



1. Introduction

- 1.1 The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various different types of documents.
- 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. Properly managed records provide authentic 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 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.
- 1.4 It is imperative that certain documents are retained for an appropriate 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 operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.
- 1.5 However, the Council should also not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations 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:
 - 'With compliments' 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 - Out of date distribution lists.
- 2.3 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.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 General Data Protection Regulations

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 General Data Protection Regulations.
- 3.2 Councils should ensure that all employees are aware of the retention/disposal schedule.

4. Document Retention Protocol

- 4.1 Councils should have in place an adequate system for documenting the activities of 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:
 - Facilitate an audit or examination of the business by anyone so authorised.
 - 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.
 - 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 General Data Protection Regulations
 - Documents that are no longer required for operational purposes but need retaining should be archived in the Council chambers or off-site if necessary. The retention schedules in Appendix 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.
- 4.4 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 if reviewed in accordance with the following:
 - Is retention required to fulfil statutory or other regulatory requirements?
 - 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 because the document or record is 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 to comply with the General Data Protection Regulations.
- 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.
- Transferred the records to a relevant external body such as the County Records Office or Local History museum.

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 General Data Protection Regulations.
- The Freedom of Information Act or cause reputational damage.
- Where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner.
- Where documents are of historical interest it may be appropriate that they are transferred to the County Records office or other relevant body.
- 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:

- Details of the record to be disposed of
- Reason for disposal eg. end of retention period
- Format i.e Hard copy, electronic, other
- The method of disposal. (Destruction and if so how; or transfer to a relevant body)
- The date the document was disposed of.

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

6.1 The Data Protection Act 1998 ('Fifth 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 defines personal information as:

Data that relates to a living individual who can be identified:

- a) from the data, or
- b) 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 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 for ensuring that they comply with the principles of the 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 General Data Protection Regulations.

7. Scanning of Documents

7.1 In general once a document has been scanned on to 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 in accordance with the *Code of Practice on the Management of Records* issued under section 46 of the Freedom of Information Act 2000.

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, 12th edition, Chapter 11
- Local Government Act 1972, sections 225 – 229, section 234
- SLCC Advice Note Retaining Important Documents
- *Code of Practice on the Management of Records* issued under Section 46 of the *Freedom of Information Act 2000 - Presented to Parliament by the Secretary of State for Digital, Culture, Media and Sport*
- Retention Guidelines for Local Authorities - A Guide produced by the Local Government Group of The Records Management Society of Great Britain

9. List of Documents

9.1 The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

Adopted by the Council: 25th September 2023

Next Review: January 2025

Tring Town Council Appendix A: List of Documents for Retention or Disposal

Document	Action	Minimum Retention Period	Reason	Disposal
Administration				
Minutes	Preserve	Indefinite	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. These can be archived with a higher authority if required.
Draft/rough/notes of minutes taken at minutes	Destroy	Until the date of confirmation of the minutes.	Management	Bin (shred confidential waste) Electronic copies are permanently deleted as per policy.
Agendas, reports and other documents circulated with agendas.	Destroy	5 years	Management	Bin (shred confidential reports) Electronic copies permanently deleted as per policy.
Routine correspondence, papers and emails	Unless they relate to specific categories outlined elsewhere in this list, correspondence, both paper and electronic,	End of administrative use (Clerk's discretion)	Management	Bin (shred confidential waste) Electronic copies to be permanently deleted as per policy.

Document	Action	Minimum Retention Period	Reason	Disposal
	should be reviewed with a view to destroy			
Correspondence and papers on important local issues or activities	Unless it relates to specific categories outlined elsewhere in this list, correspondence, both paper and electronic, should be reviewed with a view to destroy but preserve at the Clerk's discretion.	End of administrative use	Management	Bin (shred confidential waste) A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. Electronic copies are to be permanently deleted as per policy.
Requests under the Freedom of Information Act	Review with a view to destroy	1 year after the matter has been dealt with	The ICO will usually only address a complaint within 3 months of last contact so this should be a reasonable amount of time.	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. Electronic copies are to be permanently deleted as per policy.
Complaints	Review with a view to destroy	6 years of closure	Management	Confidential waste. A list will be kept of those documents

