



# **Corfe Mullen Town Council**

## **Records Management & Retention Policy**

## 1. Introduction

1.1. Corfe Mullen Town Council (the 'Council') is committed to meeting the principles of the General Data Protection Regulations (GDPR) made pursuant to the provisions of the Data Protection Act 2018 Article 5(1)(e) which requires that:

*'Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.'*

1.2. This policy and retention schedule should be used as the basis for the management of personal data and more widely all data processed by the Council. Establishing effective Information Governance systems requires the purpose, legality, and period of processing to be identified prior to undertaking the handling of any data.

1.3. For clarification, processing refers to the capture, storage, use, transfer, and disposal of data.

## 2. Scope and Application

2.1. All staff who handle personal data are responsible for ensuring that they are aware of this policy and where any concern that personal data is being handled beyond the period for which it should be, they should raise their concern with the Clerk.

2.2. The Council is responsible for ensuring that any existing system, or new system has, by design, appropriate and effective measures in place for the marking or tracking of personal data from collection to its applicable date of disposal.

2.3. This policy applies to all records irrespective of format. Consideration should always be made where the format may increase potential vulnerabilities. The application of the data protection principle of security will always apply, GDPR Article 6(1)(f).

2.4. A record may refer to any piece of information created or received and maintained by an organisation or person in the course of their business or conduct of their affairs and kept as evidence of such activity.

2.5. Records must be kept in such a format that they are accurate, accessible, secure, and safely disposed of and appropriate safeguards must always be in place to ensure an adequate level of security is applied commensurate to the sensitivity of the record.

## 3. Definition of Retention Periods

3.1. Defining a retention period will be determined on one of the following three factors:

- a) Statutory requirements
- b) Codes of Practice and guidance published by professional bodies
- c) In the absence of a) or b), the retention period will be determined by the needs of the Council.

#### **4. Reviewing Retention Periods**

- 4.1. Most retention periods will remain static and will relate to legal requirements to retain data. However, retention periods based on codes of practice and guidance published by professional bodies may vary. Any changes to known retention periods should be raised with the Clerk.
- 4.2. This policy and retention schedule should be reviewed annually or where any other cause requires its immediate correction.

#### **5. Course of Action at the End of the Retention Period**

- 5.1. When a record reaches the end of its retention period in most cases it will be deleted or destroyed. However, these are not the only courses of action that can be taken, and consideration must be made to the relevance of the data for other uses.
- 5.2. In most cases the requirement for further use of data will be identified prior to processing. However, there may be occasions where a dataset is identified as having particular relevance to the needs of the Council.
- 5.3. The following may occur to data after the period of use has expired:
  - a) Anonymisation for statistical needs
  - b) Transfer to an appropriate archive where it is in the public interest
  - c) Scientific or historical research purposes
- 5.4. Appropriate safeguards must be put in place to ensure that wherever personal data is used beyond its original period of retention it is done so legally and in compliance with the Data Protection Act 2018 and guidance from the Information Commissioner's Office (ICO).

#### **6. Record Disposal**

- 6.1. Systems that are designed to handle personal data will generally have in built settings that automatically flag or delete records once they have reached the end of their retention period. However, it is necessary to ensure that the system is effectively managed and flagged records are reviewed and deleted. Where a system may automatically delete records adequate measures such as data quality assessments must be taken to ensure this has occurred correctly.
- 6.2. When using personal data that does not have in built settings, a structure of storage must be created to allow for the proper control of personal data. This may be in such a way as labelling electronic or physical folders with expiry dates or using a hierarchy that indicates the date of creation.
- 6.3. Physical records must be disposed of in a manner corresponding to their sensitivity. If records containing Special Category (SC) personal data are to be destroyed, they must be securely shredded in accordance with DIN66399 either 2mm strips or crosscut.
- 6.4. Physical records for permanent preservation should be archived at the Dorset History Centre, Bridport Road, Dorchester DT1 1RP.

6.5. Where applicable a record of destruction should be maintained. This should include the type of data or, grouping of data, the period it correlates to and date of destruction and an authorising signature.

## **7. Protective Marking**

7.1. Protective markings may be written upon documentation where it is used in physical forms. In general, the classification of documentation will relate more specifically to the handling and access that is permitted to that data. Confidential data related to employment purposes for example, should only be accessible by the Clerk or their Deputy for specific reasons.

