

Swaffham Town Council

RECORDS RETENTION POLICY & DISPOSAL GUIDE

1. Introduction

1.1. The guidelines set out in this document support the Town Council's Data Protection Policy and assist us in compliance with the Freedom of Information Act 2000 and other associated legislation.

1.2. It is important that the Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. It is important that this document be updated on a regular basis.

1.3. Swaffham Town Council will ensure that information is not kept for longer than is necessary and will retain the minimum amount of information that it requires to carry out its function and the provision of services, whilst adhering to any legal or statutory requirements.

2. Aims and Objectives

2.1 It is recognised that up-to-date, reliable and accurate information is a vital tool to support the work that the Council does, and the services provided for its residents. This document will help to:

- ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public
- comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004
- save employees' time and efforts when retrieving information by reducing the amount of information that may be held unnecessarily. This will assist them as they carry out their daily duties, or if searching for information under the Freedom of Information Act
- ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

3. Scope

3.1 For the purpose of this Strategy, "documents" includes electronic and paper records.

3.2 Where storage is by means of paper records, originals rather than photocopies should be retained where possible.

4. Standards

4.1 The Council will make every effort to ensure that it meets the following standards of good practice:

- adhere to legal requirements for the retention of information as specified in the Retention Schedule. This document provides a framework for good practice requirements for retaining information
- retain personnel information in a locked fireproof safe with access restricted to the Town Clerk & Deputy Clerk
- appropriately dispose of information that is no longer required
- take appropriate measures to ensure that confidential and sensitive information is securely destroyed
- information about unidentifiable individuals will be permitted to be held indefinitely for historical, statistical or research purposes, e.g. Equalities data

5. Breach of Policy and Standards

5.1 Any employee who knowingly or recklessly contravenes any instruction contained in, or following from, this Policy and Standards may, depending on the circumstances of the case, have disciplinary action, which could include dismissal, taken against them.

6. Roles and Responsibilities

6.1 The Town Clerk has overall responsibility for the Policy.

6.2 The Office ~~Administrator~~ ~~Administration Manager~~ is responsible for the maintenance and operation of the policy, including ad hoc checks to ensure compliance.

6.3 Each individual officer is responsible for ensuring that the guidelines set out in this policy are adhered to and to ensure that any documents disposed of are done so in accordance with the sensitivity, i.e. whether "normal", or "confidential" waste.

7. Confidential Waste

7.1 Fundamentally, any information that is required to be produced under the Freedom of Information Act or the Environmental Information Regulations, is available on the website or is open to public inspection should not be treated as confidential waste.

7.2 However, information that is protected by the Data Protection Act or as Confidential under the Council's constitution should be treated as confidential waste for disposal purposes.

Examples of what constitutes confidential waste:

- Exempt information contained in committee reports
- Files containing the personal data of an individual and files that predominantly relate to a particular individual or their circumstances, e.g. completed application forms and letters
- Materials given to the Council on a "confidential" or on a limited use basis, e.g. material provided by contractors or the police
- Redacted personal or confidential data**

Examples of what does not constitute confidential waste:

- Documents that are available to the public via the Freedom of Information Publication Scheme on the council website
- or

by submitting an appropriate search request to council for general information All reports, and background papers of matters taken to Committee in public session, unless specifically exempt

8. Disposal of Documentation

8.1 Confidential waste which clearly shows any personal information or information which can be identified using the parameters in 7.2 will be shredded at the Town Hall or removed by a professional waste company.

9. Retention

9.1 Timeframes for retention of documents have been set using legislative requirements and agreed timescales for non-legislative information.

9.2 Throughout the retention the conditions regarding safe storage and controlled access will remain in place.

10. Handling

10.1 Personal information will only be available to those who are authorised officers.

10.3 Customer details and information will be kept up to date and reviewed annually by an authorised officer.

11. Transfer of Records to Archival Storage

13.1 Any records required for permanent storage should be discussed with the Archivist/Local History Officer at the County Record Office/Archive for further information on transfer procedures.

14. Recommended Document Retention Timescales

14.1 The retention period should be the number of years specified plus the current financial period (e.g. three one year plus the current period, therefore at least three one year's documentation will always be retained at any given point in time).

Example List: -

PLANNING APPLICATIONS – retention period one year after application date, with the exception of larger applications for new residential estates, industrial sites or major business.

ALLOTMENT HOLDERS – retention period one year after ceasing to be an allotment holder, with the exception of bad debts or disputes, where the period is extended to five years.

MARKET TRADERS – retention period one year after ceasing to be a Market Trader, with the exception of bad debts or disputes, where the period is extended to five years.

Discretion is given to the Town Clerk to retain documents indefinitely if deemed to be of sufficient historic importance.

14.2 This list is not exhaustive. If you are unsure about any documentation, contact the Town Clerk or Deputy Town Clerk for clarification.

14.3 A records Retention Schedule will be maintained and incorporate the following minimum information:

- Type of Record**
- Description of record**
- Examples** - This section provides common examples of the type of records included within the particular function. This list is not exhaustive and Local Authorities should feel free to annotate their copy of the Schedule with local names of the examples listed if required
- Storage Media**
- Retention period**
- Legislation or Regulations** - This indicates if the retention action is common practice or statutory.

N.B. The full list will follow.

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