
Documentation Retention Policy



Slinfold Parish Council

2015

Slinfold Parish Council – Documentation Retention Policy

In the course of carrying out its various functions and activities, the Council collects information from individuals and external organisations and generates a wide range of data/information both electronically and in hard copy. Retention of specific documents may be necessary to:

- Fulfil statutory or other regulatory requirements
- Evidence events/agreements in the case of disputes
- Meet operational needs
- Ensure the preservation of documents of historic or other value

The untimely destruction of documents could cause the Council:

- Difficulty in defending litigious claims
- Operational problems
- Embarrassment
- Failure to comply with the Freedom of Information or Data Protection Acts

Conversely, the permanent retention of all documents is undesirable, and appropriate disposal is to be encouraged for the following reasons:

- There is a shortage of storage space
- Disposal of existing documents can free up space for more productive activities
- Indefinite retention of personal data may be unlawful
- Reduction of fire risk (in case of paper records)
- There is evidence that the de-cluttering of office accommodation can be psychologically beneficial for workers

Modern day records management philosophy emphasises the importance of organisations having in place systems for the timely and secure disposal of documents/records that are no longer required for business purposes. Additionally, the Freedom of Information Act makes it important that the Council has clearly defined policies and procedures in place for disposing of records, and that these are well documented.

SCOPE & PURPOSE

The purpose of this policy is to provide a framework to govern management decisions on whether a particular document (or set of documents) should either be:

- Retained - and if so in what format, and for what period; or
- Disposal of - and if so when and by what method

Additionally, this policy seeks to clarify the roles and responsibilities in the decision making process.

This policy is not concerned with the disposal/retention of unused materials (e.g. stocks of paper, unused forms and duplicated documents).

THE RETENTION/DISPOSAL PROTOCOL

Any decision whether to retain or dispose of a document should be taken in accordance with the following criteria:

- Has the document been appraised?
- Is retention required to fulfil statutory or other regulatory requirements?
- Is retention required to evidence events in the case of dispute?
- Is retention required to meet the operational needs of the Council?

Where a retention period has expired in relation to a particular document a review should always be carried out before a final decision is made to dispose of that document. Details of retention periods are kept in the PC Filing Cabinet

In the event that a decision is taken to dispose of a particular document or set of documents, then consideration should be given to the method of disposal.

ROLES & RESPONSIBILITIES – THE CLERK

Responsibility for determining (in accordance with the Retention/Disposal protocol mentioned above) whether to retain or dispose of specific documents rests with the Clerk, in respect of those documents that properly fall within the remit or control of his/her responsibilities. The rationale for this is that it is reasonable to both assume and expect that the Clerk should be broadly conversant with the types of documents received, generated and stored.

Because of the clear benefits resulting from the disposal of unnecessary documentation, the Clerk is expected to be proactive in carrying out reviews of existing documentation that may be suitable for disposal.

DISPOSAL

Disposal can be achieved by a range of processes:

- Confidential waste - i.e. making available for collection by a designated refuse collection service.
- Physical destruction on site (paper records - shredding)
- Deletion - where computer files are concerned

The Clerk should take into account the following considerations when selecting any method of disposal:

- Under no circumstances should paper documents containing personal data or confidential information be simply binned or deposited in refuse tips. To do so could result in the unauthorised disclosure of such information to third parties, and render the Council liable to prosecution or other enforcement action under the Data Protection Act. Such documents should be destroyed on site (e.g. by shredding)

Deletion - the Information Commissioner has advised that if steps are taken to make data virtually impossible to retrieve, then this will be regarded as equivalent to deletion.

- Recycling - wherever practicable disposal should involve recycling

DATA PROTECTION ACT 1998

The Clerk needs to be aware that under the Data Protection Act personal data processed for any purpose must not be kept for longer than is necessary for that purpose. In other words, retaining documents or records that contain personal data beyond the length of time necessary for the purpose for which that data was obtained is unlawful.