# Easebourne Parish Council

## Document Retention Policy

### 1. Introduction

1.1 The council recognises the need to retain documentation for audit purposes, staff management, tax liabilities and the eventuality of legal disputes and proceedings.

1.2 In agreeing a document retention scheme, the council has addressed these needs, and taken into account its obligations under the Local Government Act 1972, the Audit Commission Act 1998, the Public Records Act 1958, the Data Protection Act 1998, the Employers' Liability (Compulsory Insurance) Regulations 1998, the Limitation Act 1980, the Employment Rights Act 1996, the Local Authorities Cemeteries Order 1977, the Local Government (Records) Act 1962, the Freedom of Information Act 2000 and the Lord Chancellor's Code of Practice on the Management of Records Code 2002.

### 2. Retention of documents for legal purposes

2.1 Most legal proceedings are governed by the Limitation Act 1980. The 1980 Act provides that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim.

| Category | Limitation Period |
|---|---|
| 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 |

2.2 Some types of legal proceedings may fall into two or more categories. In these circumstances, the documentation should be kept for the longest of the differing limitation periods.

2.3 As there is no limitation period in respect of trusts, the council will never destroy trust deeds and schemes and other similar documentation.

2.4 Some limitation periods can be extended. Examples include:

- where individuals first become aware of damage caused at a later date (e.g. in the case of personal injury);
- where damage is latent (e.g. to a building);
- where a person suffers from a mental incapacity;
- where there has been a mistake or where one party has defrauded another, or concealed relevant facts.

2.5 In such circumstances, the council will weigh up (i) the costs of storing relevant documents and (ii) the risks of:

- claims being made;
- the value of the claims; and
- the inability to defend any claims made should relevant documents be destroyed.

## 3. Document retention schedule

3.1 The council has agreed a minimum document retention schedule, based on the obligations under the previously named acts, codes, orders and regulations.

| **Document** | **Minimum Retention Period** | **Reason** |
|---|---|---|
| Minute books | Indefinite | Archive |
| Scale of fees and charges | 6 years | Management |
| Receipt and payments account(s) | Indefinite | Archive |
| Receipt books of all kinds, including ledgers | 6 years | VAT |
| Bank statements, including savings/deposit accounts | Last completed audit year | Audit |
| Bank paying-in books | Last completed audit year | Audit |
| Cheque book stubs | Last completed audit year | Audit |
| Quotations and tenders | 6 years after completion of contract | Limitation Act 1980 |
| Paid invoices | 6 years | VAT |
| Paid cheques | 6 years | Limitation Act 1980 |
| VAT records, P60s and P45s | 6 years | VAT, Tax |
| Petty cash, postage and telephone books | 6 years | Tax, VAT, Limitation Act 1980 |
| Timesheets | Last completed audit year | Audit |
| Wages books | 12 years | Superannuation |
| Insurance policies | 6 years | Management |
| Certificates for insurance against liability for employees | 40 years from date on which the insurance commenced or was renewed | Employers' Liability (Compulsory Insurance) Regulations 1998, Management |
| Investments | Indefinite | Audit, Management |
| Title deeds, leases, agreements, contracts | Indefinite | Audit, Management |
| Members allowances register | 6 years | Tax, Limitation Act 1980 |
| Correspondence and emails | 1 year | Limitation Act 1980 |
| Accident book | 3 years | Reporting of Injuries, Diseases and Dangerous Occurrences Act 2013 |

| | | |
|---|---|---|
| Annual accounts and asset registers | Indefinite | Archive |
| Pension contribution records | 6 years | Pensions Act 2014 |
| Personnel records, including SSP and maternity records | 6 years | Limitations Act 1980 |
| Asbestos and hazardous materials records | Indefinite | Asbestos Regulations |
| Job applications | End of interview process and any feedback requests responded to. | Data Protection Act 1998 |
| Previous versions of policies, standing orders, schemes of delegation | 3 years | Data Protection Act 1998 |
| Risk Log | 6 years | Audit, Management |

3.2 The need to retain any documents not included in the above schedule should be considered on an individual basis. As a guide, and in the absence of any prevailing act, code, order or regulation to the contrary, documents may be destroyed if they are no longer of use or relevant. If in any doubt, advice should be sought from the Clerk.

*This Policy was approved and adopted by Easebourne Parish Council on 18th April 2018, was last reviewed on*
*9th September 2026 and will be next reviewed in September 2028.*

Parish Clerk: E Tremaine
Address: Gosdens Farm, Easebourne Street, Upper Easebourne, Midhurst GU29 0BE
Email: parishclerk@easebourne.org Telephone Number: 07342 166 188