



Ramsgate Town Council

Data Protection & Retention

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<p>Due to review</p>	<p>Annually in May as per Standing Orders</p>

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INTRODUCTION

The Town Council recognises it must at times, keep and process sensitive and personal information concerning both employees and the public. It has adopted this policy to not only meet the legal obligations, but to ensure high standards of practice. The Town Council is open about its operations and works closely with the community. In the case of information that is not personal or confidential, the Town Council is prepared to make Information available to the public. Details of information which is available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

1. DEFINITIONS

- 1.1 For the purposes of this policy, “record” shall be interpreted to mean any papers, files, books, photographs, tapes, films, recordings or other documentary materials or any copies thereof, regardless of physical form, made, produced, executed or received by any employee in connection with the transaction of Ramsgate Town Council's business.
- 1.2 The term “electronic record” means any record which is created, received, maintained or stored on local workstations or central servers. Examples include, but are not limited to: email, word processing documents, spreadsheets and databases - including but not limited to file records, investigation reports, financial accounting records and payroll records.
- 1.3 “Official Records” are records maintained but not limited to Accounts (all financial records, VAT records, payroll records, bank accounts etc), electronic records, HR records (personnel records, insurance records etc) and Council Operation records (minutes, correspondence etc).

2. DATA RETENTION

- 2.1 The purpose of this policy is to ensure that necessary records and documents are adequately protected and maintained and to ensure that records which are no longer needed or of no value are discarded at the appropriate time.
- 2.2 Record and Documents no longer required under the retention policy, may be required to be kept under an Archive policy, and before destruction this should be considered.
- 2.3 This policy relates to electronic records as well as physical “hard copies”.
- 2.4 Individuals responsible for the retention of records are also responsible for their destruction following the retention period.
- 2.5 Sensitive or confidential documents must be disposed of by shredding or other means to ensure that the material can no longer be read or interpreted.
- 2.6 Appendix 1 sets out the Town Council's data retention requirements and the justification for the periods specified.
- 2.7 Record retention periods may be increased by government regulation, judicial or administrative constraint order, private or government contract, pending litigation or audit requirements. Such modifications supersede the requirements in Appendix 1.
- 2.8 The Town Clerk (or department head) will maintain a listing of major documents used by the department in line with the requirements in Appendix 1.
- 2.9 In the event of a government audit, investigation or pending litigation, record

disposition may be suspended at the direction of the Chair or Town Clerk and subsequently ratified by the Council (or appropriate Committee).

- 2.10 When litigation, complaints or Investigations against the Town Council or its employees are filed or threatened, the law imposes a duty upon the Council to preserve all documents and records pertaining to the issues. In this instance the Chair or Town Clerk will notify appropriate employees/departments of a 'hold' directive.
- 2.11 The hold under 2.10 supersedes the retention schedule in Appendix 1, and the Town Clerk will inform employees/departments when holds are cleared.
- 2.12 Electronic records such as emails and computer accounts will be immediately maintained by appropriate departments until the hold is released. No employee or department who has been notified of a hold may alter or delete any electronic records that fall within the scope of that hold.
- 2.13 Violation of the hold may subject the Individual to disciplinary action, up to and including dismissal as well as personal liability for civil and criminal sanctions by the courts or enforcement agencies.
- 2.14 No document list can be exhaustive. Questions regarding the retention period for any specific document or class of documents not included in the below table should be addressed to the Town Clerk who will consult with the relevant committee chair.

3. MAKING INFORMATION AVAILABLE

- 3.1 The Town Council Publication Scheme is a means by which the Town Council can make a significant amount of information routinely available without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.
- 3.2 In accordance with the Freedom of Information Act 2000, this scheme specifies the classes of information which the Council publishes or intends to publish, as well as an information guide giving greater detail of what the Council will make available. This aims to make it easier for the public to access information.
- 3.3 All formal meetings of the Town Council and its committees are subject to statutory notice given on the noticeboard at the Town Council offices. The agenda is also published on the Town Council website, and circulated by e-mail to members of the public who request copies via the Town Clerk.
- 3.4 The Town Council welcomes public participation and has a public questions and speaking protocol at Council and some Committee meetings.
- 3.5 Occasionally the Council or committees may need to consider matters in private. This may include matters involving personal details of employees or

where details of commercial sensitivity are to be discussed. This can only happen after a formal resolution to exclude the public and press has been passed, and will specify the reasons for the decision.

- 3.6 Minutes from all formal meetings, including the confidential parts are public documents.

