

Little Smeaton Parish Council

Data Retention and Disposal Policy

1 Introduction

1.1. The guidelines set out in this document supports the Little Smeaton Parish Council Data Protection Policy and assists us in compliance with the Freedom of Information Act 2000, the General Data Protection Regulation 2018 (GDPR) and other associated legislation.

1.2. It is important that Little Smeaton Parish Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. However, it is important to note that this is a live document and will be updated on a regular basis.

1.3. Little Smeaton Parish Council will ensure that information is not kept for longer than is necessary and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

2. Aims and Objectives

2.1. It is recognised that up to date, reliable and accurate information is vital to support the work that the Little Smeaton Parish Council does and the services that we provide to our residents. This document will help us to:

- Ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public.
- Comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the GDPR.
- Save time and effort when retrieving information by reducing the amount of information that may be held unnecessarily.
- Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

3. Scope

3.1. For the purpose of this policy 'documents' includes electronic, microfilm, microfiche and paper records.

3.2. Where storage is by means of paper records, originals rather than photocopies should be retained where possible.

4. Legal requirements and standards of good practice

4.1. Little Smeaton Parish Council will make every effort to ensure that it meets the following requirements and standards:

- Adhere to legal requirements for the retention of information as specified in the Retention Schedule at Appendix A;
- The distribution and retention of personally identifiable data will be kept to a minimum and should only be when it is required for the day to day running of the council or for compliance or due diligence purposes. Wherever possible the retention of personally identifiable data will be restricted to the council clerk.

For example:

1. An email or letter is received by the clerk. The email address or name and address on a letter are personally identifiable data. Prior to forwarding the correspondence to other councillors the clerk must consider whether it is necessary for councillors to know who the correspondence is from in order to be able to process it. If the decision is that it is not necessary to retain the information the clerk will redact all personally identifiable data from the forwarded copies. By doing so this means that responses will have to be sent via the clerk.
 2. The council keeps detailed financial records of all monetary transactions, many of these transaction records contain personally identifiable data. E.g. the name of a sole trader or small business. It is likely that councillors will need to see this information in order to satisfy themselves that contracts and purchases are being made in accordance with their instructions. It is therefore reasonable to retain such personally identifiable data in working financial documents. However, should those documents be released to a wider audience, such as the publication of the year-end financial records, the published version will be appropriately redacted.
- In making decisions whether to retain or redact personally identifiable data the person processing the data must consider the six lawful basis for processing and retaining personally identifiable data. The parish council will maintain a *Record of Processing Activities (ROPA)* in line with guidance from the Information Commissioners Office (ICO).
 - Personal information will be retained in locked filing cabinets within the home of the Clerk. Access to these documents will only be by authorised persons;
 - Wherever possible only one copy of any personal information will be retained and that will be held within a locked filing cabinet;
 - Appropriately dispose of information that is no longer required;

- Appropriate measures will be taken to ensure that confidential and sensitive information is securely destroyed.
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes e.g., Equalities data.

5. Breach of Policy and Standards

5.1. Any employee who knowingly or recklessly contravenes any instruction contained in, or following from, this Policy may, depending on the circumstances of the case, have disciplinary action, which could include dismissal, taken against them.

5.2. Where there is a breach of the policy, the Council may need to consider whether there is also a breach of the GDPR.

6. Roles and Responsibilities

6.1. Parish Councils are required to appoint a Data Protection Officer. Little Smeaton has currently assigned this role to the Vice Chairman.

6.2 The Data Protection Officer has responsibility for implementation of this policy under delegation of the Little Smeaton Parish Council.

6.3. The Data Protection Officer is responsible for the maintenance and operation of this policy including ad-hoc checks to ensure compliance.

7. Retention

7.1. Timeframes for retention of documents have been set using legislative requirements, guidance from the National Association of Local Councils and the Chartered Institute of Personnel and Professional Development (CIPD).

7.2. Throughout retention the conditions regarding safe storage and controlled access will remain in place.

7.3. The attached 'Appendix' shows the minimum requirements for the retention of documents as determined by the Little Smeaton Parish Council for the management of specific documentation types. Officers holding documents should exercise judgement as to whether they can be disposed of at the end of those periods detailed in the attached 'Appendix'.

8. Disposal

8.1. Documents/data no longer required by Little Smeaton Parish Council for administrative purposes must be finely shredded/disposed of through specialist waste removal contractors and deleted entirely and securely from the Little Smeaton Parish Council computer system.

Policy reviewed and updated May 2026

Chair.....

Clerk.....