

Bitteswell with Bittesby Parish Council

Document Retention Policy

Policy adopted on 21 May 2020 | Date of review 04 May 2022

Retention Schedule for Council Records

There is a clear need to retain documentation for a variety of reasons including audit purposes, staff management, tax and VAT and the potential eventuality of legal dispute and proceedings.

The Retention Schedule includes the main types of Council records. Each entry lists the record series along with the proposed action, the retention periods and reasons for the action. Further information can be sought from the National Association of Local Councils (NALC) and, in particular, Legal Topic Note LTN 40.

Many documents are now held electronically so the same arrangements for keeping records and copies should be applied to an electronic document as for a paper record.

The following information provides an explanation for each of the three action terms used within the schedule.

Records identified for permanent preservation

Records in this category have been identified for permanent retention. These should be deposited with the local Archive Service once there is no longer an administrative need for them to be kept locally.

The only financial records recommended for deposit are the payment and receipt books or the annual audited accounts if the former has not survived. These are often filed with receipts and payments that are not necessary for preservation and should be weeded prior to their transfer to the Archive Service.

Records in this category should be transferred to the local Archive Service after the minimum retention period or once they become inactive.

Records to be destroyed

A large number of parish and town council records can be destroyed once they become inactive or the minimum retention period expires. Financial records account for the majority of this category. These must be kept for a minimum of 6 years after the last entry (Limitation Act 1980 (as amended), VAT Act 1994 etc.), but may be retained for longer depending on local circumstances.

Records not given a minimum retention period can be destroyed once there is no longer an administrative requirement for their custody. If Council is unsure whether a document or series of records should be destroyed, then please contact the local Archive Service for further guidance.

To protect confidential information, all records assigned for disposal should be securely destroyed.

Retention of documents for legal purposes

The Limitations Act 1980 (as amended) provides that legal claims may not be commenced after a specified period. The table below sets out the different limitation periods for different categories of claim. (Please see the NALC Legal Topic Note 40 for further information):

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

RETENTION PERIODS FOR COUNCIL DOCUMENTS

Administrative	Minimum Retention period	Action	Reason
Agendas	Until there is no longer an administrative requirement. Can be transferred to local Archive.	Destroy	Operational
Agendas: Reports and other documents circulated with agendas	Until there is no longer an administrative requirement. Destroy these reports if copies are already included with signed minutes	Review	Common practice
Minutes: Minute Books	Indefinite	Preserve	Archive
Minutes: Signed council and committee minutes	Indefinite. Can be transferred to local Archive.	Preserve	Common practice
Minutes: Draft minutes	Until the date of confirmation of the minutes	Destroy	Operational
Remote meeting video recordings	Until draft minutes are approved at next meeting	Destroy	Operational
Councillors' declarations of office	4 years or until they vacate office	Destroy	Operational
Councillors' register of interests	18 months from the end of appointment	Destroy	Operational
Members' Disclosure of Interest	18 months from the end of appointment	Destroy	Operational
Members' Allowances Register	6 years	Destroy	Tax, Limitation Act 1980 (as amended)
Register of electors	Until there is no longer an administrative requirement	Destroy	Copies already in existence
Byelaws and orders	Preserve one of each copy and transfer to local Archive once they become inactive	Preserve	Common practice
Policy documents	Until there is no longer an administrative requirement. Destroy old versions.	Review	Operational
General correspondence	6 Years after correspondence ends	Destroy	Operational

Routine internal correspondence and papers	Until there is no longer an administrative requirement	Review with the view to destroy	Operational
Complaints	6 Years after resolution of complaint	Destroy	Operational
Risk assessments	Once superseded by a new risk assessment or once inactive	Destroy	Operational
Insurance policies (Public liability claims fall under the area of law known as personal injury).	Personal injury claimants usually have 3 years from the date of the injury to a claim. Claims can sometimes be made outside the 3 years limitation period. Minors have 3 years from the age of 18 in which to make a claim.	Retain for as long as it is possible for a claim to be made under them.	Operational
Certificate for Insurance against liability for employees	40 years from date on which insurance commenced or was renewed.	Preserve	The Employers' Liability Regulations 1998 (SI. 2753), Management
Insurance company names and policy numbers	Indefinite	Preserve	Common practice
Insurance Claims	7 Years after all obligations are concluded (allowing for claimant to reach age of 25)	Destroy	Operational
Village/parish appraisals, plans, millennium projects and supporting papers	Until there is no longer an administrative requirement	Review	Operational
Planning applications and related papers for major controversial developments	Until there is no longer an administrative requirement	Review with the view to destroy	Operational
Planning applications for minor works	End of administrative use. Documents are available on District Council's website	Destroy	Operational
Planning applications for minor works where permission is refused	End of administrative use. Documents are available on District Council's website	Destroy	Limitation Act 1980

