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# DOCUMENT RETENTION AND DISPOSAL POLICY

## 1 Introduction

1.1 The Council accrues large amounts of information and data during the course of everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations this information is also recorded in various forms.

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

1.3 Documents may be retained in either electronic or hard paper forms. (For the purpose of this policy, documents and records refer to both electronic and hard copy records).

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

1.5 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 UK Data Protection Regulations (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025) so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

## 2 Scope and Objectives of the Policy

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

- retained and for how long; or
- disposed of and if so by what method.

2.2 There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:

- compliment slips;
- catalogues and trade journals;
- non-acceptance of invitations;
- trivial electronic mail messages that are not related to Council business;
- requests for information such as maps, plans or advertising material;
- out of date distribution lists.

2.3 Superseded and duplicated material such as manuals, drafts, forms, address books, stationery and reference copies of annual reports may be destroyed.

2.4 Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be disposed of under the UK General Data Protection Regulation (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025).

## 3 Roles and Responsibilities for Document Retention and Disposal

3.1 Councils are responsible for determining whether to retain or dispose of documents and should undertake a review of documentation at least on an annual basis to ensure that any unnecessary documentation being held is disposed of under the UK General Data Protection Regulation, Data Protection Act (2018) as amended by the Data Use and Access Act (2025).

## 4 Document Retention Protocol

4.1 Councils should have in place an adequate system for documenting the activities or their service. This system should take into account the legislative and regulatory environments to which they work.

4.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:

- protect the legal and other rights of the Council, its clients and any other persons affected by its actions;
- verify individual consent to record, manage and record disposal of their personal data;

- facilitate an audit or examination of the business by anyone so authorised;
- provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.

4.3 To facilitate this the following principles should be adopted:

- records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the the UK General Data Protection Regulation (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025);
- documents that are no longer required for operational purposes but need retaining should be placed at the records office.

4.4 The retention schedules in Schedule A: List of Documents for Retention or Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation.

4.5 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.

## 5 Document Disposal Protocol

5.1 Documents should only be disposed of it reviewed in accordance with the following:

- is retention required to meet the operational needs of the service?
- is retention required to evidence events in the case of dispute?
- is retention required to fulfil statutory or other regulatory requirements?
- is retention required because the document or record if of historic interest or intrinsic value?

5.2 When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned. A record of the disposal will be kept in order to comply with the UK General Data Protection Regulation (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025).

5.3 Documents can be disposed of by any of the following methods:

- non-confidential records: place in waste paper bin for disposal;
- confidential records or records giving personal information: shred documents;
- deletion of computer records;
- transmission of records to an external body such as the County Records Office.

5.4 The following principles should be followed when disposing of records:

- all records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the UK General Data Protection Regulation (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025);
- where computer records are deleted steps should be taken to ensure that data is virtually impossible to retrieve as advised by the Information Commissioner;
- the Freedom of Information Act or cause reputation damage;
- where documents are of historical interest it may be appropriate that they are transmitted to the County Records Office;
- back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

5.5 Records should be maintained of appropriate disposals. These records should contain the following information:

- the name of the document destroyed;
- the date the document was destroyed;
- the method of disposal.

## 6 Data Protection Act 1998 – Obligation to Dispose of Certain Data

6.1 The UK General Data Protection Regulation (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025) (storage limitation principle requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained. Section 1 of the Data Protection Act (2018) defined personal information as data that relates to a living individual who can be identified:

- from the data; or
- 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.

6.2 The Data Protection Act (2018) provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.

6.3 Councils are responsible to ensure that they comply with the principles under the UK General Data Protection Regulations 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;
- personal data shall be kept secure.

6.4 External storage providers or archivists that are holding Council documents must also comply with the above principles of the UK General Data Protection Regulation (GDPR), Data Protection Act (2018) as amended by the Data Use and Access Act (2025).

## 7 Scanning Documents

7.1 In general once a document has been scanned onto a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.

7.2 As a general rule hard copies of scanned documents should be retained for three months after scanning.

7.3 Original documents required for VAT and tax purposes should be retained for six years unless a shorter period has been agreed with HM Revenue and Customs.

## 8 Review of Document Retention

8.1 It is planned to review, update and where appropriate amend this document on a regular basis (at least every three years in accordance with the Code of Practice on the Management of Records issued by the Lord Chancellor).

8.2 This document has been compiled from various sources of recommended best practice and with reference to the following documents and publications:

- Local Council Administration, Charles Arnold-Baker, 910h edition, Chapter 11;
- Local Government Act 1972, sections 225-229, section 234;
- SLCC Advice Note 316 Retaining Important Documents;
- SLCC Clerks' Manual: Storing Books and Documents;
- Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000.

## 9 List of Documents

9.1 The full list of the Council's documents and the procedures for retention or disposal are listed overleaf in Appendix A.

