



# THAXTED PARISH COUNCIL

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## RETENTION OF DOCUMENTS POLICY

### POLICY STATEMENT:

Thaxted parish council considers it necessary to implement a system of records management which incorporates arrangements for the disposal of all or some of its records.

### GENERAL

1.1 Any such system or policies relating to record management will include a review of council documentation on an annual basis

1.2 Anything that is no longer of use or value can be destroyed but if the council is in any doubt it will seek advice from EALC and retain that document until that advice has been received.

1.3 Documents of historical importance, if not retained by the council, will be offered first to the county records office.

### RETENTION OF DOCUMENTS

2.1 Attached is an Annex which indicates the appropriate retention period for audit and other purposes and the reasons for retention. In respect of the retention of documents in case of a legal dispute, Council's policy is set out under Section 3.

2.2 Other documents not mentioned in the Annex will be treated as follows:

#### Planning Papers

- Where planning permission is in the process of being heard by either Thaxted Parish Councils Planning Committee or the Full Council, the planning application, any plans and the Notification letter will be retained until the Plan has been heard after and a response on behalf of the council has been formulated. After which all paper copies will be destroyed.
- All associated documentation relating to the application will remain available to view or print via Uttlesford District Council's Planning Department online public access search.
- Copies of Structure Plans, Local Plans and Neighbourhood plan documents will be retained as long as they are in force. And will be available to access in paper format and via the either the Local Planning authorities web portal, Thaxted Parish Councils web portal or Thaxted Neighbourhood plan web portal.

#### Insurance Policies

- Insurance policies and significant correspondence will be kept for as long as it is possible to make a claim under the policy.
- Article 4 of the Employers Liability (Compulsory Insurance) Regulations 1998 (SI 2753) requires that local councils, as employers, retain certificates of insurance against liability for injury or disease to their employees arising out of their employment for a period of 40 years from the date on which the insurance is commenced or renewed.

#### Information from other bodies

Circulars and legal topic notes from EALC, NALC and other bodies such as principal authorities will be retained for as long as the information contained therein is useful and relevant.

### Correspondence

- If related to audit matters, correspondence will be kept for the appropriate period specified to the Annex thereto.
- In planning matters correspondence will be retained for the same period as suggested for other planning papers.
- All other correspondence will be kept for as long as the matter contained therein is still of interest or use to the council and or the parish.

### Personnel matters

Documentation relating to staff will be kept securely and for as long as it would be possible for a claim to be made against the council.

## **RETENTION OF DCOUMENTS FOR LEGAL PURPOSES**

3.1 Most legal proceedings are governed by 'the Limitation Acts' which state that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question.

3.2 The table below sets out the limitation periods for the different categories of claim.

<b>Claims under category</b>	<b>Limitation period</b>
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

3.3 If a type of legal proceeding falls into two or more categories, the documentation will be kept for the longer of the limitation period.

3.4 As there is no limitation period in respect of trust, the council will retain all trust deeds and schemes and other similar documentation.

ANNEX TO POLICY

RETENTION OF DOCUMENTS REQUIRED FOR THE AUDIT OF PARISH COUNCILS

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Minutes Books	Indefinite	Archive
Receipt and payment Accounts	Indefinite	Archive
Receipt books	6 years	VAT
Bank Statements	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations/tenders	12 years / indefinite	Statute of limitations
Paid invoices	6 years	VAT
Paid cheques	6 years	Statute of limitations
VAT records	6 years	VAT
Petty cash, postage	6 years	Tax, VAT. Statute of limitations
Timesheets	Last completed audit year	Audit
Insurance policies	While valid	Management
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
Title deeds, leases, Agreements, contracts	Indefinite	Audit, Management
Members Allowances Registers	6 years	Tax, Statute of Limitations
For Recreation Grounds: 1. application to hire 2. lettings diaries 3. copies of bills to hires	6 years	VAT
For Allotments: 1. Register and plans	Indefinite	Audit, Management