7.2. Information deemed to be financially sensitive, or business sensitive may for the purposes of requests made under the Freedom of Information Act be exempt and, in any case, should be handled with more caution than general data.

7.3. This document has been produced by the Clerk.

## **8. Review**

8.1. This Records Management and Retention Policy was presented to the Finance & Administration Committee on 19 November 2024 under minute no. FA 24/42, to recommend to Full Council, for approval and adoption on 26 November 2024 minute no. TC 24/161.

8.2. Future reviews will be carried out annually or when any changes are made to current legislation, whichever is sooner.

## **9. References**

9.1. Data Protection Act 2018 –

<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted/data.htm>

9.2. UK General Data Protection Regulation (GDPR) -

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>

9.3. HMRC Internal Manual Compliance Handbook –

<https://www.gov.uk/hmrc-internal-manuals/compliance-handbook/ch15400>

9.4. National Association of Local Councils (NALC) – Legal Topic Note 40

9.5. NALC's Model Financial Regulations (England and Wales)

9.6. Dorset History Centre –

<https://www.dorsetcouncil.gov.uk/libraries-history-culture/dorset-history-centre>

## Retention Schedule

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
Accounts	Annual Report & Accounts	Legitimate interests	Permanent	Permanent preservation	No	Not protectively marked
Accounts	Approved budgets	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	Asset Register	Legitimate interests	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	Bank cheque books	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	Yes	Not protectively marked
Accounts	Bank paying in books	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	Yes	Not protectively marked
Accounts	Bank Reconciliation	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	Bank Statements	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	Budget monitoring	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	Budget setting & calculations	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	Fraud Reporting	Local Government Transparency Code 2015	Date reported + 6 years	Secure disposal	Yes	Protectively marked
Accounts	Grants Documentation	HMRC Compliance Handbook Manual CH15400 Local Government Transparency Code 2015 Limitation Act 1980 (as amended)	Financial year + 6 years	Secure disposal	Yes	Not protectively marked
Accounts	Income & Expenditure Records	Local Government Transparency Code 2015 Limitation Act 1980 (as amended)	Financial year + 6 years	Permanent preservation	No	Not protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
Accounts	Investment Records	Legitimate interests	Permanent	Permanent preservation	No	Not protectively marked
Accounts	Invoices	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	Yes	Not protectively marked
Accounts	Loan Records	Limitation Act 1980 (as amended)	Date repaid + 6 years	Secure disposal	No	Not protectively marked
Accounts	Procurement inc Quotes & Tenders	Local Government Transparency Code 2015 Limitation Act 1980 (as amended)	Financial year + 6 years	Secure disposal	Yes	Not protectively marked
Accounts	Scales of fees & charges	Legitimate interests	Financial year + 6 years	Secure disposal	No	Not protectively marked
Accounts	VAT	HMRC Compliance Handbook Manual CH15400	Financial year + 6 years	Secure disposal	No	Not protectively marked
Allotments	Allotment Records	Legitimate interests	Tenancy end date + 6 years	Secure disposal	Yes	Not protectively marked
