



## Records Management Policy

Reepham Town 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 Town Council. This document provides the policy framework through which this effective management can be achieved and audited.

This policy applies to all records created, received or maintained by the Town Council in the course of carrying out its functions and duties. Records are defined as all those documents which facilitate the business carried out by the Town Council and which are thereafter retained (for a set period). To provide evidence of its transactions or activities, these records may be created, received or maintained in hard copy or electronically.

Reepham Town 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.

### RETENTION

- Working documents and drafts should not be retained. These should be destroyed on completion and/or approval.
- 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.
- Both electronic and paper records should be retained in chronological order.

### PLANNING PAPERS

- As planning applications, related documents and decisions are held on Broadland District Council's website, it is unnecessary to retain paper copies of applications. Any documents relating to planning applications should be destroyed after a planning decision has been made and reported to the Town Council.
- Copies of the Local Plan, Core Strategy and similar documents will be retained as long as they are in force.

### INSURANCE POLICIES

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

- 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.

#### CORRESPONDENCE

- If related to audit matters, correspondence will be kept for the period specified below.
- In planning matters, correspondence will be retained for the same period as for other planning papers.
- Other correspondence will be retained for as long as it is useful and relevant.

#### DOCUMENTATION RELATING TO STAFF

- Documents will be kept securely and in accordance with the six privacy principles detailed in the General Data Protection Regulations.
- 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 Town 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.
- 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.
- 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.

#### LOCAL/HISTORICAL INFORMATION

- 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).

#### ARRANGEMENTS FOR THE DEPOSIT, STORAGE AND MANAGEMENT OF DOCUMENTS

- Documents of local and or historical importance, if not retained and stored by the Town Council, will be offered to the Bircham Centre Archives and / or Norfolk County Record Office. Documents remain the property of Reepham Town Council, on permanent loan.

## 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. Rent arrears, for example, could fall within the following three categories (depending on the circumstances):

contract (6 years) – because all tenancies and leases are contracts;

leases (12 years) – if the arrears are due under a lease; and

rent (6 years) – if the arrears are due under a tenancy (and not a lease).

In these circumstances the relevant documentation will be kept for the longest of the three 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 6 years).

Category	Limitation Period
Negligence (and other 'Torts')	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal injury	3 years
To recover land	12 years
Rent	6 years
Breach of Trust	None

Below is a retention of documents required for the audit of Parish / Town Councils.

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Minute Books	Indefinite	Archive
Scales of fees and charges	7 years	Management
Receipt and payment accounts (copy attached to minutes)	indefinite	Archive
Receipt books of all kinds	7 years	VAT
Bank statements, including deposit / savings accounts	Last completed audit year	Audit
Bank paying- in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	12 years / indefinite	Statute of Limitations
VAT invoices	7 years	VAT
Paid cheques	7 years	Statute of Limitations
VAT Records	7 years	VAT
Petty cash, postage and telephone books	7 years	Tax, VAT, Statute of Limitations
Timesheets	Last completed audit year	Audit
Wages books	12 years	Superannuation
Certificates for Insurance against liability for employees	40 years from the date on which insurance commenced or was renewed	The Employers' Liability (compulsory insurance) Regs 1998 (SI 2753), Management
Investments	Indefinite	Audit, Management
Title deeds, Leases, agreements and contracts	Indefinite	Audit, Management
Members allowance register	6 years	Tax, Statute of Limitations
For halls, centres and recreation grounds- Application to hire Lettings diaries Copies of bills to hirers Record of tickets issued	7 years	VAT

For allotments- Register and plans	Indefinite	Audit, Management
For burial grounds- Register of fees collected Register of burials Register of purchased graves Register/plan of grave spaces Register of memorials Applications for interment Applications for right to erect memorials Disposal certificates Copy certificates of grant of exclusive right of burial	Indefinite	Archives, Cemeteries orders, Cremation Regulations

