

## **BEDFORD GROUP OF DRAINAGE BOARDS**

### **Incorporating Bedfordshire and River Ivel IDB, Buckingham and River Ouzel IDB and Alconbury and Ellington IDB**

#### **DOCUMENT RETENTION AND DISPOSAL POLICY**

##### **Introduction**

Records are vital assets which need careful management to enable the Boards to conduct their business and comply with their statutory obligations. This policy sets out the arrangements for records management.

The effective management of records in all formats depends as much on their efficient disposal as well as their long-term preservation. The untimely destruction of records may adversely affect service delivery but so will the unnecessary retention of outdated and potentially inaccurate records. Disposal is necessary not only to reduce administrative burdens but also to ensure that information is not retained for longer than necessary and that accurate records are maintained for appropriate periods to satisfy applicable operational and legal requirements.

This policy is important to contribute to compliance with the General Data Protection Regulations, The Data Protection Act 2018 and the Freedom of Information Act 2000.

The seven GDPR Principles relating to the processing of personal data:

- a) Lawfulness, fairness and transparency
- b) Purposed limitation
- c) Data minimisation
- d) Accuracy
- e) Storage limitation
- f) Integrity and confidentiality
- g) Accountability

The Data Controller shall be responsible for and able to demonstrate compliance with the above principles.

The Freedom of Information Act 2000 provides rights of access to information held by public bodies and the link between that Act and effective records management will be immediately apparent. The quality of the records which are held will affect the ability to respond to requests under the Act. If records are not created and managed effectively then they will not be found when needed.

##### **Retention Periods**

The Retention Schedule which forms part of this policy sets out the length of time that records should be retained, irrespective of the media on which they are created or held including:

- paper;
- electronic files (including databases, Word documents, spreadsheets, web pages and e-mails); and
- photographs and videos.

Retention periods are determined based upon the nature of the information held, not the medium in which it is maintained. For example, information which is held in electronic form should only be retained for the same period as it would be kept if it was in paper form. However, it is not necessary to retain both paper and electronic versions of the same record, nor to retain duplicate copies of records. Retention arrangements for electronic records should ensure that they will remain complete, unaltered and accessible throughout the retention period.

The value of information tends to decline over time, so the majority of records should only be retained for a limited period of time and eventually be destroyed. A recommended minimum

retention period, derived from operational or legal requirements, is provided for each category of record and applies to all records within that category.

During their retention period, operational needs may require records to be held in different locations and on different media, but they should always be properly managed in accordance with this policy.

A small proportion of records which are considered to be of permanent historical significance will be preserved in the archives. The Chief Executive is responsible for the selection of records for permanent preservation and the maintenance of the archives.

No data file or record should be retained for more than six years after it is closed unless a good reason for longer retention can be demonstrated. It may well be appropriate having regard to the nature of the record to opt for a shorter period.

Reasons for longer retention will include the following:

- Statute requires retention for a longer period;
- the record contains information relevant to legal action which has been started or is in contemplation;
- whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed;
- the record should be archived for historical or research purposes, e.g. the record relates to an important policy development or relates to an event of local or national purpose;
- the records are maintained for the purpose of retrospective comparison; and
- the records relate to individuals or providers of services who are judged unsatisfactory. The individuals may include employees who have been the subject of serious disciplinary action;
- a legal agreement between the Boards and third parties.

### **Storage**

All data and records should be stored as securely as possible in order to avoid potential misuse or loss. All data and records will be stored in the most convenient and appropriate location having regard to the period of retention required and the frequency with which access will be made to the record.

Data and records which are active should be stored in the most appropriate place for their purpose. Data and records which are no longer active, due to their age or subject, should be stored in the most appropriate place for their purpose.

The degree of security required for file storage will reflect the sensitivity and confidential nature of any material recorded.

Any data file or record which contains personal data of any form can be considered as confidential in nature.

### **Disposal**

Records should be reviewed as soon as possible after the expiry of the retention period. It need not be a detailed or time-consuming exercise but there must be a considered appraisal of the contents of the record.