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## Appendix A: List of Documents for Retention or Disposal

| Document | Minimum Retention Period | Reason | Location Retained | Disposal |
|---|---|---|---|---|
| Minutes | Indefinite | Archive | | Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. |
| Agendas | 5 years | Management | | Bin (shred confidential waste) |
| Accident/incident reports | 20 years | Potential claims | | Confidential waste A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |
| Scales of fees and charges | 6 years | Management | | Bin |
| Receipt and payment accounts | Indefinite | Archive | | N/A |
| Receipt books of all kinds | 6 years | VAT | | Bin |
| Bank statements including deposit/savings accounts | Last completed audit year | Audit | | Confidential waste |
| Bank paying-in books | Last completed audit year | Audit | | Confidential waste |
| Cheque book stubs | Last completed audit year | Audit | | Confidential waste |
| Quotations and tenders | 6 years | Limitation Act 1980 (as amended) | | Confidential waste A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |

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| Document | Minimum Retention Period | Reason | Location Retained | Disposal |
|---|---|---|---|---|
| Paid invoices | 6 years | VAT | | Confidential waste |
| Paid cheques | 6 years | Limitation Act 1980 (as amended) | | Confidential waste |
| VAT records | 6 years generally but 20 years for VAT on rents | VAT | | Confidential waste |
| Petty cash, postage and telephone books | 6 years | Tax, VAT, Limitation Act 1980 (as amended) | | Confidential waste |
| Timesheets | Last completed audit year 3 years | Audit (requirement) Personal injury (best practice) | | Bin |
| Wages books/payroll | 12 years | Superannuation | | Confidential waste |
| Insurance policies | As long as it is possible for a claim to be made under it | Management | | Bin |
| Insurance company names and policy numbers | Indefinite | Management | | N/A |
| Certificates for insurance against liability for employees | Indefinitely | The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753), Management | | Bin |
| Investments | Indefinite | Audit, Management | | N/A |
| Title deeds, leases, agreements, contracts | Indefinite | Audit, Management | | N/A |
| Members' allowances register | 6 years | Tax, Limitation Act 1980 (as amended) | | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the 2018 Act |

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| Document | Minimum Retention Period | Reason | Location Retained | Disposal |
|---|---|---|---|---|
| Information from other bodies e.g. circulars from One Voice Wales and principal authorities | Retained for as long as it is useful and relevant | | | Bin |
| Local/historical information | Indefinite – to be securely kept for benefit of the Community | Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use for such records (defined as materials in written or other form setting out facts or events or otherwise recording information). | | N/A |
| Magazines and journals | Council may wish to keep its own publications permanently,<br><br>Journals published by others (local government news journals and magazines) should be retained for as long as they are useful and relevant. | For archive purposes | | Bin if applicable |

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|---|---|---|---|---|
| | **Record-keeping** | | | |
| To ensure records are easily accessible it is necessary to comply with the following:<br>• A list of files stored in cabinets will be kept<br>• Electronic files will be saved using relevant file names | The electronic files will be backed up periodically on a portable hard drive and also in the cloud-based programme supplied by the Council's IT company. | Management | | Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste.<br>A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |
| General correspondence | Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept.<br>Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests. | Management | | Bin (shred confidential waste)<br>A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |

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|---|---|---|---|---|
| Correspondence relating to staff | If related to Audit, see relevant sections above. Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months Recommend this period be for 3 years. | After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council. | | Confidential waste<br>A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |
| **Documents from legal matters, negligence and other torts**<br>Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Where the limitation periods are longer than other periods specified the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories. If in doubt, keep for the longest of the three limitation periods. | | | | |
| Negligence | 6 years | | | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |
| Defamation | 1 year | | | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |

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| Document | Minimum Retention Period | Reason | Location Retained | Disposal |
|---|---|---|---|---|
| Contract | 6 years | | | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |
| Leases | 12 years | | | Confidential waste. |
| Sums recoverable by statute | 6 years | | | Confidential waste. |
| Personal injury | 3 years | | | Confidential waste. |
| To recover land | 12 years | | | Confidential waste. |
| Rent | 6 years | | | Confidential waste. |
| Breach of trust | None | | | Confidential waste. |
| Trust deeds | Indefinite | | | N/A |
| **For Halls, Centres, Recreation Grounds** | | | | |
| • Application to hire<br>• Invoices<br>• Record of tickets issued | 6 years | VAT | | Confidential waste<br>A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |
| Lettings diaries | Electronic files linked to accounts | VAT | | N/A |
| Terms and Conditions | 6 years | Management | | Bin |
| Event Monitoring Forms | 6 years unless required for claims, insurance or legal purposes | Management | | Bin. A list will be kept of those documents disposed of to meet the requirements of the 2018 Act. |

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|---|---|---|---|---|
| | **For Allotments** | | | |
| Register and plans | Indefinite | Audit, Management | | N/A |
| Minutes | Indefinite | Audit, Management | | N/A |
| Legal papers | Indefinite | Audit, Management | | N/A |
| | **Planning Papers** | | | |
| Applications | 1 year | Management | | Bin |
| Appeals | 1 year unless significant development | Management | | Bin |
| Trees | 1 year | Management | | Bin |
| Local Development Plans | Retained as long as in force | Reference | | Bin |
| Local Plans | Retained as long as in force | Reference | | Bin |