



Document Retention & Disposal Policy

Honiton Town Council

Policy Statement

This policy is intended to determine which documents are:

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

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.

Retention of documents

Documents and records should be retained until they are no longer needed. Appendix A contains a table containing the appropriate minimum retention periods for the most important documents for audit and other purposes, such as staff management, invoices and payments, allotment management and the possibility of legal disputes and legal proceedings. If in doubt, document(s) should be retained until legal advice has been received.

Scope of the Policy

“Documents” is to be taken to refer to both hard copy paper documents and electronic documents. Many documents are now only held electronically, so the same arrangements for keeping records and copies should be applied to an electronic document as for a paper document.

Aims of the Policy

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 General Data Protection Regulations.

The guidelines set out in this document supports the Council’s Data Protection Policy and assists us in compliance with the Freedom of Information Act 2000, the UK General Data Protection Regulation / Data Protection Act 2018 and other associated legislation.

Councils should ensure that all employees are aware of the retention/disposal schedule.

Types of documents – base information

4.1 Insurance policies

All insurance policies should be kept for as long as it is possible for a claim to be made under them.

4.2 Financial returns and accounts

The Council's Financial Regulations are based on NALC's Model Financial Regulations (England and Wales) which contain information on council audit and accounting requirements.

4.3 Documentation relating to staff

Such documents should be kept securely and in accordance with the data protection principles contained in data protection legislation.

4.4 Correspondence

If related to audit matters, correspondence should be kept for the appropriate period specified in Appendix A. For other correspondence (unless relating to staff) documents may only be retained for as long as the information is relevant.

4.5 Magazines, Journals and other publications

A council may want to keep its own publications (e.g. newsletters) permanently for archive purposes. Journals published by others (e.g. local government news journals and magazines) should be retained as long as they are useful and relevant.

4.6 Information from other bodies

Documents such as circulars, etc. from county associations, NALC and other bodies (e.g. principal authorities) should be retained for as long as is useful and relevant.

Retention of documents for legal purposes

Contracts must be retained and retrievable at least for the duration of the contract. 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. The specified period varies depending on the type of claim in question. The information below sets out the limitation periods for the different categories of claims. Where the limitation periods are longer than other periods specified in this list, the documentation should be kept for the longer period specified.

- Negligence (and other torts except for personal injury) — Six years
- Personal injury — Three years
- Defamation — One year
- Contract — Six years
- Leases — 12 years
- Sums recoverable by statute — Six years
- To recover land — 12 years
- Rent — Six years
- Breach of trust — None specified

As there is no limitation period in respect of trusts, councils should never destroy trust deeds and schemes and other similar documentation.

For the sake of completeness, it should be noted that some limitation periods can be extended. Examples include:

- Where individuals do not become aware of damage until a later date (e.g. in the case of disease).
- Where damage is hidden (e.g. to a building).
- Where a person is a child or suffers from a mental incapacity.
- Where there has been a mistake by both parties or
- Where one party has defrauded another or concealed facts.

Retention of documents required for the audit of parish and town councils
Appendix A:

Document	Minimum retention period	Reason
Minutes (Full Council & Committees)	Indefinite	LGA 1972
Scales of fees and charges	Six years	Management
Receipt and payment account(s)	Six years	Archive
Receipt books of all kinds	Six years	VAT
Bank statements, including deposit/savings 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	Six years	Limitation Act 1980 (as amended)
Paid invoices	Six years	VAT
Paid cheques	Six years	Limitation Act 1980 (as amended)
VAT records	Six years generally but 20 years for VAT on rents	VAT
Petty cash, postage, and telephone books	Six years	Tax, VAT, and Limitation Act 1980 (as amended)
Timesheets	Three years (or last completed audit year)	Audit (requirement) and personal injury (best practice)
Wages books	12 years	Superannuation
Insurance policies	As long as a claim can be made under it	Management and legal proceedings
Certificates for Insurance against liability for employees	Indefinitely	Future claims
Investments	Indefinite	Audit and management
Title deeds	Indefinite	Audit and management
Leases	Duration of lease and at least 6 years	Audit and management
Agreements	Duration of agreement and at least 6 years	Audit and management

Contracts	See above	Audit and management
Members allowances register	Six years	Tax and Limitation Act 1980 (as amended)
For allotments:		
Register and plans	Indefinite	Audit and management
Licences	Annual	Audit and management