

Retention and Disposal Policy

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# Establishment of the Retention and Disposal Policy

## Introduction

* + 1. For the Council to meet its statutory responsibilities there is a need for efficient and effective records management. Records are the basic tool of the authority’s administration. They provide information for planning and decision making and they are the foundation of the authority’s accountability.
		2. The aim of this Policy is to outline the Council’s approach to managing the retention and secure disposal of our information in line with business requirements and legal obligations. Records retention and disposal are subject to direct legal requirements. This Policy contains guidelines ensuring compliance with legal, fiscal and good practice requirements for records retention.
		3. This Policy does not contain a section for each department as many of the records created will be the same. For example, Community Safety will have records relating to prosecutions, as will Legal, and therefore it is important the Policy is looked at as a whole
		4. Please note that where there is no guidance in this policy regarding a retention period you should use the Local Government Association tool to identify the appropriate retention period.

## Scope

* + 1. The Retention and Disposal Schedule provides retention and disposal timeframes for records (including paper, electronic, microform, audio-visual etc.) commonly created and maintained by Ashfield District Council to support administrative, legal and fiscal activities, according to UK legislation and best practice guidelines. This Policy and associated Retention and Disposal Schedule applies to all physical and digital information, regardless of storage location.

## Objectives

* + 1. The standard:
			- Define minimum record retention periods
			- Identify records that are to be kept indefinitely
			- Ensure that the premature destruction of records that need to be retained for a specified period for either legal, financial and other requirements of public administration does not happen
			- Provides a consistent method for destroying out of date records
			- Provides consistent records management standards for the Council.

## Review

* + 1. The Executive Director Governance will review this Policy as changes in working practices or legislation require it. The Legal Services Team will be responsible for coordinating reviews and issuing updates accordingly.

# Retention and Disposal Policy

## Procedural Requirements

* + 1. Any decision to retain or dispose of a document should be taken in accordance with this Policy.
		2. Essentially no document should be disposed of without consideration of this Policy.
		3. The Retention and Disposal Schedule is contained in Section 5. It provides guidance on recommended and mandatory minimum retention periods for specific classes of documents/records.
		4. Where a retention period has expired in relation to a particular document a review should always be carried out before a final decision is made to dispose of that document. Such reviews need not necessarily be detailed or time consuming. Where the Executive Director (or their designated officer) is familiar with the contents of the document or where the contents are straightforward and apparent then such an exercise may only take a few minutes.
		5. In the event that a decision is taken to dispose of a particular document or set of documents, then consideration should be given to the method of disposal.

## Roles and Responsibilities

#### Role of Executive Directors

2.2.2 Responsibility for determining whether to retain or dispose of specific documents rests with the individual Executive Director, in respect of those documents that properly fall within the remit or control of their Directorate.

* + 1. The rationale for this is that it is reasonable to both assume and expect that each Executive Director should be broadly conversant with the types of documents received, generated and stored by their Directorate.
		2. Because of the clear benefits resulting from the disposal of unnecessary documentation, Executive Directors are expected to be proactive in carrying out or instigating audits of existing documentation that may be suitable for disposal.
		3. Executive Directors may delegate the operational aspects of this function to one or more senior oﬃcers within their Directorate. However, in doing so they should ensure that any such Oﬃcer is fully conversant with this Policy and is also familiar with the operational requirements of the Directorate in relation to document retention/disposal.

#### 2.2.6 Role of the Legal Services Team

2.2.7 The Legal Services Team can advise on whether minimum retention periods are prescribed by law, and whether retention is necessary to protect the Council’s position where the likelihood of a claim has been identified by the relevant Executive Director.

2.2.8 The Legal Services Team will be available to provide Executive Directors with advice and guidance on eﬀective records management practices.

### Applicable Legislation

* + 1. There are various pieces of legislation which outline retention requirements. These include, but are not limited to:

• Freedom of Information Act 2000 – including the Code of Practice Section 46 (FOIA)

• The UK General Data Protection Regulations (the UK GDPR)

• Data Protection Act 2018 (DPA)

• Public Records Act 1958

• Limitation Act 1980

• Inquiries Act 2005

* + 1. Under the DPA/UK GDPR, personal data processed for any purpose must not be kept for longer than is necessary for that purpose. In other words, retaining documents or records that contain personal data beyond the length of time necessary for the purpose for which that data was obtained is unlawful.
		2. Clearly, in many instances the retention of personal data will be necessary and thus justified.

# Records Disposal

## Procedural Requirements

* + 1. Once it has been determined that a document or record in no longer required, disposal must be in accordance with the one of the following procedures:
			- Confidential waste – making use of the blue bin service within the council oﬃces.
			- Non-Confidential waste – making use of the recycling bins within the council oﬃces.
			- Physical destruction on site (e.g. paper records - shredding)
			- Deletion – where computer files are concerned this includes email and records held on all software applications whether on premise systems or externally hosted including cloud-based systems
			- Migration of document to external body
		2. The following considerations should be taken into account when selecting any method of disposal:
		3. Under no circumstances should paper documents containing personal data or confidential information be simply binned or deposited in refuse tips. To do so could result in the unauthorised disclosure of such information to third parties and render the Council liable to prosecution or other enforcement action under the DPA/UK GDPR. Such documents should be destroyed on site (e.g. by shredding) or placed in the Confidential Waste (blue) bins.
		4. Deletion – the Information Commissioner has advised that if steps are taken to make electronic data virtually impossible to retrieve, then this will be regarded as equivalent to deletion.
		5. Migration of documents to an external body or third party (other than for destruction or recycling) is unlikely to be an option in most cases. However, this method of disposal will be relevant where documents or records are of historic interest and/or have intrinsic value. The third party could be the National Archives previously known as the Public Record Oﬃce. “Migration” can, of course, include the sale of documents to a third party.
		6. Recycling – wherever practicable disposal should involve recycling in-line with Council’s commitment to sustainable development and promoting an alternative waste disposal strategy. The recycling waste bins should be used for this purpose.
		7. If a large-scale disposal is taking place, the disposal should be documented by keeping a record of the document disposed of, the date and method of disposal, and the oﬃcer who authorised disposal, to ensure Officers are able to understand what stage has been reached during that process. Routine disposal in accordance with this Policy does not require a record to be kept.

# Key Disposal/Retention considerations

## Introduction

* + 1. No document should be earmarked for disposal unless due regard has first been given to the Key Disposal/Retention considerations detailed below, and to the Retention and Disposal Schedule.

## Retention required to fulfil Statutory or other Regulatory requirements?

* + 1. There is little legislation that provides mandatory retention periods in local government. The legislation that does impose minimum retention periods, directly or indirectly include:
			- **Tax and Audit Legislation**: Minimum retention period for certain financial and audit records.
			- **Statutory Registers**: Various local government statutes require registers to be kept of certain events, notifications, or transactions. It is implicit within such legislative requirement that these records be maintained on a permanent basis unless the legislation concerned stipulates otherwise.
			- **The Local Government Act 1972, S.225**: Any document deposited with “the proper oﬃcer” of the Council in accordance with Statute should be retained permanently.
			- **Part VA of the Local Government Act 1972**: This governs public access to certain documents relating to Council and Committee meetings. Certain documents that form part of the public part of the agenda are required to be available for inspection by members of the public.

