CLIFTON COMMUNITY COUNCIL

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Record Management Policy

1 SCOPE OF THIS POLICY

For the purposes of this policy, "document" and "record" denote paper and electronic versions of reports and other "papers" and correspondence – including email – held on CPC "computers" (including removable storage devices) It encompasses all documents produced by the Council and all documents received in the Council office.

2 OVERVIEW

Clifton Community Council ("the Council") will implement a system of paper and electronic records management which will include those records retained for audit purposes reviewed annually by a council's internal auditor.

The system will ensure the storage, security of, access to and disposal of, both paper and 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 This will ensure that documents that are no longer required, or are otherwise out of date, are securely destroyed.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 WHY WE RETAIN AND DESTROY DOCUMENTS

The Council is required to retain paper and electronic data for a variety 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 identification of individuals should only be kept for as long as necessary to fulfil the purpose for which they were originally collected. Hence, 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 starting 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 6 years. Documents produced by, and readily available from, other sources will be destroyed when they are no longer required.

4 IDENTIFICATION OF ELECTRONIC DOCUMENTS

All electronic versions of documents will have file names that include the month and year.

5 RETENTION

1. Working documents and drafts should not be retained. These should be destroyed on completion and/or approval.

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2. Final and Approved documents should be saved as a PDF for multi-source publication and a Word copy retained for when the document requires reviewing and updating.
3. "Live" documents are records or documents that are used regularly and are less than 2 years old.
4. Wherever possible all paper documents received by the office will be scanned and saved to the CPC computer.

6 INSURANCE

1. All insurance policies will be kept for as long as it is possible for a claim to be made under them.
2. Irrespective of how long policies and correspondence are retained, the Council will keep a permanent record of insurance company names and policy numbers for all insured risks.
3. Article 4 of the 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.

7 CORRESPONDENCE

1. If related to audit matters, correspondence will be kept for the period specified in Section 12 - Retention Summary.
2. In planning matters, correspondence will be retained for the same period as for other planning papers.
3. Other correspondence will be retained for 6 years, unless other rules state otherwise.

8 DOCUMENTATION RELATING TO STAFF

1. This will be kept securely and in accordance with the seven data protection principles contained in the General Data Protection Regulation 2018.
2. The principles provide 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, the Council will retain and access 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.
3. 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 below. 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.
4. 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

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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.

9 LOCAL/HISTORICAL RECORDS

The Local Government (Records) Act 1962 provides that parish/community 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).

10 DEPOSITION, STORAGE AND MANAGEMENT OF DOCUMENTS

Documents of local and or historical importance, if not retained and stored by the Council, will be offered first to the Cumbria County Record Office.

11 RETENTION OF DOCUMENTS FOR LEGAL PURPOSES

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. 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. The reference to 'category' in the table refers to claims brought in respect of that category. Some types of legal proceedings may fall within two or more categories. In these circumstances the relevant documentation will be kept for the longest of the limitation periods. The same principles apply in the case of debts. If the debt arises under a simple contract the limitation period will be 6 years but if the debt arises under a lease the limitation period will be 12 years (unless it relates to rent in which case the limitation period will be 6years.

Category	**Limitation Period**
Negligence (and other 'Torts')	6
Defamation	1 year
Contract	6
Leases	12
Sums recoverable by statute	6
Personal Injury	3
To Recover Land	12
Rent	6
Breach of Trust	None

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12 RETENTION SUMMARY

The following documents will be retained for the periods stated and the reasons given:

	DOCUMENT	MINIMUM PERIOD OF RETENTION	REASON
1	**Minute books**	Indefinite	**Historical**
2	**Scale of fees and charges**	6 years	**Management**
3	**Annual audited accounts**	Indefinite	**Historical**
4	**Receipt books**	6 years	**VAT**
5	**All bank statements**	Last completed audit year	**Audit**
6	**Bank paying in books**	Last completed audit year	**Audit**
7	**Cheque book stubs**	Last completed audit year	**Audit**
8	**General quotations/tenders**	6 years	**Limitations Act 1980 as amended**
9	**Paid invoices**	6 years	**VAT**
10	**Paid cheques**	6 years	**Limitations Act 1980 as amended**
11	**Sundry debtor**	6 years	**VAT**
12	**VAT records**	6 years	**VAT**
13	**Timesheets**	Last completed audit year	**Audit and Working Time Regulations**
14	**Salaries/wages records**	12 years	**Superannuation**
15	**Employers Liability Insurance**	Indefinite	**Management & Limitations Act 1980 as amended**
16	**Public Liability Insurance**	Indefinite	**Management & Limitations Act 1980 as amended**
17	**Health and Safety Records**	21 years	**Management & Limitations Act 1980 as amended**

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18	**Investment Records**	Indefinite	**Audit, Management**
19	**Title Deeds, Leases, Agreements, Contracts**	**Indefinite**	**Audit, Management**
20	**Members allowances registers**	6 years	**Tax, Limitations Act 1980 as amended**
21	**For all Community Council premises & facilities, booking schedules & invoices to hirers**	6 years	**VAT**
22	**Responses to planning applications and other consultations by statutory bodies**	6 years	**Historical**
23	**Special Community Council Projects**	Indefinite	**Indefinite**

Approved: May 2021

Review: Not later than May 2022