Loxwood Parish Council

FREEDOM OF INFORMATION

1. Introduction

1.1 The Freedom of Information Act 2000 is intended to promote a culture of openness and accountability amongst public authorities by providing people with rights of access to the information held by them.

1.2 Loxwood Parish Council (the Council) will comply with the requirements of the Act, and in particular will:

- Make as much information as possible available via the Publication Scheme.
- Respond to requests for information as quickly as possible, and in any event, within the statutory timescales.
- Where, exceptionally, we believe it is not going to be possible to respond fully within the statutory timescale (for example, where we have to consider the public interest tests), we will:
    - Advise you why, and give an estimated date by which the information will be provided, and
    - Provide as much of the information as possible within the earlier timescale.
- Apply exemptions appropriately and consistently.
- Ensure that any fees charged are calculated appropriately and consistently.

2. How to make a request

2.1 A large amount of information is freely available on the Council's website, which can be found at **www.loxwood-pc.gov.uk**

2.2 If you are unable to find the information you are looking for, you can request the information directly from the Council.

2.3 The preferred method for requesting information from the Council is in writing; either email or letter, to ensure the request is clearly understood. Requests should be made to:

Email: **clerk@loxwood-pc.gov.uk**

Please contact the Clerk via telephone to confirm the correct postal address: 0845 642880

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2.4 The request should provide as full a description as possible of the information you require, and your preferred method for receiving the information.

3. Complaints

3.1 The Council would normally expect the Clerk to understand what information you have asked for and be able to tell you where you can find it. If the information you received is not what you asked for or need, you should contact the Clerk to clarify your requirements.

3.2 If you believe that the Council has not dealt with your request fairly and it cannot be resolved on an informal basis, you should follow our complaints procedure.

3.3 If you have followed our complaints procedure and are still not happy with how we have dealt with your request, you may also contact the Information Commissioner's Office to ask them to investigate further. They can be contacted at:

Postal address:	The Information Commissioner's Office Wycliffe House, Water Lane Wilmslow, Cheshire SK9 5AF
Website:	www.ico.gov.uk
Telephone:	0303 123 1113

4. Charges

4.1 Charges made by the Council in relation to the Publication Scheme will be justified, transparent and kept to a minimum.

4.2 Information which is published and accessed on the Council's website is provided free of charge.

4.3 Charges will be made for Actual disbursements incurred as detailed below:

DESCRIPTION	BASIS OF CHARGE
Photocopying @ 10p per A4 sheet (black & white only)	Actual cost incurred
Photocopying @ 12p per A3 sheet (black & white only)	Actual cost incurred
Postage	Actual cost of Royal Mail standard 2nd class postage

DOCUMENT RETENTION SCHEME

1. Introduction

1.1 Loxwood Parish Council (the Council) recognises the need to retain documentation for audit purposes, staff management, tax liabilities and the eventuality of legal disputes and proceedings.

1.2 In agreeing a document retention scheme, the Council has addressed these needs, and taken into account its obligations under the Local Government Act 1972, the Audit Commission Act 1998, the Public Records Act 1958, the Data Protection Act 1998, the Employers' Liability (Compulsory Insurance) Regulations 1998, the Limitation Act 1980, the Employment Rights Act 1996, the Local Authorities Cemeteries Order 1977, the Local Government (Records) Act 1962, the Freedom of Information Act 2000 and the Lord Chancellor's Code of Practice on the Management of Records Code 2002.

2. Retention of documents for legal purposes

2.1 Most legal proceedings are governed by the Limitation Act 1980. The 1980 Act provides that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim.

Category	**Limitation Period**
Negligence (and other torts)	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal Injury	3 years
To recover land	12 years
Rent	6 years
Breach of trust	None

2.2 Some types of legal proceedings may fall into two or more categories. In these circumstances, the documentation should be kept for the longest of the differing limitation periods.

2.3 As there is no limitation period in respect of trusts, the Council will never destroy trust deeds and schemes and other similar documentation.

2.4 Some limitation periods can be extended. Examples include:

- where individuals first become aware of damage caused at a later date (e.g. in the case of personal injury);
- where damage is latent (e.g. to a building);
- where a person suffers from a mental incapacity;
- where there has been a mistake or where one party has defrauded another or concealed relevant facts.

2.5 In such circumstances, the Council will weigh up (i) the costs of storing relevant documents and (ii) the risks of:

- claims being made;
- the value of the claims; and
- the inability to defend any claims made should relevant documents be destroyed.

3. Document retention schedule

3.1 The Council has agreed a minimum document retention schedule, based on the obligations under the previously named acts, codes, orders and regulations.

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Minute books	Indefinite	Archive
Scale of fees and charges	6 years	Management
Receipt and payments account(s)	6 years	Management
Receipt books of all kinds, including ledgers	6 years	VAT
Bank statements, including savings/deposit accounts	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years after completion of contract	Limitation Act 1980
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980

VAT records, P60s and P45s	6 years	VAT, Tax
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980
Timesheets	Last completed audit year	Audit
Wages books	12 years	Superannuation
Insurance policies	While valid	Management
Certificates for insurance against liability for employees	40 years from date on which the insurance commenced or was renewed	Employers' Liability (Compulsory Insurance) Regulations 1998, Management
Investments	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register	6 years	Tax, Limitation Act 1980
Correspondence and emails	1 year	Limitation Act 1980
Accident book	3 years	Reporting of Injuries, Diseases and Dangerous Occurrences Act 2013
Annual accounts and asset registers	Indefinite	Archive
Pension contribution records	6 years	Pensions Act 2014
Personnel records, including SSP and maternity records	6 years	Limitations Act 1980
Asbestos and hazardous materials records	Indefinite	Asbestos Regulations
Job applications	6 months	GDPR
Previous versions of policies, standing orders, schemes of delegation	2 years	Data Protection Act 1998
For halls, centre, recreation grounds • Application for hire • Lettings diaries • Copies of bills to hirers • Record of tickets issued	6 years	VAT

3.2 The need to retain any documents not included in the above schedule should be considered on an individual basis. As a guide, and in the absence of any prevailing act, code, order or regulation to the contrary, documents may be destroyed if they are no longer of use or relevant. If in any doubt, advice should be sought from the Clerk.

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