Allotments	Tenancy Agreements	Legitimate interests	Tenancy end date + 6 years	Secure disposal	Yes	Not protectively marked
Audit	Internal & External Reports/ Documentation	Local Audit & Accountability Act 2014	Permanent	Permanent preservation	No	Not protectively marked
Business Continuity	Plans & Records	Legitimate interests	Financial year + 6 years	Secure disposal	No	Not protectively marked
CCTV	Recordings	Data Protection Act 1998	30 days	Automatic Deletion	Yes	Protectively marked
Cemeteries	Cemetery Register	Archives and Local Authorities Cemeteries Order 1977 (SI. 204)	Permanent	Permanent Preservation	Yes	Not protectively marked
Civic	Mayoral Correspondence inc Civic Events	Legitimate interests	Current election term + 4 years	Secure disposal	Yes	Not protectively marked
CMVH	Village Hall Records	The Charities Act 2011	Financial year + 6 years	Secure disposal	Yes	No protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
CMYT	Youth Club Records	The Charities Act 2011	Financial year + 6 years	Secure disposal	Yes	No protectively marked
CMSA	Sports Association Records	The Charities Act 2011	Financial year + 6 years	Secure disposal	Yes	No protectively marked
Code of Conduct	Records relating to investigation of complaints regarding breaches of the Code of Conduct	Localism Act 2011 s. 28	Date investigation closed + 1 year	Secure disposal	Yes	Protectively marked
Code of Conduct	Records relating to members Code of Conduct	Localism Act 2011 s. 28	Date of Code of Conduct + 6 years	Secure disposal	Yes	Not protectively marked
Code of Conduct	Whistleblowing	Public interest	Date raised + 4 years	Secure disposal	Yes	Protectively marked
Communications	Correspondence/ Post & Emails	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 reference or accountability purposes, to comply with regulatory requirements or to protect legal, other rights and interests.	Secure disposal	Yes	Not protectively marked
Communications	Newsletters, leaflets, flyers & posters	The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1 February 2004 has published works in print (this includes a	Calendar year + 10 years	Permanent preservation	No	Not protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
		pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own expense, a copy 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 the British Library holds.				
Communications	Press Releases	Legitimate interests	Current election term + 4 years	Secure disposal	No	Not protectively marked
Communications	Public Consultation	Legitimate interests	End of Consultation + 4 years	Secure disposal	Yes	Not protectively marked
Competitions	Competition Documentation	Legitimate interests	Current election term + 4 years	Secure disposal	Yes	Not protectively marked
Complaints	Complaint Records	Legitimate interests	Date raised + 4 years	Secure disposal	Yes	Not protectively marked
Constitution	Policies & Procedures	Limitation Act 1980 (as amended)	Until superseded	Secure disposal	No	Not protectively marked
Contacts	Contact Details	Legitimate interests	Permanent	Permanent Preservation	Yes	Not protectively marked
FOI	Freedom of Information (FOI) Records	Freedom of Information Act 2000	Date of request + 4 years	Secure disposal	Yes	Not protectively marked
Health & Safety	Accident Reporting	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995	Date of accident + 3 years	Secure disposal	Yes	Protectively marked
Health & Safety	Playground Inspections	Legitimate interests	Financial year + 6 year	Secure disposal	No	Not protectively marked



Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
Historic	Historic Parish Information	Legitimate interests	Calendar year + 10 years	Permanent preservation	No	Not protectively marked
HR	Annual Leave Records	Limitation Act 1980 s. 5	Financial year + 6 years	Secure disposal	Yes	Protectively marked
HR	Appraisal Documentation	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Copies of ID	Immigration (Restrictions on Employment) Order 200 s. 6	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	DBS Checks	Legitimate interests	End of Probation Period	Secure disposal	Yes	Protectively marked
HR	Disciplinary Records	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Employment Application Records	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Employment Contracts	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Job Descriptions	Legitimate interests	Until superseded	Secure disposal	No	Not protectively marked
HR	Maternity/Paternity Leave	The Statutory Maternity Pay (General) Regulations 1986 s. 26	Financial year + 6 years	Secure disposal	Yes	Protectively marked
HR	Medical Certificates	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Next of Kin information	Legitimate interests	Upon cessation of employment	Secure disposal	Yes	Protectively marked
HR	Parental Leave	Limitation Act 1980 s. 5	5 years from birth/adoption or 18 years if the child receives	Secure disposal	Yes	Protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
			disability allowance			
HR	Redundancy Records	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Sickness Records	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Statutory Sick Pay (SSP) records	The Statutory Sick Pay (General) Regulations 1982, reg 13	Financial year + 6 years	Secure disposal	Yes	Protectively marked
HR	Training Records	Limitation Act 1980 s. 5	6 years after cessation of employment	Secure disposal	Yes	Protectively marked
HR	Unpaid Leave	Limitation Act 1980 s. 5	Financial year + 6 years	Secure disposal	Yes	Protectively marked
ICO	Information Commissioner's Office (ICO) records	Legitimate interests	Date of contact + 6 years	Secure disposal	Yes	Not protectively marked
Insurance	Claims Information	Legitimate interests	Case concluded + 4 years	Secure disposal	Yes	Protectively marked
Insurance	Copies of Third Parties Insurance	Legitimate interests	Expiry date + 4 years	Secure disposal	Yes	Protectively marked
Insurance	Employers Liability & Public Liability Insurance Policies	The Employers Liability (Compulsory Insurance) Regulations 1998	40 years from date of commencement	Secure disposal	No	Not protectively marked
Legal	Breach of Trust	Limitation Act 1980 (as amended)	None	Secure disposal	Yes	Protectively marked
Legal	Byelaws	Legitimate interests	Permanent	Permanent Preservation	No	Not protectively marked
Legal	Deeds & Leases	Limitation Act 1980 (as amended)	Permanent	Permanent preservation	Yes	Protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
Legal	Defamation	Limitation Act 1980 (as amended)	1 year	Secure disposal	Yes	Protectively marked
Legal	Licences	Legitimate interests	Cessation of licence + 6 years	Secure disposal	No	Not protectively marked
Legal	Negligence	Limitation Act 1980 (as amended)	6 years	Secure disposal	Yes	Protectively marked
Legal	Personal Injury	Limitation Act 1980 (as amended)	3 years	Secure disposal	Yes	Protectively marked
Legal	Rent	Limitation Act 1980 (as amended)	6 years	Secure disposal	Yes	Protectively marked
Legal	Signed Contracts	Local Government Transparency Code 2015 Limitation Act 1980 (as amended)	Financial year + 6 years	Secure disposal	Yes	Not protectively marked
Legal	Sums recoverable by Statute	Limitation Act 1980 (as amended)	6 years	Secure disposal	Yes	Protectively marked
Legal	To recover land	Limitation Act 1980 (as amended)	12 years	Secure disposal	Yes	Protectively marked
Meetings	Agendas and reports for Full meetings, Committees and Working Groups	Legitimate interests	Financial Year + 6 years	Permanent preservation	No	Not protectively marked
Meetings	Meetings Schedule	Legitimate interests	Financial Year + 6 years	Secure disposal	No	Not protectively marked
Meetings	Minute taker notes	Legitimate interests	Until minutes are approved and signed as a true and accurate record of the meeting	Secure disposal	No	Not protectively marked
Meetings	Signed Minutes	Local Government Act 1972 sch. 12 (19)	Financial Year + 6 years	Permanent preservation	No	Not protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
Member Administration	Declaration of Office	The Local Elections (Declaration of Acceptance of Office) Order 2012	Date of election + 6 years	Permanent preservation	Yes	Not protectively marked
Member Administration	Register of Interests, gifts & hospitality	Localism Act 2011 s. 29	Date of election + 6 years	Secure disposal	Yes	Not protectively marked
Member Administration	Register of Member's contact details	Legitimate interests	Current election term + 2 years	Secure disposal	Yes	Not protectively marked
Neighbourhood Plan	Documentation	Legitimate interests	Permanent	Permanent Preservation	Yes	Not protectively marked
Payroll	Payroll records	HMRC Compliance Handbook Manual CH15400 Superannuation	Financial year + 11 years	Secure disposal	Yes	Protectively marked
Payroll	Pension records	The Retirement Benefits Schemes (Information Powers) Regulations 1995 s. 15	Retirement Date + 12 years	Secure disposal	Yes	Protectively marked
Photographs	Members, Officers & Events	Legitimate interests	Election term/ Cessation of employment/ Event concluded + 4 years	Secure disposal	No	Not protectively marked
Planning	Council applications & documentation	Legitimate interests	Permanent	Permanent Preservation	No	Not protectively marked
Risk	Risk Assessments	Legitimate interests	Financial year + 6 years	Secure disposal	No	Not protectively marked
SARs	Subject Access Requests (SAR) Records	General Data Protection Regulations Article 15	Date of requests + 4 years	Secure disposal	Yes	Not protectively marked
SLA	Service Level Agreement (SLA) Records	Local Audit & Accountability Act 2014	Cessation of Agreement + 6 years	Secure disposal	No	Not protectively marked

Category	Description	Legal basis	Retention Period (on site)	Action upon expiry	Potentially contains SC data	Protectively Marked
Sport	Sports Provision Records	Legitimate interests	Financial year + 6 years	Secure disposal	Yes	No protectively marked