



# **General Data Protection Regulations (GDPR) Records Management - Document Retention and Disposal Policy**

## **1. Introduction**

Yalding Parish Council (YPC) creates, receives and holds a wide range of information in the course of its work. Effective records management ensures that information is accurate, reliable, accessible, retained for the correct period, disposed of securely when no longer required and managed in accordance with UK GDPR, the Data Protection Act (DPA) 2018, the Freedom of Information Act (FOIA) 2000, and the Environmental Information Regulations (EIR) 2004.

This policy sets out how YPC manages, stores, retains and disposes of its records, in both paper and electronic form. YPC is committed to ensuring that information is not kept for longer than necessary and that personal data is handled securely and lawfully.

## **2. Purpose of the Policy**

This policy ensures that YPC retains the minimum amount of information needed to operate effectively, complies with statutory and regulatory requirements, disposes of information securely and appropriately, protects the rights of individuals under UK GDPR, maintains an audit trail for Freedom of Information (FOI), Subject Access Request (SAR) and legal purposes and preserves records of historical or archival value.

## **3. Scope**

This policy applies to all Councillors, The Clerk and Deputy Clerk, contractors and volunteers handling Council information, and all records created, received or maintained by YPC, regardless of format (paper, electronic, email, audio, image, cloud-based or portable media).

## **4. Roles and Responsibilities**

The Clerk has overall responsibility for implementing this policy and ensuring compliance. Councillors and staff must follow the retention and disposal requirements in Appendix A. All users must ensure that personal data is handled securely and disposed of appropriately.

## **5. Principles of Records Management**

YPC will ensure that:

- Records are accurate, complete and stored securely
- Information is accessible only to those with a legitimate need
- Personal data is retained only for as long as necessary
- Disposal is documented where required
- Records of historical value are preserved
- Electronic records are backed up and protected.

## **6. Document Retention Protocol**

Records must be retained for the minimum periods set out in Appendix A. Before disposing of any record, the following must be considered:

1. Is retention required by law or regulation?
2. Is the record needed for audit, FOI, SAR or legal purposes?
3. Is the record required for operational reasons?
4. Does the record have historical or archival value?

If litigation, complaint or investigation is anticipated, all relevant records must be retained regardless of the retention schedule.

## **7. Document Disposal Protocol**

Records must be disposed of securely and appropriately. Confidential or personal data must be shredded or securely deleted. Non-confidential paper may be placed in general waste or recycling.

Electronic files must be permanently deleted so they are virtually impossible to be recovered, deleted and the Recycle Bin emptied. As Council devices use modern encryption, deleted files are rendered inaccessible and cannot be recovered by ordinary means. This approach is proportionate to the type of data handled by The Council and meets UK GDPR requirements for secure disposal.

Historical records may be transferred to the County Archives.

Given the size, staffing and the type of data handled by The Council, the proportionate approach is not to maintain a disposal log at this time. Confidential waste will be securely destroyed in accordance with this policy.

## **8. Data Protection Requirements**

Under UK GDPR:

- Personal data must not be kept longer than necessary
- Data subjects have rights of access, rectification and erasure
- Personal data must be stored securely
- Disposal must be irreversible.

YPC ensures that all retention and disposal decisions comply with these principles.

## **9. Scanning and Electronic Storage**

Where documents are scanned, the scanned version becomes the official record. Paper originals may be destroyed after 3 months unless required for VAT or legal purposes. Electronic records must be backed up and stored securely.

**Adopted on 03 March 2026**

**To be reviewed annually at the Annual Parish Council Meeting (see minutes of that meeting) or sooner if required due to legislative or technological changes.**

## APPENDIX A – RECORDS RETENTION SCHEDULE

Adapted from the SLCC Model Retention Schedule, with non-applicable sections marked N/A to Yalding Parish Council and expanded to reflect Yalding Parish Council’s records and practices.