## Retention of Documents Schedule by Reepham Town Council

SR – Statutory Requirement, AR – Audit Requirement, BP – Best Practice,

Red – Must have, Black – Good to have

NRO – Norfolk Records Office

Document Status	Minimum retention period	Explanation
Minute Books (SR)	Indefinite	Archive (NRO) Electronic copy (Clerk) Website (2 years)
Scales of fees and charges (Allotment, cemetery, markets, etc) (AR)	7 years	Audit and management
Receipt & Payment (or Income & Expenditure) Accounts Annual Returns, year-end bank reconciliation (SR/AR)	7 years	Hard Copy Archive (NRO) Electronic copy (Clerk) Website (5 years)
Receipt books of all kinds (SR)	7 years	Audit and management
Bank statements (AR)	7 years	Audit and management
Bank paying-in books (AR/SR)	7 years	Audit and management
Cheque book stubs (AR/SR)	7 years	Audit and management
Quotations and tenders (AR/SR)	12 years	Statute of Limitations
VAT Invoices / Records (AR/SR)	7 years	VAT
Petty cash, postage and telephone books (AR/SR)	7 years	Audit and management
Timesheets (AR) Sickness / Holiday record (BP)	Last completed audit year	Audit, personnel
Payroll / Tax Codes (SR/AR)	7 years	Audit, HMRC
Written Statement of Particulars (SR) Job Description (SR)	During Employment Further 6 months	Model document available
Completed Job Application forms (BP)	6 months advisory	Post interview queries
Insurance policies (AR) Employers Liability Certificates (SR/AR)	Indefinite	Audit and management
Title deeds, leases, agreements, contracts (SR/AR) Incl. Charter Deeds for a Market	Indefinite	Audit and management & Historical
For halls, centres and recreation grounds and other income such as grazing		

Document Status	Minimum retention period	Explanation
licences, moorings, car park receipts (AR) - Application to hire - Lettings diaries - Copies of bills to hirers / details of income - Inspections incl. Professional Inspections - Contractors Public Liability Certificates	6 months  7 years  20 years  20 years	Audit and management VAT   Insurance purposes (must be retained in the event of any public liability claims being made)
Allotment Tenancy Agreements (SR)	Length of tenancy plus 12 months	Audit and management
For burial grounds (SR) - Register of fees collected - Register of burials - Register of purchased graves - Register/plan of grave spaces - Register of memorials - Applications for internment - Applications for right to erect memorials - Disposal certificates - Copy certificates of grant of exclusive right of burial - Rules and Regulations	Indefinite	Cemeteries Orders Cremations Regulations (to be retained by the Clerk)
For Markets - Rules and Regulations (AR) - Price list for Traders(AR) - Casual Stall fees list (AR) - Market Policy (BP)	7 years   Retain current document	Audit and management

## **Policy and Procedural Documents - Retail until reviewed/renewed**

Allotment Policy (BP)

Asset Register (AR/SR)

Code of Conduct (SR)

Committee Terms of Reference (SR)

Complaints Policy (BP)

Data Protection Policy (SR)

Emergency Plan (BP)

Equality Policy (SR)

Financial Regulations (SR)

Grant Awarding Policy (BP)

Grievance and Disciplinary Policy (SR)

Health & Safety Policy (BP or SR for 5 or more employees)

Insurance Policy (SR)

Interests Forms (SR)

Lone Workers Policy (BP)

Pension Policy (SR)

Planning Policy (BP)

Privacy Statements (where required) (SR)

Risk Management Policy/Schedule (SR/AR)

Standing Orders (AR/BP)

Training & Development Policy (BP)

## Appendix 2

### Destruction of Records

Record Name	Destruction date	Notes
Notes taken by Clerk and members from meetings	After meeting following when minutes have been agreed	Routinely discarded material
Notes taken at a job interview	After 6 months	In case a candidate claims discrimination
Personnel and Confidential records	After 12 months following resignation	In case of application for references, employment issues
Electoral register	After revised register has been received	Confidential item <b>Cllr copies similarly</b>
Policy documents	Following review and adoption of a revised document	
Correspondence whether electronic or hard copy	Where matter is known to be resolved / concluded	Letters and e mails may be DP protected

Note:

Provision of lists of categories of records destroyed and the authority under which they were destroyed is a legal requirement under the Freedom of Information Act. These requirements do not however apply to material routinely discarded in the course of an administrative activity i.e. duplicates, rough drafts and so on.

Confidential items must be destroyed under secure conditions. **This includes all Data Protected items. Data Protected items are detailed in the Information Audit of the Council.**

**Appendix 1 details retention and destruction of named documents**