

SANDBACH TOWN COUNCIL

General Data Protection Regulations (2018)



SANDBACH TOWN COUNCIL DOCUMENT RETENTION POLICY

Approved by Sandbach Town Council at its meeting held 8 March 2018

- 1 Purpose:** Sandbach Town Council (STC) requires a wide variety of documents for transacting its business and is committed to retaining these documents in a format and for periods of time that:
 - Enables STC to meet its statutory obligations in respect of documents subject to legislation;
 - Ensures security of documents;
 - Protects employees' privacy;
 - Facilitates access to information;
 - Optimises the use of storage space;
 - Is cost effective; and
 - Facilitates destruction of redundant documents.
- 2 Scope:** This Policy applies to users of STC's information records, both paper and electronic, it includes Councillors and employees.
- 3 Statutory Requirements:** Documents subject to a statutory period of retention are identified by their associated legislation in Annex A.
- 4 Security of Documents:** STC's records are held in paper and/or electronic format. To minimise the risk of accidental loss of valuable records, masters or copies (as deemed appropriate) of paper-documents will be scanned and stored electronically, a full system back up is undertaken on a daily basis.
- 5 Employees' Privacy:** The privacy of personnel records will be appropriately assured.
- 6 Availability & Access:** All records necessary for STC's business will be retained for a period of time that reasonably assures the availability of records when needed.
- 7 Storage Space and Cost:** Redundant records may be destroyed in order to reduce the cost of storage, indexing and handling the vast quantity of documents that would otherwise accumulate. Destruction of documents will be undertaken in accordance with the provisions of this Policy to avoid any inference that a document was destroyed in anticipation of a problem.
- 8 Electronic Storage:** Records maintained on electronic data processing storage media will be subject to the same rules of retention and security as paper records.

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- 9 Implementation of Policy:** The Clerk will be responsible for the implementation of the Policy.
- 10 Monitoring & Review of Policy:** The Finance, Policy and Governance Committee will review the Policy periodically to monitor its effectiveness, taking account of users' comments.

Appendix A – Retention Periods Requirement and Best Practice Guide

Document Type	Minimum Retention Period	Reason
Agreements, Contracts and Related Correspondence		
Contract Executed as a Deed	12 Years	<ul style="list-style-type: none"> • Proceedings founded on a contract may be brought within these periods. • Actions for latent damage may be brought up to fifteen years after the damage occurs • Audit, Management
Contracts with Customers, Suppliers or Agents	Indefinite	
Licensing Agreements		
Rental/Hire Purchase Agreements		
Indemnities and Guarantees		
Other Agreements / Contracts		
Quotations and Tenders	12 Years	Statute of Limitation
Property		
Deeds of Title	Indefinite	Audit, Management
Leases, Agreements and Contracts	Indefinite	Audit, Management
Accounts		
Scale of Fees and Charges	5 Years	Management
Postage and Telephone Records	6 years	Tax, VAT, Statute of Limitations
Receipts and payments account(s)	6 years	VAT
Paying in Books, Cheque Book Stubs	Last completed audit	Audit
Paid Invoices	6 Years	VAT
Cheques	6 years	VAT
VAT records	6 years	VAT
Investments	Indefinite	Audit, Management

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Tax		
Supporting documentation for VAT returns	6 years	If there is an enquiry into a tax return, records should be retained until the enquiry is complete.
Supporting documentation for PAYE returns	6 Years	
PAYE related records not required to be sent to HMRC	3 years after the end of the tax year to which they relate	
Banking Records		
Cheques, bills of exchange and other negotiable instruments	6 years	Audit
Bank Statements including deposit and current accounts	Last completed audit year	Audit
Instructions to banks	6 years after ceasing to be effective	Audit
Councillor Records		
Minute Books	Indefinite	Archive
Members allowances records	6 years	Tax Statute of Legislations
Register of Interest	1 year after the period in office ends.	
Employee Records		
Personal Records	6 years after employment ceases	Health and Safety Records may need to be kept longer
Applications for jobs where the person is not successful	One year after notifying the unsuccessful candidate	Defamation action limit
Payroll	12 years after 31 January of the following year of assessment	Superannuation
P Forms (P45 etc)	6 years	
Expense Accounts	6 years	
Labour agreement	10 years	Best Practice
Sickness Records	3 years after the end of each tax year	SSP

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Accident Books	3 years from the date of last entry	
Health and Safety Records	3 years	<ul style="list-style-type: none"> Personal injury actions must generally be commenced within three years of the injury. The time periods are extended in relation to employees exposed to hazardous substances.
Leave Records	3 years	Best Practice
Time-keeping records	Last completed audit	Audit
Insurance		
Policies	While Valid	While valid – claims
Claims correspondence	3 years after settlement	NALC LTN 40
Employer's Liability Insurance Certificate	40 years from date on which insurance commenced or was renewed	The Employers' liability (Compulsory Insurance) Regulations 1998 (SI 2753), Management
Accident reports and correspondence	3 years after settlement	
Donations and Subscription Records		
Donations given and related correspondence	6 years	Companies Act
Deeds of Covenant	<ul style="list-style-type: none"> 6 years after the last payment made. 12 years if payments are still outstanding or if there is a dispute re. deed 	
Subscription records	3 years after cessation of membership	
Planning Applications and Associated Documents	n.b. Planning Authorities records should be available for inspection, this section relates to work/notes undertaken by the Town Council.	
Private applications approved inc documents relating to appeals	2 years	Until the development has been completed
Private applications rejected	5 years	Until the period within which an appeal can be made.

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Major Developments	5 years	
Local Plans etc	As long as the document is in force	
STC Publications		
Town Talks	Depends on usefulness	Copy to be deposited with County Archives
Town Guide	Depends on usefulness	