

SHIPLEY PARISH COUNCIL

PROCEDURE FOR

CORRESPONDENCE AND DOCUMENT

RETENTION

Date Policy Reviewed	Date Policy Adopted
June 2015	15th June 2015
May 2016	16th May 2016
May 2017	18th May 2017
May 2018	17th May 2018
May 2019	16th May 2019

Introduction

The purpose of this policy is to guide both Councillors and Officers of the Council in how correspondence should generally be generated in such a way as to ensure the smooth running of the Council. It is designed to ensure consistency in the Council's approach and to comply with the Council's Standing Orders.

Above everything else, an Officer of the Council or a Councillor must act with integrity when responding to correspondence on behalf of the Council.

Receiving Correspondence

Under normal circumstances, the Clerk, as the Proper Officer of the Council is authorised to receive all correspondence.

Procedure For Receipt Of Correspondence (By Phone, Email or Letter):

1. When required, acknowledge receipt of correspondence.
2. Reply, by phone, letter or email, standard reply within 5 days and 21 days to reply to the inquiry, if an additional 21 days is required the Clerk will advise accordingly.

Correspondence may be circulated as a background paper to an agenda item where appropriate and in accordance with the Data Protection Act 1998.

Correspondence will be sent electronically or will be available for Councillors to view at the Clerk's address by prior arrangement.

Responding to Correspondence

Either the Clerk or the Chairman may write correspondence relating to the stated business and day to day management of the activities or adopted policy of the Council.

Where members have been appointed to speak on projects on behalf of the Council, they may write confirming project arrangements or thanks. Copies of all correspondence must be held by the Proper Officer .

Where councillors respond to correspondence in a personal capacity they must make it clear that they are commenting in a personal capacity and not expressing the views of the Council. The name of the Council should not be cited either in any heading or sign off.

Email Correspondence

The Council has a generic email address for all correspondence shipleyparishclerk@gmail.com . All email correspondence is delivered to the Clerk's inbox.

Complaints (phone, email & letter)

1. Acknowledge receipt.
2. Follow the Complaints Procedure.

Filing of Correspondence

Correspondence will be filed electronically within both the Parish Council email account and the Parish Council laptop.

If the correspondence will be required for future reference a hard copy is retained in the Parish Council files. The contents of the Parish Files are reviewed annually.

Retention of Correspondence

Correspondence with Shipley Parish Council will be retained in accordance with the details contained in Appendix A.

Freedom of Information Act 2000

By virtue of corresponding with the Parish Council, members of the public should be aware that their correspondence may be available in the public domain, subject to the provisions of the Data Protection Act 1998 and the General Data Protection Regulations 2018. There is a disclaimer on the Parish Council's website which states, *'Please note that correspondence to the Council may be released under the Freedom of Information Act 2000, subject to the provisions of the Data Protection Act 1998 and the General Data Protection Regulations 2018.'*

Appendix A: List of Documents for Retention or Disposal

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Minutes	Indefinite	Archive		Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must be archived and deposited with the Higher Authority
Agendas	5 years	Management		Bin (shred confidential waste)
Accident/incident reports	20 years	Potential claims		Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scales of fees and charges	6 years	Management		Bin
Receipt and payment accounts	Indefinite	Archive		N/A
Receipt books of all kinds	6 years	VAT		Bin
Bank statements including deposit/savings accounts	Last completed audit year	Audit		Confidential waste
Bank paying-in books	Last completed audit year	Audit		Confidential waste

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Cheque book stubs	Last completed audit year	Audit		Confidential waste
Quotations and tenders	6 years	Limitation Act 1980 (as amended)		Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Paid invoices	6 years	VAT		Confidential waste
Paid cheques	6 years	Limitation Act 1980 (as amended)		Confidential waste
VAT records	6 years generally but 20 years for VAT on rents	VAT		Confidential waste
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)		Confidential waste
Timesheets	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice)		Bin
Wages books/payroll	12 years	Superannuation		Confidential waste
Insurance policies	While valid (but see next two items below)	Management		Bin
Insurance company names and policy numbers	Indefinite	Management		N/A

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management		Bin
Town Park equipment inspection reports	21 years			
Investments	Indefinite	Audit, Management		N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management		N/A
Members' allowances register	6 years	Tax, Limitation Act 1980 (as amended)		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant			Bin
Local/historical information	Indefinite – to be securely kept for benefit of the Parish	Councils may acquire records of local interest and accept gifts or records of general and local interest in		N/A

Document	Minimum Retention Period	Reason	Location Retained	Disposal
		order to promote the use for such records (defined as materials in written or other form setting out facts or events or otherwise recording Information).		
Magazines and journals	Council may wish to keep its own publications For others retain for as long as they are useful and relevant.	The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1 st February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act published by a local council therefore constitute materials which		Bin if applicable

Document	Minimum Retention Period	Reason	Location Retained	Disposal
		the British Library holds.		
Record-keeping				
To ensure records are easily accessible it is necessary to comply with the following: <ul style="list-style-type: none"> • A list of files stored in cabinets will be kept • Electronic files will be saved using relevant file names 	The electronic files will be backed up periodically on a portable hard drive and also in the cloud-based programme supplied by the Council's IT company.	Management		Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
General correspondence	Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept. Records should be kept for as long as they are needed for	Management		Bin (shred confidential waste) A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
	reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.			
Correspondence relating to staff	If related to Audit, see relevant sections above. Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months Recommend this period be for 3 years	After an employment relationship has ended, a council may need to retain and access staff 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.		Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
<p>Documents from legal matters, negligence and other torts 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. Where the limitation periods are longer than other periods specified the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories. If in doubt, keep for the longest of the three limitation periods.</p>				
Negligence	6 years			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Defamation	1 year			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Contract	6 years			Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Leases	12 years			Confidential waste.
Sums recoverable by statute	6 years			Confidential waste.
Personal injury	3 years			Confidential waste.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
To recover land	12 years			Confidential waste.
Rent	6 years			Confidential waste.
Breach of trust	None			Confidential waste.
Trust deeds	Indefinite			N/A
Planning Papers				
Applications	1 year	Management		Bin
Appeals	1 year unless significant development	Management		Bin
Trees	1 year	Management		Bin
Local Development Plans	Retained as long as in force	Reference		Bin
Local Plans	Retained as long as in force	Reference		Bin
Town/Neighbourhood Plans	Indefinite – final adopted plans	Historical purposes		N/A