

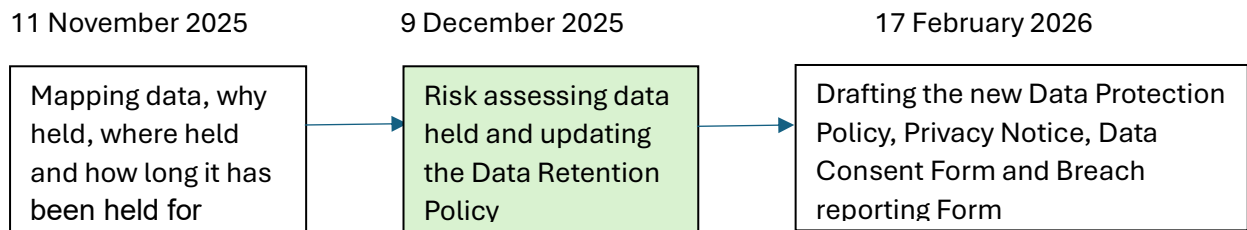
APPENDIX E: DATA RETENTION POLICY

Bowes Parish Council

December 2025

Introduction

The Council agreed a GDPR Compliance Plan at its meeting on 14 October 2025. The first stage of this plan is to “map data, why held, where held and how long it has been held for.” The results of this audit were presented to the meeting on 11 November 2025. The next stage in the plan is **to risk assess data held and agree a data retention policy** as indicated below:



Records created and maintained by the Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council’s transactions and are necessary to ensure it can demonstrate accountability.

It is imperative that documents are retained for an adequate period. If documents are destroyed prematurely the Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage, and difficulty in defending any claim brought against the Council.

In contrast to the above the Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with **the General Data Protection Regulations (GDPR)** so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

Documents may be retained in either ‘hard’ paper form or in electronic forms. In this policy ‘document’ and ‘record’ refers to both hard copy and electronic records. The data audit considered at the meeting on 11 November was confined to paper records as the electronic records are either current records or they have been printed down and thus also exist in hard copy. However, this policy refers to both paper and electronic records, with the same retention period applying unless otherwise stated.

Legal Background

Principle 5 of the Data Protection Act 2018 states that “**personal data should not be kept longer than is necessary**”.

Personal information is defined as: data that relates to a living individual who can be identified:
a) from the data, or

b) from those data and other information which is in the possession of or is likely to come into the possession of the data controller.

It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual.

Councils are responsible for ensuring that they comply with the principles of GDPR namely:

- Personal data is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- Personal data shall only be obtained for specific purposes and processed in a compatible manner;
- Personal data shall be adequate, relevant, but not excessive;
- Personal data shall be accurate and up to date;
- Personal data shall not be kept for longer than is necessary;
- Personal data shall be processed in accordance with the rights of the data subject; and
- Personal data shall be kept secure.

The Freedom of Information Act 2000 provides the citizen, who could be anyone anywhere including companies, with the right to request information from the Council. The only requirement is that the Council must hold the information/record, which is the subject of the request. 'Hold' does not mean that the Council either initiated the information or that the information relates to the Council's functions or operations. The information could be information that another organisation has initiated or produced and forwarded to the Council for "information purposes".

Accordingly, it is a high-risk strategy for a council to retain documents out of interest, a concern that they might someday be useful or because there is not time to sort through records. This could be unlawful under the Data Protection Act and GDPR or expose the Council to unnecessary cost and burden should a citizen submit a subject access request under the Freedom of Information Act.

Risk Assessment

The data audit identified ninety different paper records which potentially contained personal data. However, the risks outlined above vary significantly contingent on the basis for holding the data and the age of the data.

Risk	Categories of Paper Record
Negligible	Current records in use Records with a legal requirement to retain. Records with all data at least 100 years old (unlikely to relate to a living individual)
Low	Retention recommended by NALC Advice Note – Local Council Documents and Records (2022) Records with all data at least 70 years old and no legal requirement
Medium	Records with all data at least 50 years old and no legal requirement
High	All other records

This Data Retention Policy assumes that:

- Records where the risk is negligible are retained unless they are more appropriately held by the Bowes Heritage Group.
- Records with a low risk should also be retained or archived except for receipts and payments books, which NALC recommend holding indefinitely but will be destroyed as they are bulky, extremely unlikely to ever be needed and have been rejected by Durham County Council's Records Office.
- Records with a medium or high risk will be securely destroyed unless they are of interest to the Bowes Heritage Group.

Objective

The aim of this document is to provide a working framework to determine which records are:

- Retained – and for how long; or
- Disposed of – and if so by what method.

Data Retention Schedule

The following schedule illustrates the records which following the principles in the risk assessment above should be retained:

Record	Retention Reason	Retention Risk	Retention Period
Signed minutes of meetings	Legal requirement Local Government Act 1972 S228	Negligible	Indefinite
Agenda packs and electronic copies of minutes	Current records referred to for day-to-day management and website transparency	Negligible	6 years
Policies, procedures, and strategies	As above	Negligible	As long as they are in effect
Scales of fees and charges	As above	Negligible	As above
Contracts, SLAs, and Rent Agreements	Limitation Act (1980)	Negligible	6 years after expiry
Personnel and recruitment records (excluding contracts)	Current record	Negligible	For current staff and 1 year after former staff leave
Asset acquisitions, title deeds, land registry notices	Current record (asset register)	Negligible	As long as the Council owns the assets
Declarations of acceptance of office and registers of interest	Current record	Negligible	As long as councillors are in office
Insurance policies	Current record	Negligible	Policy duration
Allotment register, plan and waiting list	Current record	Negligible	Indefinite as kept up to date
Cemetery plan	Current record	Negligible	As above
Playground inspection reports	Current record and Limitation Act (1980)	Negligible	3 years
Register of Burials since 1962	Current record	Negligible	Indefinite
Exclusive Rights of Burial register of	Current record	Negligible	Indefinite