Document	Action	Minimum Retention Period	Reason	Disposal
				disposed of to meet the requirements of the GDPR regulations. Electronic copies are to be permanently deleted as per policy.
Councillors' declaration of office	Destroy	18 months after the Councillor left office.	Management (Time limit obtained from DBC)	Bin (shred confidential waste) Electronic copies permanently deleted as per policy.
Councillors' Register of Interests	Destroy	18 months after the Councillor left office.	Management (Time limit obtained from DBC)	Bin (shred confidential waste) Electronic copies permanently deleted as per policy.
Councillors signed Code of Conduct	Destroy	18 months after the Councillor left office.	Management (Time limit obtained from DBC)	Bin (shred confidential waste) Electronic copies permanently deleted as per policy.
Register of electors	Destroy	End of relevant year Advice from DBC (No deadline to keep the	Management	Confidential waste Electronic copies permanently

Document	Action	Minimum Retention Period	Reason	Disposal
		<p>registers by but we suggest to only keep the current year and to shred or delete any old data you hold for data protection purposes.</p> <p>The purpose of these registers is for voting purposes for the political parties and gaining elector numbers for nomination forms.”)</p>		deleted as per policy.
<p>Routine Policies and Procedures</p> <p>However where these are financial or governance policies eg Standing orders & financial regulations</p>	Destroy	<p>Until updated or renewed</p> <p>Last completed audit year</p>	<p>Management</p> <p>Audit - an auditor would want, for example, to refer to the regulations as they were in place at the time of an award of a contract/tender.</p>	<p>Bin (shred confidential waste)</p> <p>Electronic copies are to be permanently deleted as per policy.</p>
Legal and Property				
Insurance policies	Destroy	While valid (but see next two items below)	Management	<p>Bin</p> <p>Electronic copies permanently</p>

Document	Action	Minimum Retention Period	Reason	Disposal
				deleted as per policy.
Insurance company names and policy numbers	Preserve	Indefinite	Management	N/A
Public Liability Insurance policies, receipts for premiums (and certificates if issued)	Destroy	21 years	(SLCC guidance note: retaining important documents)	Confidential - shredded Electronic copies permanently deleted as per policy.
Certificates for insurance against liability for employees	Destroy	40 years from the date on which insurance commenced or was renewed	Management The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753)	Confidential - shredded Electronic copies permanently deleted as per policy.
Insurance claims records	Destroy	7 years after conclusion	Audit/Legal	Confidential - shredded Electronic copies permanently deleted as per policy.
Title deeds, leases, agreements, contracts, Licences But insignificant general correspondence regarding properties can be destroyed in line with correspondence above.	Preserve	Indefinite	Audit, Management	N/A
Property valuations	Preserve	Indefinite	Audit, Management	N/A
Planning applications and grants of permission for Council property	Preserve	Indefinite	Audit, Management	N/A

Document	Action	Minimum Retention Period	Reason	Disposal
Asset Register	Preserve	Indefinite but continuously updated	Audit	N/A
Maps, plans & surveys of property owned by the Council.	Preserve	Indefinite	Management	N/A
Maps created under the provisions of the Rights of Way Act 1932	Preserve	Indefinite		N/A
Health & Safety				
Accident/incident reports	Destroy	20 years	Potential claims	Confidential waste - shredded. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. Electronic copies are to be permanently deleted as per policy.
Asbestos records	Destroy	40 years	Potential claims	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. Electronic copies are to be permanently deleted as per policy.

Document	Action	Minimum Retention Period	Reason	Disposal
Risk Assessments	Destroy	5 years from last assessment	Standard Practice	Bin (shred confidential waste) Electronic copies permanently deleted as per policy.
Town Park equipment inspection reports	Destroy	21 years	Potential claims	Confidential Electronic copies permanently deleted as per policy.
Periodic machinery & equipment testing (Pat, equipment etc)	Destroy	6 years	Standard practice	Bin (shred confidential waste) Electronic copies permanently deleted as per policy.
For Hire of Land				
<ul style="list-style-type: none"> • Application to hire • Letting diaries • Invoices • Event Monitoring Forms 	Destroy	6 years	VAT	Confidential waste Electronic copies permanently deleted as per policy. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scale of fees and charges & Terms and conditions	Destroy	Until superseded	Management	Bin

