

Sturton By Stow Parish Council Document Retention Policy

Sturton By Stow Parish Council will retain its important documents for the periods listed in the table attached (consistent with advice from NALC Legal Topic Note 40 – 2016). These periods are to be considered as minimum retention times. The Clerk will be responsible for ensuring that the documents are filed in an orderly and secure manner at all times. Documents are available on request to the council.

Also included under this policy:

Planning Papers

As these are now available digitally via WLDC Planning Portal, planning papers do not need to be retained. It is agreed that larger developments are to be kept for ease of reference.

Insurance Policies

- All insurance policies should 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, council will ensure that they keep a permanent record of insurance company names and policy numbers for all insured risks. It is a legal requirement to keep certain documents for forty years.

Information from other bodies

Will be retained for as long as it is useful and relevant.

General correspondence

Included within this is letters from parishioners/public. These will be retained until the issue/ reason for sending letter has been resolved and then destroyed.

Documents relating to staff:

Data relating to staff is kept securely and in accordance with the 8 data protection principles contained in the Data Protection Act 1998, and are not kept for longer than is necessary for the purpose it was held. However, records about former staff may be retained and accessed for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any legal claims made against the council.

Retention of documents for legal purposes

Most legal documents are governed by the Limitations Act 1980, which prevents legal claims arising after a certain period. However, limitation periods can be extended so, when making a decision at the end of a storage period the Council will weigh the risk of lengthy storage against the risk of a claim being made. Insurance policy wording will be checked to ensure retention requirements under a policy are complied with.

Limitations generally are as follows:

Category	Limitation Period
Negligence	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	Never to be destroyed

Storage

All electronic documents are kept on the Clerk's computer, which is and remains the property of the Council. The computer is password protected. A copy of all computer passwords is lodged with the chairman in a sealed envelope. If required, the envelope will be opened in the presence of 2 councillors, at which point the passwords will be changed as soon as access to the computer files is gained. Back-ups of documents are on Google Drive.

Policy reviewed and adopted May 2018 Annual General Meeting of Sturton by Stow Parish Council

Last reviewed: May 2019

Reviewed: June 2021

Reviewed: April 22-planning amended

Reviewed: May 2023

Reviewed: May 2024