

DATA RETENTION & DISPOSAL POLICY

1. Purpose

Winterbourne Parish Council (the Council) accumulates a significant volume of information in the course of its day-to-day activities. This information may be created internally or received from individuals, contractors, partner organisations, or statutory bodies.

The purpose of this Policy is to:

- Ensure records are retained for an appropriate period.
- Ensure records are disposed of lawfully and securely.
- Ensure compliance with:
 - The UK General Data Protection Regulation (UK GDPR)
 - The Data Protection Act 2018
 - The Freedom of Information Act 2000
 - The Local Government Act 1972
 - Other relevant statutory requirements.
- Promote efficient use of storage space and systems.

This Policy applies to all records held by the Council in paper and electronic formats.

2. Scope

This Policy applies to:

- Councillors
- Employees
- Contractors and consultants acting on behalf of the Council
- External storage providers or archivists holding Council records

Records include (but are not limited to):

- Paper files
- Electronic documents
- Emails
- Scanned documents

- Photographs
 - Audio recordings
 - Databases
 - Back-up files
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3. Policy Principles

3.1 Retention

Records must be retained:

- To meet statutory and regulatory requirements.
- To support operational needs.
- To provide evidence in the event of disputes or litigation.
- Where they have historical or archival value.

Records must not be destroyed if:

- They may be required for litigation.
- They are subject to investigation.
- A Freedom of Information request has been received.
- A Subject Access Request has been received.

Where litigation is reasonably anticipated, relevant records must be preserved until the matter is fully concluded.

3.2 Avoidance of Over-Retention

In accordance with UK GDPR principles, personal data shall not be kept longer than necessary.

The Council will:

- Regularly review stored records.
 - Dispose of records that are no longer required.
 - Maintain a disposal log where appropriate.
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3.3 Records Not Requiring Retention

The following may be routinely destroyed:

- Duplicate or superseded documents.

- Draft documents not forming part of the official record.
- Trivial emails unrelated to Council business.
- Promotional materials, catalogues, and trade journals.
- Out-of-date distribution lists.
- “With compliments” slips and similar informal correspondence.

4. Retention Schedule

The Council shall maintain a Retention Schedule (Appendix A) specifying minimum retention periods for different classes of documents.

Retention periods are based on:

- Legislative requirements
- Limitation periods for legal claims
- Recommended best practice from sector guidance

The Retention Schedule shall be reviewed at least every three years or sooner if legal requirements change.

5. Disposal of Records

5.1 Disposal Review

Before disposal, the Council shall consider:

- Is retention required by law?
- Is retention required for operational reasons?
- Could the record be needed in the event of a dispute?
- Does the record have historical significance?

5.2 Methods of Disposal

Disposal must be appropriate to the sensitivity of the record.

Record Type	Method of Disposal
Non-confidential paper	Waste disposal or recycling
Confidential paper (personal data)	Cross-cut shredding or secure destruction
Electronic records	Permanent deletion ensuring data cannot be recovered

**Record Type****Method of Disposal**

Historical records

Transfer to County Records Office or approved archive

Back-up copies must also be securely deleted.

5.3 Disposal Log

Where appropriate, a record of disposal shall be maintained including:

- Description of document
 - Date of destruction
 - Method of destruction
 - Authorising officer
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6. Data Protection Compliance

The Council shall ensure that personal data is:

- Processed lawfully, fairly, and transparently.
- Collected for specified, explicit purposes.
- Adequate, relevant, and limited to what is necessary.
- Accurate and kept up to date.
- Retained only for as long as necessary.
- Processed securely.

External storage providers must also comply with UK GDPR and the Data Protection Act 2018.

7. Scanning and Electronic Storage

Where documents are scanned:

- Originals may normally be destroyed after three months.
 - VAT and taxation documents must be retained for six years unless otherwise agreed with HM Revenue and Customs.
 - Electronic storage systems must ensure authenticity, accessibility, and security.
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8. Responsibilities

The Council is responsible for:

- Determining retention periods.
- Reviewing records annually.
- Ensuring staff awareness of this Policy.
- Ensuring secure disposal.

The Clerk is responsible for:

- Day-to-day implementation.
- Maintaining the Retention Schedule.
- Maintaining disposal records where required.

9. Review

This Policy shall be reviewed at least every three years in accordance with best practice and statutory requirements.

APPENDIX A

RETENTION SCHEDULE (Example Framework)

Document Type	Minimum Retention Period	Legal/Best Practice Basis
Minutes (Council & Committees)	Permanent	Local Government Act 1972
Agendas	6 years	Limitation Act 1980
Financial records & accounts	6 years	HMRC requirements
VAT records	6 years	HMRC
Contracts (under seal)	12 years	Limitation Act 1980
Contracts (simple)	6 years	Limitation Act 1980
Insurance policies	6 years after expiry	Limitation Act 1980
Personnel records	6 years after employment ends	Employment legislation
Accident reports	3 years (or 21 years if minor involved)	Limitation periods
Planning applications	6 years	Best practice



Winterbourne

PARISH COUNCIL

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