Document	Action	Minimum Retention Period	Reason	Disposal
		by new charges		Electronic copies permanently deleted as per policy.
For Allotments				
Register and plans	Preserve	Indefinite	Audit, Management	N/A
Allotment agreements Corresp to and from allotment holders	Destroy	Length of tenancy + 6 years	Management	Confidential - shredded Electronic copies permanently deleted as per policy.
Planning Papers				
Applications	Destroy	All planning applications and relevant decision notices are available at DBC. There is no requirement to retain duplicates locally. All parish council recommendations in connection with these applications are recorded in the Council minutes and are retained indefinitely.	Management	Bin Electronic copies are to be permanently deleted as per policy.
Appeals	Destroy	Available online at DBC website.	Management	Bin Electronic copies are to be permanently

Document	Action	Minimum Retention Period	Reason	Disposal
				deleted as per policy.
Planning - general correspondence	Destroy	Keep for 2 years	Management	Shred in confidential waste Electronic copies are to be permanently deleted as per policy.
Local Plans	Destroy	Retained as long as in force or relevant. Although copies are available on the DBC website so may not wish to keep a paper copy.	Reference	Bin Electronic copies are to be permanently deleted as per policy.
Town/Neighbourhood Plans	Destroy	Indefinite – final adopted plans	Historical purposes	N/A
Finance & Payroll				
Annual Governance & Accountability Return and audited accounts. Sections 1, 2 & 3 of the published AGAR should remain available for public access for a period of not less than 5 years from the date of publication.	Preserve	Indefinitely	Archive	N/A
Receipt & payment accounts	Preserve	Indefinite	Archive	N/A
Internal Auditor Reports	Destroy	7 years	Audit	Bin
Annual Budget	Preserve	Indefinite	Archive	N/A
Budget papers I.e paperwork to create the budget	Destroy	2 years + current year	Audit	Bin

Document	Action	Minimum Retention Period	Reason	Disposal
				Electronic copies are to be permanently deleted as per policy.
Receipt books of all kinds	Destroy	6 years	VAT	Shred Electronic copies are to be permanently deleted as per policy.
Bank statements including deposit/savings accounts	Destroy	Last completed audit year	Audit	Confidential waste - Shred Electronic copies are to be permanently deleted as per policy.
Credit card statements	6 years	VAT	Confidential waste Electronic copies permanently deleted as per policy.	
Bank paying-in books	Destroy	Last completed audit year	Audit	Confidential waste
Cheque book stubs	Destroy	Last completed audit year	Audit	Confidential waste
Paid invoices (Purchases & sales) and orders & delivery notes		6 years	VAT	Confidential waste Electronic copies are to be permanently deleted as per policy.

Document	Action	Minimum Retention Period	Reason	Disposal
Paid cheques	Destroy	6 years	Limitation Act 1980 (as amended)	Confidential waste Electronic copies are to be permanently deleted as per policy.
VAT records	Destroy	6 years generally but 20 years for VAT on rents	VAT	Confidential waste Electronic copies are to be permanently deleted as per policy.
Petty cash records , postage and telephone books	Destroy	6 years	Tax, VAT, Limitation Act 1980 (as amended)	Confidential waste Electronic copies are to be permanently deleted as per policy.
Quotations and tenders	Destroy	6 years	Limitation Act 1980 (as amended)	Confidential waste - shred Electronic copies are to be permanently deleted as per policy. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Action	Minimum Retention Period	Reason	Disposal
Grant documentation	Destroy	7 years after the grant has been awarded	Based on DBC retention schedule	Confidential waste - Shred Electronic copies are to be permanently deleted as per policy.
Wages books/payroll	Destroy	12 years	Superannuation	Confidential waste - Shred Electronic copies are to be permanently deleted as per policy.
Timesheets	Destroy	Last completed audit year or 3 years	Audit (requirement) Personal injury (best practice)	Bin Electronic copies are to be permanently deleted as per policy.
Personnel/Employment				
Staff files	Destroy (*Unless ill health retirement then keep to person 100 years of age)	6 years after left employment unless through ill-health or industrial tribunal case (keep until person is 65*) If related to Audit, see relevant sections above.		Confidential waste - Shred Electronic copies are to be permanently deleted as per policy.

