

FILLONGLEY PARISH COUNCIL



DOCUMENT RETENTION POLICY

1 Purpose of the Policy

Fillongley Parish Council requires a wide variety of documents to undertake its business and is committed to retaining/storing these documents such that they are:

- a. in a format and for periods of time that enables the Parish Council to meet its statutory obligations in respect of documents;
- b. accessible to the public where they might be of historical or general interest

Many documents are in electronic form only. The same arrangements for keeping records and copies apply to electronic document and paper documents alike.

Storage arrangements will:

- ensure security of documents
- protect privacy
- facilitate access to information
- optimise the use of storage space
- be cost effective
- facilitate the destruction of redundant documents.

2 Scope

This policy applies to users of Fillongley Parish Council records, both paper and electronic and includes councillors and employees.

3 Statutory Requirements

Documents subject to a statutory period of retention are listed in Appendix A.

4 General Data Protection Regulation Requirements

Under GDPR the Council must have a policy in place setting retention periods for new (as opposed to historic or archived) personal documentation. (FPC Privacy Notice Appendix B)

5 Non-Statutory Requirements

Electronic and paper correspondence will be retained for as long as it is relevant. FPC is clear of the need to retain documentation for audit purposes, staff management, tax liabilities and the eventuality of legal disputes and legal proceedings. Subject to these reasons for retaining document and as a basic starting point, papers and records may be destroyed if they are no longer of use or relevant.

Appendix A

Document	Minimum Retention Period	Reason	Comment/Actions Required
Signed minutes of council meetings	Indefinite	Archive, Audit	Retain for 7 years. Older Minutes deposited at Warwickshire County Records Office
Scales of fees and Charges	6 years	Management	Retain for specified period and then destroy
Receipt and Payment Accounts	Indefinite	Archive	Paper Records – retain for 7 years then deposit with Warwickshire County Records Office. Electronic copies – once year end complete and audited back up for retention.
Bank Statements	Last completed audit year	Audit	Destroy after required time.
Bank paying-in books	Last completed audit year	Audit	Destroy after required time
Cheque Book Stubs	Last completed audit year	Audit	Destroy after required time.
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Retain paper copies for specified period and then destroy having first scanned for indefinite retention.
Paid Invoices	6 years	VAT	Retain for specified period and then destroy
VAT records	6 years generally	VAT	Retain VAT reclaim for 6 years and then destroy
Timesheets	Last completed audit year	Audit	Retain with accounts for 3 years and then destroy
P45/P60	6 years	Legal	Electronic copies stored.
FPC Policies and regulations	Until superceded	Audit	
Wages Books	12 years	Superannuation	Retain an electronic copy of payslips.
Insurance policies	Whilst valid	Management	Electronic versions to be retained indefinitely.

Certificates of Insurance against liability for employees	40 years from date on which insurance commenced/was renewed	The Employer Liability (Compulsory Insurance) Regulations 1998 (SI2753)/Management	Retain for 40 years
Title Deeds, leases	Indefinite	Audit/Management	Copies of Land Registry Documents to be retained. Land Registry References numbers to be included in asset register.
Burial Grounds; Register of fees collected. Register of burials Register of purchased graves Register of memorials Applications for interment. Disposal certificates. Copy of EROB	Indefinite	Legal	Keep indefinitely.

FILLONGLEY PARISH COUNCIL



PRIVACY NOTICE

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a list a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by the Fillongley Parish Council which is the data controller for your data.

Other data controllers the council works with:

- Local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;

- Where you pay for activities such as the cemetery, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;

- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The

council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1) *The right to access personal data we hold on you*

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) *The right to correct and update the personal data we hold on you*

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3) *The right to have your personal data erased*

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4) *The right to object to processing of your personal data or to restrict it to certain purposes only*

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5) *The right to data portability*

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6) *The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained*

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7) *The right to lodge a complaint with the Information Commissioner's Office.*

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area (“EEA”) will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.fillongleyparishcouncil.co.uk. This Notice was last updated in February 2018.

DRPlease contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints;

Clerk to the Council: Mrs Heather Badham, The Crooked Stile, St Mary’s Road,
Fillongley, Warwickshire, CV7 8EY

clerk@fillongleyparishcouncil.co.uk Telephone 01676 54913