Appendix A – Contents:

1. Governance & Council Administration
2. Finance & Accounting
3. Human Resources & Employment Records
4. Health & Safety
5. Assets, Property & Legal Documents
6. Planning Records
7. CCTV Records
8. Allotments (N/A to Yalding Parish Council)
9. Burial Grounds (N/A to Yalding Parish Council)
10. Halls, Centres & Recreational Facilities (N/A to Yalding Parish Council)
11. General Correspondence & Miscellaneous Records

The Council maintains its records in an organised and accessible manner appropriate to its size and functions. Filing systems, whether paper or electronic, will be kept sufficiently structured to allow information to be located when required.

The electronic files will be backed up periodically on a portable hard drive and also in a cloud-based program.

Documentation that is no longer required will be disposed of ensuring any confidential documents are destroyed appropriately.

1.Governance & Council Administration			
Document	Minimum Retention	Reason	Disposal
Minutes	Indefinite	Archive	Original signed minutes will be retained indefinitely in secure storage. The Council may deposit older minute books with the County Archives when appropriate.
Agendas	5 years	Management	Bin (Any confidential waste shredded or securely deleted)
Accident/incident reports	20 years	Potential claims	Confidential waste.
Scales of fees and charges	6 years	Management <i>Yalding Parish Council does not operate chargeable services other than for the car</i>	Bin

		<i>park where charges are displayed publicly on signage only.</i>	
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
Cheque book stubs	Last completed audit year	Audit	Confidential waste
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Confidential waste.
Paid invoices	6 years	VAT	Confidential waste
Paid cheques	6 years	Limitation Act 1980 (as amended) <i>Banks no longer return paid cheques</i>	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) <i>The Council does not operate petty cash or maintain postage/telephone logbooks. Stamps are purchased as needed and phone bills provide call records.</i>	Bin
Debtors and rechargeable works records	6 years	Audit <i>Any debtor records are held within the accounting system and retained for 6 years as part of normal financial records</i>	Confidential waste
Timesheets	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice) <i>The Council does not operate a timesheet system. The Clerk's personal hour-tracking notes are not formal records</i>	Confidential waste

Wages books/payroll	12 years	Superannuation <i>The Council does not keep wages books. Payroll information is held digitally via HMRC Basic PAYE Tools and the pension provider and retained for 12 years.</i>	Confidential waste
Insurance policies	While valid (but see next two items below)	Management	Bin
Electoral Register (Full Register, Monthly Updates)	Until the next revised version is issued	Held solely for electoral purposes in accordance with the Representation of the People Regulations 2001	Confidential waste
Subject Access Requests (SARs)	3 years	GDPR accountability/ICO complaints	Confidential waste
Freedom of Information (FOI) Requests & Responses	3 Years	ICO Complaints	Confidential waste
General Complaints	3 years	Audit trail	Confidential waste
Code of Conduct Complaints	6 years	Limitation Act 1980 (as amended)	Confidential waste
Declarations of Acceptance of Office	Term of office plus 1 year	Governance	Confidential waste
Register of Members' Interests (DPI Forms)	Term of office plus 1 year	Localism Act 2011	Confidential waste
Register of Gifts & Hospitality	6 years	Code of Conduct; transparency	Confidential waste
Superseded Policies & Procedures	Until replaced + 1 year	Governance	Bin

## 2.Finance & Accounting

Document	Minimum Retention	Reason	Disposal
Insurance company names and policy numbers	Indefinite	Management	N/A
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
Asset Register	Current version retained indefinitely; superseded versions retained for 10 years	Audit, Management	Bin
Budget Estimates	3 years	Audit, Management	Bin

Park equipment inspection reports	21 years	Park equipment inspection reports 21 years	Bin
Bank Reconciliation	3 years	Audit, Management	Bin
Grant/Funding applications & Claims	5 years	Audit / Funding requirements	Bin
Precept forms	6 years	Audit / Financial management	Bin
Internal Audit Plans/Reports	3 years	Audit	Bin
Loans and Investment records; temporary loan receipts and loan tabulations	6 years (after redemption of loan)	Audit, Limitation Act 1980 (as amended)	Bin
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) <i>Yalding Parish Council members currently do not claim allowances, but the register is maintained as required.</i>	Confidential waste.
Insurance Claims Files Limitation Act 1980	6 years after closure	Limitation Act 1980 (as amended)	Confidential waste
Contracts Register	6 years	Limitation Act 1980 (as amended)	Confidential waste

