

# **SOUTH FERRIBY PARISH COUNCIL**

## **POLICY ON RETENTION AND DESTRUCTION OF INFORMATION AND RECORDS**

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Next Review Due: May 2019

## 1. INTRODUCTION

- 1.1 The Freedom of Information Act 2000 (“the Act”) provides the citizen, who could be anyone anywhere including companies, with the right to request information from South Ferriby Parish Council (SFPC). The only requirement is that SFPC must **HOLD** the information / record which is the subject of the request.  
*(‘Hold’ does not mean that SFPC either initiated the information or that the information relates to SFPC’s functions or operations. The information could be information that another organisation has initiated or produced and forwarded to SFPC for “information purposes”.)*
- 1.2 An audit of the information held by SFPC has been undertaken identifying the information that is held and its location. SFPC have also adopted a Publication Scheme which has identified that information which is routinely published by the council. If a category is included in the Publication Scheme it must be published and any request for the disclosure of that information can simply be directed to a publication source, e.g. website, library, Clerk etc. However many records have been retained for a considerable amount of time and do not fall into the categories listed in the Publication Scheme. There are statutory requirements for certain information or records (termed “information”) to be kept for a certain period of time, e.g. Council Minutes, personnel information for HMRC, financial information etc. but usually the retention of other information will be at the discretion of SFPC.
- 1.3 The destruction of information has to be undertaken with the requirement that there is the ability to show conformity with the policy in the event of a challenge by someone requesting information.
- 1.4 In larger councils, the operation of a Retention and Destruction Policy requires the identification of a dedicated Information Officer who would have the operational responsibility for compliance with the Policy. However within SFPC this responsibility rests with the Clerk.
- 1.5 With the greater use of e-government and experiences of the implementation of the Act, this Policy should be revised regularly.

## 2. RETENTION

- 2.1 The Clerk will be responsible for identifying the retention period for a record and a system put in place to ensure that records are destroyed according to this Policy.
- 2.2 The Clerk will identify the appropriate timescale for categories of information retained by SFPC. This timescale will be in compliance with the principles of this Policy and each category identified and recorded. The schedule of records should be monitored and should the period of retention expire, immediate action should be taken to ensure its destruction.
- 2.3 If the retention of any information is justifiable, the Clerk will consider whether the retained information falls within a category included in the Publication Scheme or whether the information is capable of being included as a further category and the Publication Scheme amended.

- 2.4 Where information has to be retained for long periods of time, the element that has to be retained should be considered and ‘informal registers’ kept rather than extensive files e.g. planning site history could comprise of the application and the decision notice plus any decision via the relevant Minutes.
- 2.5 Whether the information passes to others within SFPC or outside agencies, the Clerk will be responsible for that information, namely for the retention and destruction of that information, and must therefore keep him/herself informed as to the circulation of the information. It should be deemed critical that such information not be duplicated as the destruction of that information will not be facilitated by any number of unascertainable copies and could pose future problems for SFPC.
- 2.6 Where information is shared with an external organisation, the Council must either accept that the information may be held within the organisation for a longer period than that required by SFPC or agree with the external organisation a mutually acceptable retention period. However it is critical that if the information is deemed to be confidential or exempt, that the external organisation must accept this categorisation and refuse disclosure on those grounds if held at the time of receipt of a request.
- 2.7 Information should not be circulated beyond the immediate persons with an active use for that information.

### **3.0 DESTRUCTION**

- 3.1 Upon information reaching the expiry date for retention, the Clerk shall ensure that ALL copies of that information are permanently destroyed, including those held in more than one media.
- 3.2 If there is an operational need to extend the period of extension, this should be noted in the Retention Schedule.
- 3.3 The need for tracking of the distribution of information becomes apparent at the time of destruction of information and the Clerk should ensure that proper controls are in place to ensure that destruction can be carried out at the correct time.
- 3.4 The destruction of paper copies should be complete e.g. by incineration or shredding. Electronic copies must be completely deleted from any memory source or other media.

### **4 STORAGE OF INFORMATION**

- 4.1 All records will be stored at the premises of the Clerk who is responsible for their retention, storage and destruction. If records have to be retained indefinitely, the Clerk shall consider the most effective way of storage so as not to diminish the space for temporary retention of records.

<b>RECORDS</b>	<b>LOCATION</b>	<b>DESTRUCTION</b>	<b>MEANS</b>
Minute Books including all meetings, committees etc.	Clerk's Office / Archive	N/A Information Retained	N/A
Templates re Meetings	Clerk's Office	Following adoption of the Minutes	Inc. / ee
Reports	Clerk's Office	10 years after closure of the file	Inc. / ee
Correspondence	Clerk's Office	10 years after the closure of the file	Inc. / ee
Financial Information: Audit / Inland Revenue	Clerk's Office	N/A Information Retained	N/A
Planning Applications	Clerk's Office	Annually in January, at least 6 months following NLC decision	Inc.
Health & Safety incl. Risk Assessments	Clerk's Office	N/A Information Retained	N/A
Personnel Records	Clerk's Office	To be retained for 15 years following date of leaving	Inc. / ee
Asset Register	Clerk's Office	N/A Information Retained	N/A

Inc. - Incinerated  
ee - Electronically Erased