A record should not be destroyed without verification that:

- no work is outstanding in respect of that record and it is no longer required;
- the record does not relate to any current or pending complaint, investigation, dispute or litigation; or

- the record is unaffected by any current or pending request made under the Freedom of Information Act, the General Data Protection Regulations, or The Data Protection Act 2018.

A record must be made of all disposal decisions and destruction should be carried out in a manner that preserves the confidentiality of the record. Confidential paper records should be placed in confidential waste bins and electronic records will need to be either physically destroyed or erased to the current standard. Deletion of electronic files is not sufficient. All copies of a record, in whatever format, should be destroyed at the same time.

### Variation

Information needs are dynamic and therefore this policy is a “living document” which will be amended as the need arises.

Any review of retention periods should take account of relevant statutory and legal requirements and consideration of the overall operational value of records, including:

- on-going operational, accountability and audit needs;
- best practice in the applicable professional field;
- the probability of future use;
- the long-term historical or research value of the record;
- the costs of retention or destruction; and
- the risks associated with retaining or destroying the record.

### Other Records

Many records have no significant operational or evidential value and are not subject to retention under this policy but may be destroyed once they have served their primary purpose. These include:

- requests for forms and brochures;
- compliment slips and similar items which accompany documents;
- superseded distribution or mailing lists;
- drafts of documents;
- working papers which are the basis of the content of other documents;
- notices of meetings and other events;
- invitations and notices of acceptance or apologies; and
- magazines, marketing materials, catalogues, directories, etc.

This is not an exhaustive list but merely indicates the types of record which have no significant operational or evidential value and may be destroyed once their effective use has ended.

### Record Retention Schedule

Board and Legal Records	Permanent
Articles of Incorporation	Permanent
By-Laws	Permanent
Agenda, Reports and Minutes of Meetings	Permanent
Policy statements	Permanent
Certificates of Employer’s Liability	Permanent
Public Liability Policies and Schedules	40 years
Sundry Insurance Policies and Schedules	7 years or as per HMRC requirements (whichever is greater)
Licenses	6 years after expiration
Deeds and Legal Agreements	Permanent
Bylaw Consents	Permanent
Leases	6 years after expiration
Contracts	6 years after expiration
Freedom of Information Requests	2 years
Complaints, Compliments and Feedback	2 years

### Employee Applications and Employment Listings

Job Announcements and Advertisements 2 years  
Documentation on Individuals not hired 6 months

### Personal Files / Payroll Records

Employee manuals / Handbook Permanent  
Employee personal files/documentation Duration of employment plus 6 years  
Employee's Emergency Contact Details Duration of employment  
Salary Duration of employment plus 6 years  
Payroll Data other than End of Year and Pension data 6 years  
Payroll End of Year and Pension data Permanent  
Expense claims 3 years  
Annual leave record form 1 year plus current  
Absence record forms (holiday & self-cert sickness) Duration of employment plus 6 years  
Statements of Fitness to Work Duration of employment plus 6 years  
Land Drainage Operative timesheets Permanent  
Land Drainage Operative training certificates Permanent  
Employee vehicle insurance documentation After expiration date  
Employee ID card data inc. photo After expiration date

### Accounts and Financial Records

Sales and Purchase Ledger Records 6 years  
VAT Returns 6 years  
Year End accounting records Permanent  
Nominal Ledgers 6 years  
Account Ledgers 6 years  
Auditor's reports Permanent  
Bank Statements/Short Term investments 6 years  
Cheque book/stubs 6 years  
Bank Account Deposit Books 6 years  
Expired Supplier BACs Details 1 Year  
Assets on Asset Register 6 years after Asset sold or scrapped

### Rating /Land Records

Land maps Permanent  
Land Valuation Permanent  
Ratepayer Active Permanent  
Ratepayer Expired 2 years

### Electronic Documents

Emails 2 years or longer if deemed necessary  
Facsimiles 2 years

### General Correspondence

Parish Files Indefinitely, but not longer than necessary

This policy will be reviewed within a period not extending beyond 5 years.

Date of Joint Management Committee approval: 14 October 2019

Date of Board approval: Buckingham and River Ouzel 5 November 2019, Bedfordshire and River Ivel 11 November 2019, Alconbury and Ellington – 11 February 2020.