### 3.Human Resources & Employment Records

Document	Minimum Retention	Reason	Disposal
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
Recruitment Records (including unsuccessful job applications)	6 months	Employment law	Confidential waste

Employee records	For the duration of employment and statutory periods thereafter	Employment Law	Confidential waste
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#### 4. Health & Safety

Document	Minimum Retention	Reason	Disposal
Accident/incident reports	20 years	Potential claims	Confidential waste
Risk Assessments	Until suspended plus 3 years	Management	Bin
Safety Inspection reports	3 years	Management	Bin

#### 5. Assets, Property & Legal Documents

Document	Minimum Retention	Reason	Disposal
Leases	12 years	Limitation Act 1980 (as amended)	Confidential waste
Sums recoverable by statute	6 years	Limitation Act 1980 (as amended)	Confidential waste
Personal injury	3 years	Limitation Act 1980 (as amended)	Confidential waste
To recover land	12 years	Limitation Act 1980 (as amended)	Confidential waste
Rent	6 years	Limitation Act 1980 (as amended)	Confidential waste
Breach of trust	None	No limitation period for fraud/dishonesty <i>Yalding Parish Council currently holds no trusts.</i>	Confidential waste
Trust deeds	Indefinite	Permanent legal record <i>Yalding Parish Council currently holds no trusts.</i>	N/A

#### 6. Planning Records - The Parish Council does not hold planning records. All planning applications, appeals, tree applications and decisions are held by Maidstone Borough Council as the Local Planning Authority. The Council retains only short-term reference copies; the official record of the Council's response is contained in the minutes.

Document	Minimum Retention	Reason	Disposal
Applications	Not routinely kept; if retained, only for short-term reference	Management	Bin
Appeals	Not routinely kept; if retained, only for short-term reference	Management	Bin
Trees	Not routinely kept; if retained, only for short-term reference	Management	Bin
Local Development Plans	Not routinely kept; if retained, only for short-term reference	Reference	Bin

Local Plans	Retained as long as in force	Reference	Bin
Town/Neighbourhood Plans	Indefinite -final adopted plans	Historical purposes	N/A
<b>7.CCTV Records - The Council operates CCTV for crime prevention and public safety. Footage is automatically overwritten unless required for a specific incident. The Council does not operate a staffed CCTV control room and therefore does not hold daily notes, rotas, observation sheets or similar operational records.</b>			
<b>Document</b>	<b>Minimum Retention</b>	<b>Reason</b>	<b>Disposal</b>
CCTV footage	31 days unless required for an incident	Data protection	Confidential waste
Still images exported from footage	31 days unless required for an incident	Data protection	Confidential waste
Footage provided to police/insurers	Retain only as long as required for the case	Data protection	Confidential waste
Requests to view footage (e.g., police, SAR)	3 years	Data protection	Confidential waste
CCTV Policy / Code of Practice	Keep current version, destroy old versions on renewal	Management	Confidential waste
<b>8.Allotments (N/A to Yalding Parish Council)</b>			
<b>9.Burial Grounds (N/A to Yalding Parish Council)</b>			
<b>10.Halls, Centres, Recreational Grounds (N/A to Yalding Parish Council)</b>			
<b>11.General Correspondence &amp; Miscellaneous Records</b>			
<b>Document</b>	<b>Minimum Retention</b>	<b>Reason</b>	<b>Disposal</b>
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 reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.	Management	Bin (Any confidential waste shredded or securely deleted)

Negligence	6 years	Limitation Act 1980 (as amended)	Confidential waste
Defamation	1 year	Limitation Act 1980 (as amended)	Confidential waste
Contract	6 years	Limitation Act 1980 (as amended)	Confidential waste
Information from other bodies e.g., circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant	Management	Bin
Local/historical information	Indefinitely for the long-term benefit of the Parish.	Councils may hold records of local or historical interest, including donated or gifted materials, where they contribute to the preservation of community	Confidential waste Bin - All records that do not contain personal data.
Magazines and journals	Council publications may be kept indefinitely. Other publications should be retained only for as long as they are useful and relevant.	The Legal Deposit Libraries Act 2003 requires a local council which after 1st 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 the British Library holds.	Bin