## Is retention required to evidence events in the case of dispute?

* + 1. The Council may be involved in disputes with third parties. Such disputes, if not satisfactorily resolved, can result in the dissatisfied party bringing legal proceedings against the Council. On the other hand, the Council may wish to institute legal proceedings against an individual or organisation e.g. to recover an unpaid debt, or in respect of faulty workmanship. Where a dispute arises, or litigation has been commenced it is important that the Council has access to all correspondence and other documentation that is relevant to the matter. Without such, there is the danger that the Council’s position will be compromised.
		2. The six-year retention period and risk assessment: The majority of potential legal claims are statute barred on the expiry of 6 years. For this reason it is common for organisations to retain files/records for a period of 6 years from the date when the subject matter was completed.
		3. It is important, though, to keep in mind that in the course of the Council’s everyday business large numbers of documents are generated that serve no purpose after relatively short periods of time. Many documents will relate to completed matters where, realistically, the risk of subsequent litigation or other dispute is minimal, if not non-existent. Long-term retention of such documents is counterproductive. A risk analysis should be carried out, with a view to disposal of such documents within a shorter period of than the 6 years’ time frame.

## Is retention required to meet the operational needs of the Directorate?

* + 1. In some cases retention may be desirable even though no minimum retention period applies or has expired. Consideration should be given to the danger of discarding documents or records that might be useful for future reference purposes, as precedents, or for performance management.

## Is retention required because the document or record is of historic interest or intrinsic value?

* + 1. It is possible that some documents currently in Council storage may be of historic interest and/or even have some monetary value.
		2. If it is suspected that the document falls within this description appropriate enquires should always be made before taking any further action. The Legal Services Team should be contacted for advice and guidance in the first instance.

# Retention and Disposal Schedule

## Retention Standards - Contents

* + 1. The Retention and Disposal Schedule below details how long records should be retained. Destruction of records must be undertaken in line with the Council’s Retention and Disposal Policy. In cases where disposal is done outside of these standards this and the reasons for such action should be reported to the Legal Services Team.
		2. The Retention and Disposal Schedule is divided into sections of administrative functions that are commonly undertaken by a District Council and set out as follows:

 1. **Function Description**: The name of each function is specified in this entry. This relates to a group of records that perform the same activity. The Schedule provides notes that define each function in terms of related activities. The Schedule may also include instructions or guidelines relating to weeding, sampling disposition provisions, information on duplication of record content in other classes and cross-references to other entries within the Schedule.

 2. **Retention Action**: This entry provides the archival status of each process being either permanent or temporary. In relation to the temporary status of records, the entry also provides a retention period or sentence specifying how long the records should be kept prior to destruction and the activity, transaction or event to which the retention period or sentence should be tied.

3. **Examples of Records:** This section provides common examples of the type of records included within the particular function. This list is not exhaustive.

4. **Notes:** This indicates if the retention action is common practice or statutory.

**Ref No. Description**

1. **DEMOCRATIC PROCESSES**

1.1-1.3 Elections Preparations

1.4-1.5 Council and Committee Meetings

1.6-1.7 Partnership, Agency and External Meetings

|  |  |
| --- | --- |
| 1.8 | Honours and Submissions |
| 1.9 | Political Parties Papers |

1. **MANAGEMENT AND ADMINISTRATION**

2.1-2.4 Corporate Planning and Reporting

|  |  |
| --- | --- |
| 2.5 | Statutory Returns |
| 2.6-2.7 | Policy, Procedures, Strategy and Structure |
| 2.8-2.9 | Public Consultation |
| 2.10-2.14 | Information Management |
| 2.15-2.18 | Enquiries and Complaints |
| 2.19-2.20 | Quality and Performance Management |
| 2.21-2.22 | Publications |
| 2.23-2.24 | Media Relations |
| 2.25 | Marketing |
| 2.26-2.27 | Civic and Royal Events |
| 2.28-2.31 | Case Housing Provision |

1. **LEGAL AND CONTRACTS**
	1. Litigation

3.2-3.4 Contracts

|  |  |
| --- | --- |
| 3.5 | Advice |
| 3.6 | Agreements |
| 3.7 | Conveyance |
| 3.8 | Pre-Contract Advice |
| 3.9 | Specification and Contract Development |
| 3.10 | Tender Issuing and Return |
| 3.11-3.13 | Evaluation of Tender |
| 3.14 | Post Tender Negotiation |
| 3.15 | Awarding of Contract |
| 3.16-3.17 | Contract Management |
| 3.18 | Tenancy Agreements |

1. **HUMAN RESOURCES**

4.1-4.4 Personnel Administration

4.5-4.8 Employee and Industrial Relations:

|  |  |
| --- | --- |
| 4.9 | Capability |
| 4.10 | Equal Employment Opportunities |
| 4.11 | Sickness Records |
| 4.12 | Occupational Health |
| 4.13-4.14 | Recruitment |
| 4.15-4.16 | Staﬀ | Monitoring |
| 4.17-4.18 | Staﬀ | Retention |
| 4.19 | Termination |
| 4.20-4.25 | Training and Development |
| 4.26-4.29 | Appointment of Statutory Oﬃcers |

1. **FINANCIAL MANAGEMENT**

|  |  |
| --- | --- |
| 5.1-5.2 | Accounts & Audit Reporting |
| 5.3-5.8 | Financial Transactions Management |
| 5.9-5.10 | Payroll Accountable |
| 5.11-5.13 | Financial Provisions Budgets and Estimates |
| 5.14-5.15 | Loans |
| 5.16-5.20 | Housing |
| 5.21 | Business Rates / Council Tax Valuation |
| 5.22 | Property History |
| 5.23 | Business Rates / Local Taxation and Benefit Correspondence |
| 5.245.25-5.26 | Covid-19 Business Grant Funding SchemesSummary Assets Management |
| 5.27-5.30 | Asset Monitoring and Maintenance |
| 5.31 | Asset Acquisition and Disposal |

1. **PROPERTY AND LAND MANAGEMENT**

|  |  |
| --- | --- |
| 6.1 | Property and Land Management |
| 6.2-6.3 | Property Acquisition and Disposal |
| 6.4-6.7 | Property Development and Renovation |
| 6.8-6.9 | Leasing and Occupancy |
| 6.10 | Housing Provision |
| 6.11-6.13 | Systems Management |
| 6.14-6.17 | Transport Management |
| 6.18-6.20 | Insurance - Policy Management |
| 6.21 | Insurance Claims Management |

1. **GENERAL PUBLIC SERVICES**

|  |  |
| --- | --- |
| 7.1-7.11 | Health and Safety - Inspections and Assessments |
| 7.12-7.13 | Emergency Planning |
| 7.14-7.15 | Major Incident |
| 7.16 | Enforcement Certification and Prosecution Registration, Certification and Licensing |
| 7.17 | Prosecution |
| 7.18 | By-Laws – Enactments |
| 7.19 | By-Laws – Administration & Enforcement |
| 7.20-7.21 | Cemeteries and Crematoria |
| 7.22-7.26 | Waste Management – Collection and Disposal of waste |

|  |  |
| --- | --- |
| **8.** | **PLANNING AND LAND USE** |
| 8.1-8.6 | Planning Scheme Development and Amendment |
| 8.7-8.12 | Planning Scheme Regulation |

