

Littlehampton Town Council

Records Retention and Disposal Policy

1. Introduction

- 1.1 Littlehampton Town Council recognises that its records are an important public asset, and are a key resource to effective operation and to accountability. Like any asset, they require careful management and this policy sets out the Council's responsibilities and activities in regard to the management and retention of its records. The term "records" applies equally to paper and electronic records.
- 1.2 The effective management of records in all formats depends as much on their efficient disposal as well as their long-term preservation. Records and Disposal Policies are essential for effective records management. As a local authority the Town Council must be consistent in the way it handles and disposes of its information. These guidelines will assist the Council in meeting local needs whilst providing a consistent approach to record keeping across the Council.
- 1.4 These guidelines are also extremely important in the context of both Freedom of Information Act 2000 and Data Protection Act 2018 compliance. The public expect equality of openness and availability across the government sector, and stakeholders will expect that their interests are being safeguarded. These guidelines are instrumental in achieving these aims.

2. Scope

- 2.1 The guidelines have been issued to support Littlehampton Town Council staff in the areas of records management, records retention, Data Protection Act, Freedom of Information Act and the Local Government Act.
- 2.2 They are intended to cover all records and information from creation through to either their destruction or retention for historical or research purposes.
- 2.3 Backup copies on alternative media (e.g. server, microfilm or paper) should also be destroyed, in accordance with these guidelines. This is to ensure compliance with Data Protection and Freedom of Information Act legislation requirements.

3. Objectives of the Retention Guidelines

- 3.1 The objectives of these guidelines are to:
 - i) Assist in identifying records that may be worth preserving permanently.

- ii) Prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration.
- iii) Ensure consistency in the destruction of records after specified periods as required to meet Data Protection obligations.
- iv) Improve records management practices within the Town Council.

4. Transfer of Records to Archival Storage

- 4.1 Records identified as 'permanent' should be marked 'Archive'.
- 4.2 If you wish to transfer permanent records to an archive please contact the Assistant Town Clerk.

5. Litigation

- 5.1 Where litigation is possible, the records and information that might be required should not be amended or disposed of until the possibility of litigation has been removed.

6. Destruction of Records

- 6.1 The destruction of records must be logged in the Documents Destroyed Records Database. The Deputy Town Clerk will have overall responsibility for the register of destroyed records and will retain confirmation of destruction certificates where the shredding has been outsourced.
- 6.2 Records should be destroyed using the appropriate method, either shredding for paper or deletion for electronic records.

Appendix 1: Records Retention and Disposal Schedule

Records Retention and Disposal Schedule			
Retention Period – unless otherwise stated, the period in years refers to how long the document should be kept <u>after the year in which the work is over</u> (employment ceases, end of contract, end of financial year, event or hire finishes etc)			
Confidential waste – Before shredding (or deleting batches of documents online or emails) the destruction MUST be documented here G:\Staff Resources\Record Retention & Disposal			
Section 1: Human Resources			
Document	Retention Period	Reason	Disposal
HR records	6 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

Recruitment details (unsuccessful candidates)	6 months after recruitment process ends.	Management	Confidential waste
Signing in sheets	3 years	Management	Confidential waste

Section 2: Democratic Services and historic information			
Document	Retention Period	Reason	Disposal
Committee and Full Council Agendas and Minutes	Indefinite	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must be archived and deposited with the Higher Authority
Councillors' allowances register	6 years	Tax, Limitation Act 1980 (as amended)	Confidential waste.
Local/historical information	Indefinite – to be securely kept for benefit of the Parish	Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the	N/A

Councillors register of interests	8 years after term of office	Privacy Notice	Confidential waste.
Councillors Information	Until end of office	Privacy Notice	Confidential waste.
Documentation relating to museum volunteers and enquiries	5 years	Privacy Notice	Confidential waste.
Museum contingency plan	Until replaced	Privacy Notice	Confidential waste.

Section 3: Corporate Management

Document	Retention Period	Reason	Disposal
Insurance policies	While valid (but see next two items below)	Management	Recycle
Insurance company names and policy numbers	Indefinite	Management	N/A
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management	Recycle
Investments	Indefinite	Audit, Management	N/A

Title deeds, leases, agreements, contracts	Indefinite	Audit, Management	N/A
Internal Operations Procedure Manual	Destroy on renewal Review annually	Management	Confidential waste
Code of Practice	Destroy on renewal Review annually	Management	Confidential waste
Continuity Plan	Until Replacement	Privacy Notice	Confidential waste
Sponsorship	7 years	Privacy Notice	Confidential waste.
Surveys (personal data)	Until end of survey or consultation life.	Privacy Notice	Confidential waste.
Press Releases	8 Years	Privacy Notice	Confidential waste.
Major Projects	Unsuccessful 18 months / 7 years after completion	Privacy Notice	Recycle