Document	Action	Minimum Retention Period	Reason	Disposal
		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		
Job Applicants	Destroy	6 months - those not shortlisted 1 year after recruitment finalised plus current year those shortlisted (except successful candidate)		Confidential waste - Shred Electronic copies are to be permanently deleted as per policy. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Other				
Tring Urban District Council documents and papers	Review with a view to Archive or destroy.	Depends on paperwork. Keep in line with similar docs for TTC as detailed in	Management	Documents to be destroyed Bin or shredded if confidential.

Document	Action	Minimum Retention Period	Reason	Disposal
		this document.		Document to archive either in the Council offices or Consult with DBC, Herts Archives and possibly Tring Local History Museum to archive with the appropriate body.
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Dispose	Retained for as long as it is useful and relevant (at Clerk's discretion). However if documents are available online there is no requirement to keep a paper copy.	Management	Bin Electronic copies are to be permanently deleted as per policy.
Local/historical information including press-cutting books and photographs	Preserve	Indefinite but potentially to be disposed of to an appropriate body 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 use for such records (defined as materials in written or other form setting out facts or events or otherwise recording information).	N/A May be deposited with the Tring Local History Museum or other appropriate body.

Document	Action	Minimum Retention Period	Reason	Disposal
Magazines and journals	Dispose but note re own publications	<p>Council may wish to keep its own publications</p> <p>For others retain for as long as they are useful and relevant.</p>	<p>The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1st 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 published by a local council therefore constitute materials which the British Library holds.</p>	<p>Bin if applicable</p> <p>Electronic copies are to be permanently deleted as per policy.</p>

Document	Action	Minimum Retention Period	Reason	Disposal
Press releases	Dispose	5 years	Management	Bin Electronic copies permanently deleted as per policy.
Public Consultations (run by TTC)	Dispose	5 years but may need to keep longer if evidences support of expenditure of Cil monies	Management	Bin/Shred any confidential waste Electronic copies permanently deleted as per policy.
Record-keeping				
To ensure records are easily accessible it is		The electronic files and database will	Management	Documentation no longer required will be

Document	Action	Minimum Retention Period	Reason	Disposal
<p>necessary to comply with the following:</p> <ul style="list-style-type: none"> • A list of files stored in cabinets will be kept • Electronic files will be saved using relevant file names 		<p>be automatically backed-up daily on a local resilient IT storage device and also off-site in a Cloud-based storage location, managed by data backup software supplied by the Council's IT company</p>		<p>disposed of, ensuring any confidential documents are destroyed as confidential waste.</p> <p>Electronic copies permanently deleted as per policy.</p> <p>A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.</p>
<p>Documents from legal matters, negligence and other torts</p> <p>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.</p> <p>If in doubt, keep for the longest of the three limitation periods.</p>				
Negligence		6 years		<p>Confidential waste.</p> <p>Electronic copies are to be permanently deleted as per policy.</p> <p>A list will be kept of those documents disposed of to meet the requirements</p>

Document	Action	Minimum Retention Period	Reason	Disposal
				of the GDPR regulations.
Defamation		1 year		<p>Confidential waste.</p> <p>Electronic copies are to be permanently deleted as per policy.</p> <p>A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.</p>
Contract		6 years		<p>Confidential waste.</p> <p>Electronic copies are to be permanently deleted as per policy.</p> <p>A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.</p>
Leases		12 years		<p>Confidential waste.</p> <p>Electronic copies are to be permanently</p>

Document	Action	Minimum Retention Period	Reason	Disposal
				deleted as per policy.
Sums recoverable by statute		6 years		Confidential waste. Electronic copies are to be permanently deleted as per policy.
Personal injury		3 years		Confidential waste. Electronic copies are to be permanently deleted as per policy.
To recover land		12 years		Confidential waste. Electronic copies are to be permanently deleted as per policy.
Rent		6 years		Confidential waste. Electronic copies are to be permanently deleted as per policy.
Breach of trust		None		Confidential waste. Electronic copies are to be permanently

Document	Action	Minimum Retention Period	Reason	Disposal
				deleted as per policy.
Trust deeds		Indefinite		N/A