4. DATA PROTECTION - PRIVACY POLICY

- 4.1 The Council's Privacy Policy is set out in a separate adopted document titled:

“Ramsgate Town Council – Privacy Policy (May 2026)”.

- 4.2 The Privacy Policy forms part of the Council's data protection framework and should be read alongside this Data Protection & Retention Policy, particularly Appendix 1 (Document Retention and Destruction).
- 4.3 The Privacy Policy is available on the Council's website (<https://www.ramsgatetown.org/privacy>) and on request from the Town Clerk.

5. DISCLOSURE INFORMATION

- 5.1 The Council will as necessary undertake checks on both employees and members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure information.
- 5.2 DBS certificate information will not normally be retained for longer than six months after a recruitment or appointment decision has been made, unless there is a lawful and documented reason to retain it for longer. Once no longer required, the information will be securely destroyed.

APPENDIX 1 - DOCUMENT RETENTION AND DESTRUCTION

<u>Document Reason</u>	<u>Minimum Period of retention</u>	<u>Reason</u>
Signed Council & Committee Minutes	Permanent archive after administrative use	Archive/ Public inspection
Articles of Incorporation	Permanent archive after administrative use	Archive/ Public inspection
Charter	Permanent archive after administrative use	Archive/ Public inspection
By-laws	Permanent archive after administrative use	Archive/ Public inspection
Corporate plans, strategies, policies, business plans, annual reports asset registers, employee handbook	Permanent archive after superseded	Common Practice
Operating Procedures	2 years after superseded	Local choice
Titles Deeds, leases, agreements and contracts	Indefinite	Management
Allotment tenancy agreements and tenant records	Retain for 6 years after termination of tenancy	Limitation Act 1980
Licences	Destroy 6 years after expiry	Management
Record of complaints against the council	Destroy after 6 years	Common Practice
Funding Documents	as required by individual funders	Funding Requirements
Press Releases	Destroy after 3 years	Local choice
Health and Safety and Risk Management Documentation	Destroy after 3 years	Recommended Practice
<i>Documents will be kept as required by individual funders.</i>		
FINANCIAL DOCUMENTS		
Receipt and Payment Accounts	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank Statements, including deposit / savings accounts	Last completed audit year	Audit
Cheque book stubs & paying in books	Last completed audit year	Last completed audit year
Quotation and Tenders	12 years	Limitations Act
Paid Invoices	6 years	VAT
VAT Records	6 years	VAT
Budget and estimates	Permanent archive after 3 years	statutory
Accounts & Audit	Permanent archive after administrative use	Common Practice
Building Contracts	Life of building + 15 years	statutory
Insurance Policies	40 Years	statutory
Insurance Claims	Destroy after 7 years	Management
loans	Destroy 7 years after loan repaid	Common Practice

Investments	Indefinite	Audit/Management
Salary/Wage/tax Documents (Inland Revenue)	12 years	Superannuation
ELECTRONIC DOCUMENTS		
Email	Retained according to the business purpose they support, rather than by format alone. Routine correspondence is deleted when no longer required. Emails that form part of a corporate record are retained in line with the applicable retention period for that record.	ICO Guidance
Facsimiles	2 years	Local Choice
Scanned Documents	2 Years	Local Choice
HR DOCUMENTS		
Timesheets	Last completed audit year	Audit
Recruitment Documentations including job announcements, person specifications and job description	5 Years	Equal Opportunities Claims
Documents on persons not hired to include application forms, letters, CV's and interview notes	1 year	Equal Opportunities
Statutory Maternity/Paternity Pay and Leave records	Current tax year plus 3 years	Claims
Accident or injury at work	7 Years	Local Choice
Personnel administration including CV's annual appraisals, disciplinary records, sickness leave, training records, contracts, redundancy, promotion/pay awards/pay levels etc	Destroy 6 years after person leaves the council, except staff working with children (until normal retirement age or 25 years from last involvement, whichever is longer)	Local Choice
Prior to the destruction of the files, a summary of services must be created. This will include Name, Position(s), date of employment, pay level etc. This will indicate references given to third parties		Local choice & statutory
Summary of Service	Permanent	Local choice
References	Destroy 5 years after person leaves the Council	Insurance
Register of Members allowances	6 years	Income Tax, Limitation act
Health Surveillance Monitoring	40 Years	statutory
CASE FILES		

Investigation services	Active + 2 Years	Local Choice
Commercial Debt Recovery Matters	Active + 2 Years	Local Choice
Legal/Litigation files	Active + 7 Years	Local Choice