**9. PLANT & EQUIPMENT MAINTENANCE AND INSPECTION**

9.1-9.9 Plant & Equipment maintenance Inspection

# Disposal Guidelines

1. **Democratic Processes**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Elections Preparations** |  |  |  |
| 1.1. | Summary certification of those eligible to vote | Permanent. Offer to Archivist after administrative use isconcluded | * Electoral Register
 | Electoral Registration & Administration Act 2013 |
| 1.2. | Voting (Local elections only) | Destroy 12 months from close of poll | * Ballot papers
 | Statutory Representation of the People Act 1983Schedule 1 Part 5 |
| 1.3. | Declaration of results (local elections only) | Destroy 12 months from date of election | * Consolidated returns of votes received
 | StatutoryRepresentation of the People Act 1983 |
|  | **Council and Committee Meetings** |  |  |  |
| 1.4. | The process of preparing business for Council consideration and making the record of discussion, debate and resolutions | Permanent Transfer to place of deposit afteradministrative use is concluded | * Council minutes - Permanent
* Council agenda and business papers -6 years
* Council notice papers and proceedings – 6 years
* Indexes- 6 years
* Committee minutes - Permanent
* Registers of delegations to Special Committees – Date of delegation plus 7 years
 | Public Bodies (Admission to Meeting) Act 1960Local Government Act 1972Local Government Act 2000 |

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| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| 1.5. | Minute taking | Destroy after date of confirmation of the minutes | * Draft/rough minutes
* Audio recording – Date of meeting plus 2 years
 | Common Practice & Retention Guidance for Local Authorities (RGLA)Local Government Act 1972 & RGLA |
|  | **Partnership, Agency and External Meetings** |  |  |  |
| 1.6. | The process of preparing business for partnership and agencies consideration and making the record of discussion, debate and resolutions, where the local authority legally **owns** the record. | Permanent – MinutesTransfer to place of deposit after administrative use is concluded | * Documents establishing the committee - 6 years
* Agendas – 6 years
* Minutes - Permanent
* Council reports – 6 years
* Recommendations 6 years
* Supporting documents such as Council briefing and discussion

papers – 6 years | As Above |
| 1.7. | The process of preparing business for external committees’ consideration, and making the record of discussion, debate and resolutions, where the local authority **does not** own the record. | Destroy 4 years after last action | * Documents establishing the committee
* Reports
* Recommendations
* Supporting documents such as briefing and discussion papers.
 | Local Authorities Act (Executive Arrangements) (Meetings and Access to Information) (England) 2012 |

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| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | **Honours and Submissions** |  |  |  |
| 1.8. | The process of preparing of honours submission | Destroy 5 years after last action | * Honours nomination form
* Covering documentation
* Letters of support
* Referral for comment from lord lieutenant
 | RGLA |
|  | **Political Parties Papers** |  |  |  |
| 1.9. | The process of undertaking representation of the local authority - localauthority representatives | Destroy 3 years after last action | * Leader of opposition papers
* Leader of council papers
 | Common practice |

1. **Management and Administration**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Corporate Planning and Reporting** |  |  |  |
| 2.1. | The corporate planning and reporting activities of local authorities | Current Year plus 5 yearsTransfer to place of deposit after administrative use isconcluded | * Corporate Plans
* Strategy Plans
* Business Plans
* Annual Reports
 | Limitation Act 1980 |
| 2.2. | The process of preparing business for strategic consideration and making the record of discussion, debate and resolutions | PermanentTransfer to place of deposit after administrative use is concluded | * Strategic management team minutes
 | Common practice |
| 2.3. | The process of preparing business for cross departmental consideration and making the record of discussion,debate and resolutions | Destroy 3 years from closure |  | Common practice |
| 2.4. | The process of preparing business for Unit/Team consideration and making the record of discussion, debate and resolutions | Destroy 3 years from closureDestroy rough drafts after date of confirmation of theminutes |  | Common practice |
|  | **Statutory Returns** |  |  |  |
| 2.5. | The process of preparing information to be passed on to central government as part of statutoryrequirements | Current year plus 6 years | * Reports to central government
 | HMRC –Compliance Handbook Manual CH15400 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | **Policy, Procedures, Strategy and Structure** |  |  |  |
| 2.6. | Activities that develop policies, procedures, strategies and structures for the local authorities | 6 years from date of meeting or decision. | * Policy, procedure, precedent, instructions
* Organisation charts
* Records relating to policy implementation and development
* Asset management plan
* Community strategy
* Community plan
* Community safety plan
 | Local Authorities (Executive Arrangement) (Meetings and Access to Information) (England) 2012) |
| 2.7. | The process of monitoring and reviewing strategic plans, policies or procedure to assess their compliance with guidelines | 6 years from date of meeting or decision |  | Local Authorities (Executive Arrangement) (Meetings and Access to Information) (England) 2012) |
|  | **Public Consultation** |  |  |  |
| 2.8. | The process of consulting the public and staff in the development of significant policies of the local authority | 6 years from date created |  | ESD Local Government Retention Record (LGRR) |
| 2.9. | The process of consulting the public and staff in the development of minorpolicies of the local authority | Destroy 1 year from closure |  | Common practice |

| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Information Management** |  |  |  |
| 2.10. | The activity whereby standards, authorities, restraints and verifications are introduced and maintained to manage information effectively | Permanent. Offer to Archivist for reviewTransfer to place of deposit after administrative use is concluded | * Classification schemes
* Registers
* Indexes
* Authorised lists of file headings
 | Common practice |
| 2.11. | The management of collections of records transferred to the archives | Permanent. Offer to Archivist for reviewTransfer to place of deposit after administrative use is concluded | * Accession registers
* Depositor files
 | Common practice |
| 2.12. | The process that records the disposal of records | Destroy 10 years after last action | * Disposal certificates
 | ESD LGRR |
| 2.13 | Emails (received and sent) tomatch Corporate PolicyEmails (deleteditems) to match Corporate Policy | Automatically destroy after 6 months on a rolling basisAutomatically destroy after 30 days on a rolling basis | Emails (received and sent ) to match Corporate PolicyEmails (deleted items) to match Corporate Policy |  |
| 2.14 | Information relating to Statutory Functions | Destroy 6 years after last action unless permanent | • Street Naming & numbering |  Best Practice |
|  | **Enquiries and Complaints** |  |  |  |
| 2.15. | The management in summary form of enquiries and complaints directed to council | PermanentTransfer to place of deposit after administrative use is concluded | * Indexes
* Registers
 | Common practice |
| 2.16. | The management of enquiries, submissions and complaints which result in significant changes to policy or procedures | Permanent.Transfer to place of deposit after administrative use is concluded | * Reports
* Returns
* Correspondence
 | Common practice |
| 2.17. | The management of detailed responses on council actions, policy or procedures | Destroy 7 years after administrative use is concluded | * Reports
* Returns
* Correspondence
* Ombudsman - 10 years from date complaint resolved
 | Common practice |
| 2.18. | The management of routine responses on council actions, policy or procedures | Destroy 2 years after administrative use is concluded | * Printed material
* Form letters
* FOI/EIR requests
 | Common practice |
|  | **Quality & Performance Management** |  |  |  |
| 2.19. | The process of monitoring or reviewing the quality, efficiency, or performance of a local authority service or unit | Destroy 4 years from closure | * Best Value Review
* Project Office
* Business Case
 | Common practice |
| 2.20. | The process of assessing the quality, efficiency, or performance of a localauthority service or unit | Destroy 2 years from closure | * Assessment form
 | Common practice |
|  | **Publications** |  |  |  |
| 2.21. | The process of designing setting information forpublication | Destroy 3 years from last action |  | Common practice |
| 2.22. | The published work of the local authority | Destroy after 3 years administrative use is concluded**Note: One copy from the initial print run should go directly to the archive.** |  | ESD LGRR |
|  | **Media Relations** |  |  |  |
| 2.23. | Process of interaction with the media | Destroy 3 years from closure |  | ESD LGRR |
| 2.24. | Media publications concerning local authorities | Permanent. Offer to Archivist.Transfer to place of deposit after administrative use is concluded | * Press cuttings
* Media reports
 | ESD LGRR |
|  | **Marketing** |  |  |  |
| 2.25. | The process of developing and promotion of local authorities’ campaigns and events | 3 years after last actionTransfer to place of deposit after administrative use is concluded |  | ESD LGRR |
|  | **Civic and Royal Events** |  |  |  |
| 2.26. | The recording of ceremonial events and civic occasions | **Permanent.** Transfer to place of deposit after administrative use is concluded | * Visitors’ book
* Audio tapes
* Video tapes
* Photographs
 | ESD LGRR |
| 2.27. | The process of organising a ceremonial event or civic occasions | **Permanent.** Transfer to place of deposit after administrative use is concluded |  | ESD LGRR |
|  | **Case Housing Provision** |  |  |  |
| 2.28. | The process of the allocation and management of welfare housing by the local authority and the associated issues of homelessness |  |  |  |
|  | General Housing Issues | Destroy 6 years after termination of tenancy/ claim | * Housing Energy
* Housing Benefits
* Renewals and Grants over

£50K 12 years | Limitation Act 1980 & ESD LGRR |
|  | Supporting People | Destroy 6 years after termination of tenancy/ claim | * Accounts
* Right to Buy
* Council Tax
* Housing Development
* Hostels
* Housing Options
* Tenancy Support
* Sheltered Housing
* Supported Housing
* Community care
* Housing Repairs
* Outreach Teams
 | Limitation Act 1980 & ESD LGRR |
|  | Tenancy Files | Destroy 6 years after tenancy expires | * Case Files
 |  |
| 2.29. | The registration of individuals housing applications | Permanent. Offer to Archivist. | * Council housing register
 | Common practice |
| 2.30. | The process for applying for council housing (Unsuccessful applications only, successful applications will generally be placedon the tenancy file) | Destroy 6 years after closure | * Council housing Application forms and supporting material
* Application for transfer of tenancy and supporting papers
 | Common practiceLimitation Act 1980 |
| 2.31. | The process for managing the tenancy of an individual tenant | Destroy **6** years after termination of tenancy | * Correspondence re tenancy
* Tenancy files Council housing Application forms and supporting material
* Application for transfer of tenancy and supporting papers
* Application for emergency housing or referral from another agency
* Certification – gas and electrical
 | Common practiceThese may need to be kept for a longer period of time in order to prove that the tenant was actually housed properly by the authority |

1. **Legal and Contracts**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Litigation** |  |  |  |
| 3.1 | ClaimsThe process of managing, undertaking or defending for or against litigation on behalf of the local authority. | 6 years after settlement of claims (or close of case) or 6 years from 18th birthday whichever is later | * High Court against ADC
* High Court by ADC
* County Court against ADC
* County Court by ADC
* Criminal cases against ADC
* Criminal cases by ADC
 | Limitation Act 1980 |
|  | **Contracts** |  |  |  |
| 3.2 | Contracts | Retain for 6 years if under hand and 12 years if under seal/deed **after the terms of contract have expired** | * Major Works
* Computer
* Minor Works (Non-Standard)
* Consultancy
* Goods
* Services
* Concession
* Commission (Work)
* Minor Works Contract (Unit Rate)
* General
 | Limitation Act 1980 |
| 3.3 | Debts | Retain for 6 Years | * Ex Tenant Arrears (without existing orders)
* Overpaid Housing Benefit
* Building Inspection Fees
* Overpaid Housing Benefit to Landlord
* Employee Debts
* Rechargeable Works
* Drain /Footway & Repair Work.
 | Limitation Act 1980 |

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| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  |  |  | * Commercial Debts
* RTB service & Repair Charges
* Works in default
* Accident Damage
* Overpaid Council Tax Reduction
* Shop Front/Facelift Scheme
* Housing Renovation Grant
* Advertising
* Ex-Tenant arrears (with existing court orders)
* Tipping charges
* Removal of rubbish
* Sundry Debts
 |  |
| 3.4 | The process of managing, undertaking or defending for or against litigation on behalf of the local authority | Destroy 6 years after last action.Major litigation – **offer to Archivist for review** | * Criminal case file
* Civil case file
* Correspondence
 | Limitation Act 1980 |
|  | **Advice** |  |  |  |
| 3.5 | The process of providing legal advice on a point of law. | Destroy **3** years after last action– unless a major precedent, then offer to Archivist for review |  | Common practice |
|  | **Agreements** |  |  |  |
| 3.6 | Process of agreeing terms between organisations**Note :** this does not | Destroy **6** years after agreement expires or is terminated | * Concordat
 | Common practiceDepends on value of agreement |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | include contractual agreements |  |  | Mainly to do with agreements between public bodies, not in regardto contracts |
|  | **Conveyance****(see also Property Acquisition and****Disposal)** |  |  |  |
| 3.7 | The process of changing ownership of land or property | Retain for **12** years after closure. Review at the end of 12 years. | * Conveyancing files
 | Statutory - Limitation Act 1980 |
|  | **Contracts and Tendering** |  |  |  |
|  | **Pre-Contract Advice** |  |  |  |
| 3.8 | The process of calling for expressions of interest | Destroy **2** years after contract let or not proceeded with | * Expressions of Interest
 | Common practice |
|  | **Specification and Contract Development** |  |  |  |
| 3.9 | The process involved in the development and specification of a contract | Ordinary Contracts Destroy 6 years after the terms of contract have expiredContracts Under Seal Destroy 12 years after the terms of contract have expired | * Tender specification