Section 4: Legal and Contracts

Document	Retention Period	Reason	Disposal
Documents from legal matters, negligence and other torts 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.
Defamation	1 year		Confidential waste.
Contract	6 years		Confidential waste.
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
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Confidential waste
Service funding agreements	Unsuccessful 4 years / 7 Years after grant payment	Privacy Notice	Confidential waste
Grant applications to the council	Unsuccessful 4 years / 7 Years after grant payment	Privacy Notice	Confidential waste

Section 5: Financial Records			
Document	Retention Period	Reason	Disposal
Scales of fees and charges	6 years	Management	Recycle
Receipt and payment accounts	Indefinite	Archive	N/A
Receipt books of all kinds	6 years	VAT	Recycle
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
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

Wages books/payroll	12 years	Superannuation	Confidential waste
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Section 6: Health & Safety and Operations			
Document	Retention Period	Reason	Disposal
Accident/incident reports	20 years	Potential claims	Confidential waste
Office Visitors	3 months	Management	Confidential waste
Safety inspections/audits	6 Years	LTC Practice	Recycle
Lifting Operations Thorough examinations	For as long as equipment is Operated + 3 years	Statutory.	Recycle
Fire alarm/emergency lighting.	Retain last two certificates	LTC Practice	Recycle
Building installations/ electrical inspections	Retain last two certificates	LTC Practice	Recycle
Other statutory inspections/tests	10 Years	LTC Practice	Recycle

Working platforms and personal safety equipment test and inspection records.	Life of equipment plus 6 full years	Statutory. Provision and Use of Work Equipment Regulations 1998 SI 1998 No 2306 Regulation 5	Recycle
Fire Risk Assessments	6 years	LTC Practice	Recycle
Fire safety check sheets	6 years	LTC Practice	Recycle
Fire extinguisher tests	6 years	LTC Practice	Recycle
Machine maintenance log books	Life of equipment plus 6 full years	Statutory. Provision and Use of Work Equipment Regulations 1998 SI 1998 No 2306 Regulation 5	Recycle
Waste transfer notes	2 Years	Statutory. Environmental Protection (Duty of Care) Regulations 1991 (SI 2839). Note: The waste management contractor must retain notes for 6 years under landfill tax legislation.	Recycle

Section 7: Property and Building Records			
Document	Retention Period	Reason	Disposal
Asbestos Register	Permanent	Statutory. Control of Asbestos at Work Regulations 1987 SI 1987 No 2115. The Control of Asbestos at Work (Amendment) Regulation 1998 SI 1998 No: 323. 2002 Regulations	N/A
Asbestos Surveys (both visual and intrusive)	Permanent	Statutory. Control of Asbestos at Work Regulations 1987 SI 1987 No 2115. The Control of Asbestos at Work (Amendment) Regulation 1998 SI 1998 No: 323. 2002 Regulations	N/A
Asbestos Management	Permanent	Statutory. Control of Asbestos at Work Regulations 1987 SI 1987	N/A

		No 2115. The Control of Asbestos at Work (Amendment) Regulation 1998 SI 1998 No: 323. 2002 Regulations	
Asset registers	To be kept updated CY+ 6years	Management	Recycle
Estate management files	6 Years	Management	Recycle

Section 8: Planning			
Document	Retention Period	Reason	Disposal
Trees	1 year	Management	Recycle
Local Development Plans	Retained as long as in force	Reference	Recycle
Local Plans	Retained as long as in force	Reference	Recycle
Town/Neighbourhood Plans	Indefinite – final adopted plans	Historical purposes	N/A

Section 9: General Services and Property			
Document	Retention Period	Reason	Disposal
For Hall, Centres and Recreation Grounds			
• Application to hire • Invoices Record of tickets issued	6 years	VAT	Confidential waste
Lettings diaries	Electronic files linked to accounts	VAT	N/A
Terms and Conditions	6 years	Management	Recycle
Event Monitoring Forms	6 years unless required for claims, insurance or legal purposes	Management	Confidential waste.
Feedback on venues	1 year from feedback	Management	Confidential waste
For Allotments			
Register and plans	Indefinite	Audit, Management	N/A
Minutes	Indefinite	Audit, Management	N/A
Legal papers	Indefinite	Audit, Management	N/A
Tenancy documentation	1 year		
For Events			

Event Records	7 years	Management	Confidential waste
Free of Charge Stall holders contact details	2 years after no contact	LIA – FOC stalls	Confidential waste

Section 10: Other			
Document	Retention Period	Reason	Disposal
Press releases	8 years	Privacy Notice	Recycle
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant		Recycle
Magazines and journals	Council may wish to keep its own publications For others retain for as long as they are useful and relevant.	The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1 st February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act	Recycle if applicable

		published by a local council therefore constitute materials which the British Library holds.	
General correspondence	6 years UNLESS it relates to specific categories outlined in the schedule.		
Photographs (of identifiable people)	5 years UNLESS signed consent form states otherwise.	Management	Confidential waste
Job request and records (amenities team)	7 years	Privacy Notice	Recycle