purchased graves since 1996			
Exclusive Rights of Burial counterfoils since 2011	Current record	Negligible	Indefinite
Wills for trust funds managed by the Council	Current record	Negligible	Indefinite
Exclusive Rights of Burial register of purchased graves full	Legal requirement – Local Authorities Cemeteries Order (1977)	Negligible	Indefinite
Exclusive Rights of Burial counterfoils full booklets	As above	Negligible	Indefinite
Cemetery Fees Book	As above	Negligible	Indefinite
Register of Burials full document	As above	Negligible	Indefinite
Burial & Cremation certificates	As above	Negligible	Indefinite
Memorial applications and designs	As above	Negligible	Indefinite
Sale of land conveyancing, legal advice & letters	Legal requirement – Limitation Act 1980	Negligible	12 years
Accounts / AGARs	Legal requirement - Accounts and Audit Regulations 2015.	Negligible	5 years
VAT returns, invoices, orders, GRNs and receipts	Legal requirement - Value Added Tax Act 1994	Negligible	6 years
Rate Book	All data > 100 years old	Negligible	Indefinite
Receipts & Payments / Cash books	NALC Advice note proposes holding indefinitely	Low	5 years (hard copy), indefinite (electronic)
Payment Authorisation Sheets	NALC Advice Note	Low	Last remaining audit year
Bank Statements, Cheques & Paying-in books	As above and current record for unused cheque and paying-in books	Low	As above and while books still in use
Planning objections, applications, and correspondence	NALC Advice Note	Low	As long as decision still relevant
Quotations and tenders	As above	Low	6 years
Grant applications and approvals	As above for audit purposes	Low	Last completed audit year
Payroll records	As above	Low	As above
Budget and precept information	As above	Low	As above
Allotment Rent Book 1896 - 1954	All data > 70 years old	Low	Indefinite

Disposal and Destruction

Upon the information reaching the expiry date for retention, the Clerk shall ensure that all copies of that information are permanently destroyed. Where the information is held in more than one media the information must be removed from all the Council's record systems. Paper copies should be shredded and electronic copies must be completely deleted from any memory source or other media.

However, in 2025/26 the volume of paper records due for destruction will be considerable. The Council resolved at its meeting on 11 November 2025 that certain documents that might be of historical significance would be offered by the Chair to Bowes Heritage Group. The remaining documents would be bagged by the Clerk and handed to the Chair for incineration on his land.

Going forward, the Clerk will review records at least annually and shred those that have reached their expiry date.

The following schedule lists the documents identified in the 2025 data audit, which do not meet the criteria for retention and indicates the method of disposal.

Paper Record Identified for Disposal	Method of Disposal
Parish Paths Grant Bids 1995-1998	Offer to Bowes Heritage Group
Bowes Publications (invoices, receipts, correspondence re sale of booklets and walking maps)	Bag and burn
Bowes Hutchinsons School Correspondence and Minutes	Bag and burn (school rejected)
Bowes Moor MOD correspondence and surveys	Offer to Bowes Heritage Group
Allotment Rent Book 1972-1991	Bag and burn
Receipt Books 1902 -1976	Bag and burn
Paid invoices 2000 -2004	Bag and burn
Bank Statements (current account) 2005-2012	Bag and burn
Bank Statements (reserve account) 2005-2012	Bag and burn
Castle Maintenance Contracts 1996-2007	Bag and burn
Other Contracts 1996-2007	Bag and burn
Bowes Moor surveys, letters, and booklets 2007	Offer to Bowes Heritage Group
Grass-cutting contracts and caretaker employment contracts and application 2012-2017	Bag and burn
Cemetery correspondence 2000-2016	Bag and burn
John Bousfield Charity annual returns and letters	Offer to Bowes Heritage Group
Kipling Charity annual returns and letters	Offer to Bowes Heritage Group
John Thomas Roper Charity will and correspondence	Offer to Bowes Heritage Group
Bowes & Romaldekirk Charity will and correspondence	Offer to Bowes Heritage Group

Gilmonby & Boldron Nursing Charity will and letters	Offer to Bowes Heritage Group
Bowes Cross Charity will and letters	Offer to Bowes Heritage Group
Hutchinsons Endowed School Charity will and letters	Offer to Bowes Heritage Group
Bowes & Gilmonby Village Hall Charity registration	Offer to Bowes Heritage Group
Insurance policies 2005-2024	Bag and burn
Footpath Grant applications 1999-2011	Bag and burn
Police Correspondence 2003-12	Bag and burn
Path Diversion Order 2007	Bag and burn
Invoices and remittance advices 2000-2001	Bag and burn
Receipt Books 1988 - 2001	Bag and burn
Allotment Receipt Books 1993-2000	Bag and burn
Other records already past the expiry date in the retention schedule	Bag and burn

Storage

The retained paper records will be stored in locked cabinets in the Clerk's locked garage together with a memory stick containing a back-up of retained electronic records.

The electronic records will be stored on the Council's laptop kept in the Clerk's house, which is protected by regularly inspected and maintained burglar and smoke alarms. The Clerk will only take the laptop out of his home when it is needed for work such as attending council meetings and will not leave it unattended in a car boot or on a train.

Review of this Policy

This policy will be reviewed every three years to ensure it remains compliant with legislation and operational requirements.