Note: For project files containing drafts leading to a final version these records can be destroyed. | Statutory - Limitation Act 1980 |

| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Tender Issuing and Return** |  |  |  |
| 3.10 | The process involved in the issuing and return of atender | Destroy 1 year after start of contract | * Opening notice
* Tender envelope
 | Common practice |
|  | **Evaluation of Tender** |  |  |  |
| 3.11 |  | * Ordinary Contracts Destroy 6 years after the terms of contract have expired
* Contracts Under Seal Destroy 12 years after the terms of contract have expired
 | * Evaluation criteria
 | Statutory - Limitation Act 1980 |
| 3.12 | Successful tender document | * Ordinary Contracts Destroy 6 years after the terms of contract have expired
* Contracts Under Seal Destroy 12 years after the terms of contract have expired
 | * Tender documents
* Quotations
 | Statutory - Limitation Act 1980 |
| 3.13 | Unsuccessful tender documents | Destroy 1 year after start of contract | * Tender documents
* Quotations
 | Common practice |
|  | **Post Tender Negotiation** |  |  |  |
| 3.14 | The process in negotiation of a contract after a preferred tender is selected | Destroy 1 year after the terms of contract have expired | * Clarification of contract
* Post tender negotiation minutes
 | Common practice |
|  | **Awarding of contract** |  |  |  |
| 3.15 | The process awarding of contract | * Ordinary Contracts Destroy 6 years after the terms of contract have expired
* Contracts Under Seal Destroy 12 years after the terms of contract have

Expired | * Signed contract
 | Statutory - Limitation Act 1980 |
|  | **Contract Management** |  |  |  |
| 3.16 | Contract operation and monitoring | Destroy 2 years after the terms of contract have expired | * Service Level Agreements
* Compliance reports
* Performance reports
 | Common practice |
| 3.17 | Management and amendment of contract | 1. Ordinary Contracts Destroy 6 years after the terms of contract have expired
2. Contracts Under Seal Destroy 12 years after the terms of contract have expired
 | * Minutes and papers of meetings
* Changes to requirements
* Variation forms
* Extension of contract
* Complaints
* Disputes on payment
 | Statutory - Limitation Act 1980 |
|  | **Tenancy Agreements** |  |  |  |
| 3.18 | The process of awarding tenancies in welfare housing | a) Ordinary TenancyDestroy 6 years after the last action on the tenancy | * Signed tenancy agreements
* Sealed tenancy agreements
 | Statutory |
|  |  | b) Tenancy Under Seal Destroy 12 years after the last action on the tenancy |  |  |
| 3.19 | All records relating to support given to council tenants who are victims of crime and who may need to be re-housed | Retain from end of tenancy for 6 years |  | Limitation Act 1980 |

1. **Human Resources**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Personnel Admin** |  |  |  |
| 4.1 | Summary management systems that allow the monitoring & management of employees in summary formNote: The summary information that this record class attempts to capture is:- | **Permanent. Offer to Archivist for review.**Transfer to place of deposit after administrative use is concludedSalary record, Timesheets, Overpayments, Pay slips, – destroy after 6 yearsFlexi time – rolling 2 years from end of flexi period, unless time keeping is disputedWTD opt-out form, duration of employment or 3 years after opt-out has been rescinded or ceased to applyEstablishment Lists, retain for up to 5 years for reasons relating to recruitment etc.Employee contact details, duration of employment in post/section Salary verification and Benefit Agency enquiries, rolling 6 months. | * Employment Register
	+ Permanent Staff
* Employment Register
	+ Temporary Staff
* Employment Register
	+ Casual Staff
* Registers of personnel files
* Personal History cards
* Superannuation history card
* Salary master record
* Timesheets
* Overpayments
* E1As
* Pay slips
* Flexi time
* Working Time Opt-out form
* Employee contact details
* Salary verification/ mortgage etc.
* Benefit Agency enquiries
 | Limitation Act 1980 HMRC CH14530 (PAYErecordkeepingguidelines) RGLA 2003Working Time Regulations 1998 |
|  | Name |  |
|  | DOB |  |
|  | Marital Status |  |
|  | Gender |  |
|  | Date of appointment |  |
|  | Next of kin |  |
|  | Emergency contacts |  |
|  | Work history details |  |
|  | Position/designation |  |
|  | Titles & dates held |  |
|  | Salary details |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| 4.2 | The process of administering employees to ensure that entitlements & obligations are in accordance with agreed employment requirements* Records containing superannuation information
 | Destroy 6 years from date of last pension payment | * Medical clearance
* Letter of appointment
* Letter of acceptance
* Details of assigned duties
* Probation reports
* Medical examinations
* Personal particulars
* Educational qualifications
* Declarations of pecuniary interests
* Secrecy undertakings
* Employment contracts
 | Common practice |
| 4.3 | Records relating to staff working with children | Destroyed along with all Personal Files after 20 years. |  | RGLA 2003 |
| 4.4 | LeaveAll other records | Current and previous yearTermination + 6 years | * Unpaid leave
* Paternity leave
* Maternity leave
* Compassionate leave
* Request and approval of annual leave carried forward
* Record of annual leave
* TOIL
 |  |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | **Employee and Industrial Relations** |  |  |  |
| 4.5 | Identification & development of significant directions concerning industrial matters | 6 years after leaving date. | * Generic agreements and awards
* Negotiations
* Disputes
* Claims lodged
 | Limitation Act 1980 |
| 4.6 | Liaison processes of minor and routine industrial matters | Destroy **2** years after administrative use is concluded | * Daily industrial relations management
 | Common practice |
| 4.7 | Processing of disciplinary and grievances investigations where proved | Oral Warning – 6 months Written Warning - 1 year Final Warning - 18 monthsGrievances – 1 year from resolution (including exhaustion of Employment Tribunal rights)The above warnings to be removed & destroyed after the relevant time has ‘spent.’Warnings Involving Children – Placed on personal filePermanently | * Disciplinary
 | Common practice |
| 4.8 | Processing of disciplinary and grievances investigations whereunfounded | Destroy immediately after the grievance has been found to have been unfounded; or afterAppeal | * Disciplinary
 |  |
| 4.9 | Capability | 12 months after confirmation of satisfactory performance inemployment |  | Common practice |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | **Equal Employment Opportunities** |  |  |  |
| 4.10 | The process of investigation and reporting on specific cases to ensure that entitlements & obligations are in accordance with agreed Equal Employment Opportunities guidelines policies | Destroy **5** years after action completed |  | Common practice |
|  | **Sickness Records** |  |  |  |
| 4.11 | For attendance management, Health and safety and SSP | Destroy after 2 years after creation date | * Certification of absence forms
* Self-certification forms
* Doctors certificate
* Staff absence form/return
* Sickness schedules
 | Common practice/Business Requirement |
|  | **Occupational Health** |  |  |  |
| 4.12 | The process of checking and ensuring the health of staff | Destroy 8 years after date of checkHealth surveillance reports, duration of employment plus 6 years. Front line employees are maintained for life Asbestos records to be maintained for life | * Health questionnaire
* Medical clearance
* Adjustment to workplace
* Restrictions
* Recommendations
 | Common practice/insurance |
|  | **Recruitment** |  |  |  |
| 4.13 | The selection of an individual for an | Destroy **1** year after recruitment has been | * Advertisements
* Applications
 | Limitations Act 1980 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | established position | finalisedSuccessful candidate – duration of employment | * Referee reports
* Interview reports
* Unsuccessful applicants
 |  |
|  |  | Unsuccessful candidate – 6 months from date of appointment | * Recruitment complaints
* CRB disclosure – should not retain longer than necessary. In general this should be no longer than 6 months
* Information on “hold” candidates
 |  |
| 4.14 | Psychometric testing | Destroy 12 months following recruitment | * Evaluation reports
 | As per external company guidelines,detailed on report |
|  | **Staff Monitoring** |  |  |  |
| 4.15 | Performance | Destroy 6 years after action completed | * Probation reports
* Performance plans
 | Common practice |
| 4.16 | Process of monitoring staff leave and attendance | Destroy 3 years after action completed | * Sick leave
* Jury service
* Study leave
* Special and personal leave
* Attendance books
* Flexi time sheets
* Leave applications
* Clock on/off cards
* Annual leave
 | Common practice |

| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Staff Retention** |  |  |  |
| 4.17 | Financial reward | Destroy 7 years after action completed |  | Common practiceAll records relating to actual payments are dealt with under finance |
| 4.18 | Other strategy | Destroy 3 years after action completed |  | Common practice |
|  | **Termination** |  |  |  |
| 4.19 | The process of termination of staff through voluntary redundancy, dismissal and retirement | Destroy 7 years after terminationIf a pension is paid then records should be destroyed 6 years after last payment of pension.If front line keep records permanently | * Resignation
* Redundancy (Section 188)
* Dismissal
* Death
* Retirement
* References
 | Common practice/insurance |
|  | **Training and Development** |  |  |  |
| 4.20 | Routine staff training processes, not occupational health andsafety or children related | Destroy 2 years after action completed | * Course individual staff assessment
 | Common practice |
| 4.21 | Training (concerning children) | Destroy 40 years after training completed, or last entry | * Course individual staff assessment
* training register
 | Common practice |
| 4.22 | Training (occupational health and safety training) | Destroy 50 years after training completed | * OH&S training register
 | Common practice |
|  |  | Individual course assessment records should be destroyed once the training has beenrenewed every 3 years |  |  |
| 4.23 | Training (materials) Requests for training and training plans | Destroy 1 year after course is supersededCurrent and previous 2 years | * Staff requests
* Managers nomination forms
* Staff plans
* Training agreements
* Appraisal scheme
 | Common practice |
| 4.24 | Training (proof of completion) | Destroy 3 years after action completed | * Certificates
* Awards
* Exam results
 | Common practice |
| 4.25 | Personal Development Review Notes | 10 years | * Personal development review notes
 |  |
|  | **Appointments of Statutory Officers** |  |  |  |
| 4.26 | Summary management systems that allow the monitoring & management of statutory officers insummary form | **Permanent**Transfer to place of deposit after administrative use is concluded | * Magistrates register
 | Common practice |
| 4.27 | The process of administering employees to ensure that entitlements & obligations are in accordance with agreedemployment requirements | Destroy 6 years after departure from employment |  | Common practice |
| 4.28 | The appointment of an individual for a statutory position | **Permanent**Transfer to place of deposit after administrative use isConcluded | * Appointment Files
 | Common practice |
| 4.29 | The process of selection of an individual for a statutory position | Destroy 2 years after date of appointment | * Vacancies & applications records
* Interview notes
* Prospective staff records
* Registers of applicants
* Unsuccessful applications records
 | Common practice |

1. **Financial Management**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | **Accounts & Audit Reporting** |  |  |  |
| 5.1 | The process that consolidates financial transactions on an annual basis for corporate reporting purposes | Retain from end of the financial year to which the records relate for 6 years. | * Consolidated annual reports
* Consolidated financial statements
* Statement of financial position
* Operating statements
* General ledger
 | National Archive (11) accounting records  |
| 5.2 | The process that supports and consolidates financial transactions on a periodic (less than annual) basis, superseding those from the previous period. Does not include journals and subsidiary ledgers and cash books | Retain from end of the financial year to which the records relate for 6 years. | * Consolidated monthly & quarterly reports
* Consolidated monthly & quarterly financial statements
* Working papers for the preparation of the above
* Monthly accrual statements
* Cash flow statements
* Creditor listings and reports
* Debtor listings and reports
 | National Archive (10) accounting records |
|  | **Financial Transactions Management** |  |  |  |
| 5.3 | Management of the approvals process for purchase, including investigations | Destroy 7 years after the end of the financial year in which the records were created | * Appointments & delegations
* Audit investigations
* Arrangements for the provision
 | National archive (3) accounting records |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  |  |  | of goods and/or services |  |
| 5.4 | Identification of the receipt, expenditure and write offs of public monies | Destroy 6 years after the conclusion of the financial transaction that the record supports | * Allowances
* Work orders
* Invoices
* Credit card statements
* Cash books
* Receipts
* Cheque counterfoils
* Bank statements
* Subsidiary ledgers (annual)
* Journals (annual)
* Vouchers
 | National archive(3) accounting recordsHMRC CH15400 |
| 5.5 | Process involving the provision and support for individuals using publictransportation | Destroy 6 years after the conclusion of the financial transaction that the recordSupports | * Applications
* Card issue
* Rail warrants
 | National archive (3) accounting records |
| 5.6 | Processes that balance & reconcile financialaccounts | Destroy 6 years after administrative use isConcluded | * Reconciliation
* Summaries of accounts
 | National archive (3) accounting records |
| 5.7 | Taxation Records | Destroy 7 years after the end of the financial year in which the records were created | * Taxation records
* Motor vehicle logs
* Fringe benefits tax records
* Group certificates
 |  |
| 5.8 | Processes involved in the collection of National Insurance Number | Destroy 2 years after the employee ceases employment | * Notification & input records
 |  |
|  | **Payroll Accountable** |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| 5.9 | Processes relating to payment of employees | 6 years after end of thefinancial year in whichrecords created | * Authority sheets
* Payroll deduction authorities
* Payroll disbursement
* Employee pay records
* Employee taxation records
 |  |
| 5.10 | **Non-accountable**processes relating to payment of employees | Destroy after administrative use is concluded | * Summary employee pay reports
 |  |
|  | **Financial Provisions Budgets and Estimates** |  |  |  |
| 5.11 | The process of finalising local authorities’ annual budget | PermanentTransfer to place of deposit after administrative use is concluded | * Annual budget
 | Common practiceOnly the final version of the annual budget needs to be kept |
| 5.12 | The process of developing local authorities’ annual budget | Destroy 2 years after annual budget adopted by local authorities | * Draft budgets
* Departmental budgets
* Draft estimates
 |  |
| 5.13 | The process of reporting which examines the budget in relation to actual revenue and expenditure | 6 years after end of thefinancial year in whichrecords created | * Quarterly statements
 |  |
|  | **Loans** |  |  |  |
| 5.14 | The activity of borrowing money to enable a local authority to perform its functions and exercise its powers | Destroy 7 years after the loan has been repaid | * Loan files
 |  |

| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
| 5.15 | Summary management of loans | Permanent. Offer to Archivist.Transfer to place of deposit after administrative use isConcluded | * Loans registers
 | Common practice |
|  | **Housing** |  |  |  |
| 5.16 | The process of offering financial help with welfare housing provision and maintenance | 6 years from the date the records created | * Money management advice
 | Limitation Act 1980 |
| 5.17 | Mortgages | Last payment + 6 years if signedLast payment +12 years if sealed | * Mortgage agreements
* Correspondence
 | Statutory |
| 5.18 | “Right to Buy” | Destroy 12 years after sale of house | * Sale documents
* Agreement concerning sale
 |  |
| 5.19 | Rent Payments | Destroy 6 years after the end of the financial year in which created | * Rent books, rent payment and balances
* Correspondence concerning payment
* Requests for payment
 |  |
| 5.20 | Home Improvement Grants | Destroy 6 years after last payment for grants under£50 000, For grants over£50 000 destroy 12 years after last paymentWhere plans and detailed drawings included offer toArchivist. | * Agreement to pay loan
* Details of payments
* Correspondence relating to loan
 | Limitation Act 1980 |
|  | **Business Rates / Council Tax Valuation** |  |  |  |
| 5.21 | The valuation of domestic | Valuation lists - Permanent. | * Valuation / Rating lists
 | Common practice |
|  | and rateable properties within a municipal district for the purpose of localtaxation. | Other documents destroy 6 years after the year in which the valuation made | * Correspondence
* Reports
 |  |
|  | **Property History** |  |  |  |
| 5.22 | The recording of information for rateable properties identifying the person or company rated, including details of the value of the property.Note: Records containing accounting information primarily, and not being a source of property history, should be disposed of according to the appropriate record class within the Accounts & Audit function. | **Permanent.**Transfer to Place of Deposit after administrative use is concluded | * Register of Rateable Properties
 |  |
|  | **Business Rates / Local Taxation and Benefit Correspondence** |  |  |  |
| 5.23 | The activity of corresponding with ratepayers in relation to valuations, rates and charges, objections, submissions, appeals, rate remissions and other rates related matters. | Destroy 7 years after last action | * Notices
* Objections
* Applications
* Correspondence
* Rate certificates
* Notices of acquisition and disposition
 | Common practice |
|  | The activity of corresponding to Benefit claimants relating to claims, change in circumstances, appeals and other related matters. |  | * Rate property files
* Correspondence
* Appeals
 |  |
| 5.24 | Covid-19 Business Grant Funding Schemes | retain the records for 10 years from date of award of grant and assurance checks completed |  | BEIS Guidance |
|  | **Summary Assets Management** |  |  |  |
| 5.25 | See Property Management for real property assets. See Transport Management for vehicle assets. |  |  |  |
| 5.26 | Summary management reporting on the overall assets of the local authorities | 6 years after disposal of item/asset | * Schedules of acquisitions
* Consolidated current asset reports
* Annual reports
* Summary of current assets
* Asset registers
 | National Archive(10) Central Expenditure |
|  | **Asset Monitoring and Maintenance** |  |  |  |
| 5.27 | Management systems that allow the monitoring & management of assets insummary form | Destroy 7 years after the conclusion of the financial transaction that the recordsupports | * Subsidiary asset registers
 |  |
| 5.28 | Process of reporting and reviewing assets status | Destroy 2 years after administrative use is concluded | * Routine returns and reports on asset status
* Inventories
 |  |
|  |  |  | * Stocktaking
* Surveys of usage
* Acquisition and disposal reports & proposals
 |  |
| 5.29 | The process of maintaining assets | Destroy 7 years after last action, after 21 years for play equipment documents | * Garden maintenance
* Cleaning
* Painting
* Inspection records
 |  |
| 5.30 | The process of maintaining plant and equipment | Destroy 7 years after sale or disposal of asset | * Service records
* Plant files
 |  |
|  | **Asset Acquisition and Disposal** |  |  |  |
| 5.31 | Management of the acquisition (by financial lease or purchase) and disposal (by sale or write off) process for assets | Destroy **6** years, if under£50 000 or 12 years if over £50 000, after all obligations/entitlements are concluded | * Legal documents relating to the purchase/sale
* Particulars of sale documents
* Board of survey
* Leases
* Applications for leases, licenses & rental revision
* Tender documents
* Conditions of contracts
* Certificates of approval
 | Statutory |

1. **Property and Land Management**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | **Property and Land Management** |  |  |  |
| 6.1 | Reports to management on overall property of the local authority | **Permanent.** Transfer to place of deposit after administrative use is concluded | * Consolidated property & buildings annual reports
* Summary of leased property
* Summary of local authority’s owned property
* Site register
* Register of leases
 | Common practice |
|  | **Property Acquisition and Disposal** |  |  |  |
| 6.2 | Management of the acquisition (by financial lease or purchase) process for real propertySee also Conveyancing | Retain for life of property or building plus 12 years. Offer material re major/significant properties to Archivist for review | * Plans
 | Common practice |
| 6.3 | Management of the disposal (by sale or write off) process for real property | Destroy 15 years after all obligations/entitlements are concluded. Offer material re major/significant properties to Archivist for review | * Legal documents relating to the sale
* Particulars of sale documents
* Board of Survey
* Tender documents
* Conditions of contracts
 | Common practice |
|  | **Property Development and Renovation** |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| 6.4 | The process of managing and undertaking renovations anddevelopment of property | PermanentTransfer to place of deposit after administrative use is concluded |  |  |
| 6.5 | Management* buildings and estates of “special interest”
 | PermanentTransfer to place of deposit after administrative use is concluded | * Project specifications
* Plans
* Installation manuals
* Certificates of approval
 |  |
| 6.6 | Management* all other buildings and estates
 | Retain for life of property or building | * Project specifications
* Plans
* Installation manuals
* Certificates of approval
 | Common practiceFor **asbestos** see health and safety under **General Public Services** |
| 6.7 | The action process involved in the development andrenovation of property | Destroy 7 years after the conclusion of the transaction that the record supports | * Work orders
* Tender documents
* Conditions of contracts
 |  |
|  | **Leasing and Occupancy** |  |  |  |
| 6.8 | The process of managing leased property | Destroy 15 years after the expiry of the lease | * Lease agreements
* Rental expenditure authorities
* Valuation queries
* Applications for leases, licences & rental revision
 |  |
| 6.9 | The process of managing the occupancy of property | Destroy 7 years after the conclusion of the transaction thatthe record supports | * Requests for works, cleaning, etc.
 |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  |  |  |  |  |
|  | **Housing Provision** |  |  |  |
| 6.10 | The process of managing local authority welfarehousing estates | Destroy 6 years after last action | * Stock monitoring records
 | Limitation Act 1980 |
|  | **Systems Management** |  |  |  |
| 6.11 | The internal process to develop or extend the capabilities of a system used to support the activities of the localauthority | Retain for life of system then destroy |  |  |
| 6.12 | The process to implement a system used to support the activities of the localauthority | Destroy **6** years after last action | * Implementation plan
 |  |
| 6.13 | The process to support and administer a system used to support the activities of the local authority | Destroy **6** years after last action |  |  |
|  | **Transport Management** |  |  |  |
| 6.14 | The process of acquisition and disposal of vehicles through lease or purchase | Destroy **6** years after the disposal of the vehicle | * Leases
* Contracts
* Quotes
* Approvals
* Fleet authorisation numbers
 | Limitation Act 1980 |
| 6.15 | The process of managing | Destroy **6** years after the sale or | * Approvals as drivers
 | Limitation Act 1980 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  | allocation & maintenance of vehicles | disposal of the vehicle | * Allocations & authorisations for vehicles
* Maintenance
 |  |
| 6.16 | The process of recording vehicle usage | Destroy **6** years after the sale or disposal of the vehicle | * Vehicle usage reports
 | Limitation Act 1989 |
| 6.17 | The process of recording drivers’ usage | Destroy **6** years after closure | * Vehicle logbook
 | Limitation Act 1980 |
|  | **Insurance – Policy Management** |  |  |  |
| 6.18 | The summary management of insurance arrangements | Permanent/Archive | * Insurance register
 |  |
| 6.19 | The process of insuring local authority officers, property, vehicles and equipment against negligence, loss or damage | Destroy 7 years after the terms of the policy have expired | * Insurance policies
* Correspondence
 | ESD LGRR |
| 6.20 | The process of renewing insurance policies | Destroy 7 years after the insurance policy has been renewed | * Insurance policy Renewal records
* Correspondence
 | ESD LGRR |
|  | **Insurance Claims Management** |  |  |  |
| 6.21 | The process that records insurance claims against the local authority or local authority officers | Destroy 6 years after all obligations/entitlements are concluded (allowing for the claimant to reach 25 years of age) | * Claims records
* Correspondence
 | Limitation Act 1980 |

