies, standing orders, schemes of delegation</td>
<td>3 years</td>
<td>Data Protection Act 1998</td>
</tr>
<tr>
<td><strong>For club halls, pavilion and recreation ground</strong></td>
<td>6 years</td>
<td>VAT</td>
</tr>
<tr>
<td>• Applications for hire</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Lettings diaries</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Copies of invoices to hirers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For Allotments</td>
<td>Indefinite</td>
<td>Audit, Management</td>
</tr>
<tr>
<td>• Register and plans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For burial grounds</td>
<td>Indefinite</td>
<td>Archives, Local Authorities Cemeteries Order 1977</td>
</tr>
<tr>
<td>• Register of fees collected</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Register of burials</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Register of purchased graves</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Register/plan of grave spaces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Register of memorials</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Applications for internment</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3.2 The need to retain any documents not included in the above schedule should be considered on an individual basis. As a guide, and in the absence of any prevailing act, code, order or regulation to the contrary, documents may be destroyed if they are no longer of use or relevant. If in any doubt, advice should be sought from the Parish Clerk.

Tim Watton, Parish Clerk
13/02/2019