Planning: appeal decision letters	Indefinite	Preserve	Wider implications e.g., the decision may set a precedent for other developments in the locality. Or for further applications relating to the same site
Copies of Local Plans or similar documents	Retain for as long as they are in force	Destroy	Operational
Leases, agreements, contracts and wayleaves	Indefinite	Preserve	Audit/Management
Parish council newsletter	Indefinite. Transfer one copy to local Archive.	Preserve	Common practice
Newsletter mailing list	Retain until consent withdrawn or following regular review consent no longer provided	Destroy	Operational

Personnel	Retention period	Action	Reason
Personnel files	6 Years after termination of service, unless there are potential health or tribunal issues (keep until age 65)	Destroy	Risk of investigation regarding any future litigation
Personnel files – annual leave	2 years	Destroy	Operational
Recruitment data	Add to personnel file	Destroy	Equalities Act
Successful	6 Months after recruitment finalised		
Unsuccessful	1 year after recruitment finalised plus current year		
Time sheets	Last completed Audit year 3 years	Destroy	Audit Requirement Personal Injury (best practice)

Expense claims	6 years from end of current financial year	Destroy	Council financial regulations
Wage books	12 years	Destroy	Superannuation & Limitation Act 1980 (as amended)

Financial	Retention period	Action	Reason
Scales of fees and charges	6 years from end of current financial year	Destroy	Management
Account books and receipt and payment books	6 years from end of current financial year	Destroy	Council financial regulations
Rate books	Indefinite. Transfer to local Archive once they become inactive	Preserve	Common practice
Receipt books of all kinds	6 years from end of current financial year	Destroy	VAT
Annual audited accounts	6 years from end of current financial year	Destroy, but preserve if the receipt and payment books have not survived.	Council financial regulations
Accounts and statements	6 years from end of current financial year	Destroy	Council financial regulations
Annual Accounts	Indefinite	Preserve	Archive/Audit
Vouchers before 1950	6 years from end of current financial year	Destroy	Council financial regulations
Cash and petty cash books, rent books, postage and telephone books	6 years from end of current financial year	Destroy	Tax, VAT, Limitations Act 1980 (as amended)
Receipt books of all kinds	6 years from end of current financial year	Destroy	Council financial regulations
Postage and telephone books	6 years from end of current financial year	Destroy	Council financial regulations

Bank statements including deposit/saving accounts	6 years from end of current financial year	Destroy	Council financial regulations
Bank paying-in books	6 years from end of current financial year	Destroy	Council financial regulations
Cheque book stubs	6 years from end of current financial year	Destroy	Council financial regulations
Paid invoices	6 years from end of current financial year	Destroy	VAT Council financial regulations
Paid cheques	6 years from end of current financial year	Destroy	Limitation Act 1980 (as amended) Council financial regulations
VAT records	6 years from end of current financial year	Destroy	VAT Act 1994
VAT claims	6 years from end of current financial year	Destroy	VAT Act 1994
Quotations and tenders (successful)	6 years after contract ends	Destroy	Limitation Act 1980
Quotations and tenders (unsuccessful)	2 years	Destroy	Operational
Tax Related Paperwork: pay slips, P45s, Tax Code Notices	HMRC suggests retaining for at least 22 months from the end of the tax year they relate to. The tax year finishes on April 5, keep the relevant paperwork until at least January 31 two years later.	Destroy	Common practice

Land and Property	Indefinite	Preserve	Audit, Management
Register & Plans	Indefinite	Preserve	Audit, Management
Maps created under the provision of the Rights of Way Act 1932	Indefinite	Preserve	Common practice

Papers concerning Rights of Way	Until there is no longer an administrative requirement	Destroy	Operational
Community magazines or newsletters (not created by the parish council)	Until there is no longer an administrative requirement	Review	Operational
Charity papers	Until there is no longer an administrative requirement	Review	Operational
Press cuttings book	Until there is no longer an administrative requirement	Review	Operational
Photographs	Until there is no longer an administrative requirement	Review	Operational
Any records predating the establishment of Parish Councils (1894), e.g. poor law, surveyors of the highway, tithe maps and apportionments, enclosure awards etc.	Transfer to local Archive as soon as possible	Preserve	Common practice
Reports, guides, handbooks etc. received from other organisations	Until there is no longer an administrative requirement	Review	Operational
Contracts, wayleaves, agreements and other legal deed other than title deeds	Indefinite	Preserve	Common practice
Routine Inspection of Play Areas	RoSPA recommend a minimum of 15 years, ideally 21 years	Destroy	Common practice
Annual Safety Inspection Reports of Play Areas	RoSPA recommend a minimum of 15 years, ideally 21 years	Destroy	Common practice
Title deeds (including Trust deeds and schemes and similar documentation)	Indefinite. Transfer to local Archive once they become inactive.	Preserve	Audit/Management Common practice

Property registers and terriers	Indefinite. Transfer to local Archive once they become inactive.	Preserve	Common practice
Maps, plans, and surveys of property owned by the council	Indefinite. Transfer to local Archive once they become inactive	Preserve	Common practice