1. **General Public Services**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Health and Safety – Inspections and****Assessments** |  |  |  |
| 7.1 | Process of inspecting and assessing equipment to ensure it issafe | Destroy 6 Years from record being created. | * Equipment inspection records
* LOLER examination records for lifting equipment
 | Limitation Act 1980Lifting Operations and Lifting Equipment Regulations 1998 |
| 7.2 | Processing the geo- technical assessments ofa quarry | When quarry is no longer in use consult or refer to Health andSafety Executive (HSE) |  | Statutory |
| 7.3 | Process of carrying out monitoring to ensure thatthe process is safe | Destroy 6 Years from record being created | * Monitoring results
 | Limitation Act 1980 |
| 7.4 | Process of monitoring of areas where employees and persons are likely to have become in contactwith asbestos | Destroy 40 Years from last action | * Property asbestos files and registers
 | Control of Asbestos Regulations 2012 |
| 7.5 | Process of monitoring of areas where employees and persons are likely to have come in contact with radiation | Destroy 50 Years from last action or at age 75 years whichever is the greater | * Radon monitoring
 | Ionising Radiation Regulations 1999 |
| 7.6 | Process to ensure safe systems of work | Destroy 6 years | * Safe System of Work and Procedural documents
 | Limitation Act 1980 |
| **Ref No.** | **Function Description** | **Retention Action** |  **Examples of Records** | **Notes** |
| 7.7 | Process to assess the level of risk | Destroy 6 Years from last assessment | * Risk assessment
 | Limitation Act 1980 |
| 7.8 | Fire Risk Assessments (FRA) | Destroy date from the FRA being superseded +4 years | * Premises Fire Risk Assessments
 |  Limitation Act 1980 |
| 7.9 | Processes that permit work | Destroy 6 Year from last action | * Permit to Work
 | Limitations Act 1980 |
| 7.10 | Process that records injuries to adults | Destroy 3 Years from closure | * Accident books
 | Reporting of Injuries Diseases & Dangerous Occurrences Regulations 2013 |
| 7.11 | Process that records injuries to children | Destroy 25 Years from closure | * Accident books
 | Limitation Act 1980 |
|  | **Emergency Planning** |  |  |  |
| 7.12 | Process to develop the emergency/disaster plan for the local community | Permanent.Transfer to place of deposit after superseded | * Major Incident Plan
 |  Civil Contingencies Act 2004 |
| 7.13 | Process of recording the results of the test for emergency/disaster planfor the local community | Destroy 7 years after closure | * Emergencies planning test/exercise reports
 |  |
|  | **Major Incident** |  |  |  |
| 7.14 | Activities that report on all major incidents in the local community, whether the emergency plan has beeninvoked or not | PermanentTransfer to place of deposit after administrative use is concluded |  |  |
| 7.15 | Activities that report on all minor incidents in the local community | Destroy 7 years after closure |  |  |
|  | **Enforcement Certification and Prosecution Registration, Certification and****Licensing** |  |  |  |
| 7.16 | The administration of applications, registration, certification and licences in relation to local authorities’ registration requirements | Destroy 6 years after registration or entitlement lapses | * Applications for animal registration
* Applications for registration of a business premises
* Registers
* Certificates of registration of taxi drivers, beauty therapists
* Gaming
 | Limitation Act 1980 |
|  | **Prosecution** |  |  |  |
| 7.17 | The process of prosecution or sanction of an individual or organisation for failing to comply with their legal responsibilities | Retain from close of case for 6 years, review at the end of 6 years | * Prosecution/sanction files
 | Limitation Act 1980 |
|  | **By-Laws Enactments** |  |  |  |
| 7.18 | The process of making local laws | **Permanent.**Transfer to place of deposit after administrative use is concluded | * Master Set of byelaws
* Policy Development documents
* Correspondence
* Submissions
 |  |
|  | **By-laws -****Administration & Enforcement** |  |  |  |
| 7.19 | The process of administering and enforcing byelaws | Destroy 6 years after certificate has expired or penalty payment has been made or the matter hasbeen finished or correspondenceon the matter has ceased | * Applications and certificates
* Permits
* Licences
* Infringement notices (Parking)
* Correspondence
 | Limitation Act 1980 ESD Local Government Record Retention |
|  | **Cemeteries & Crematoria** |  |  |  |
| 7.20 | Summary management systems that record the location of burials and identity of deceased individuals | Permanent. Offer to Archivist.Transfer to place of deposit after administrative use is concluded | * Register of interments
* Cemetery register
* Cemetery plans
 | ESD Local Government Record RetentionThe Cremation (England and Wales) Regulations 2008 |
| 7.21 | The process of regulation of burials and cremations | Destroy 15 years after last actionNB – if records are held electronically then paper copies can be destroyed | * Permits
* Applications
* Orders
 | Limitation Act 1980The Cremation (England and Wales) Regulations 2008 |
|  | **Waste Management –****Collection and Disposal of Waste** |  |  |  |
| 7.22 | The process of arranging the collection or transportation of household waste | Records should be kept for 3 years + 1 current.Destroy ~~3~~ 4 years after last action |  | Environmental Protection (Duty of Care) Regulations 1991NB – The waste management contractor must retain notes for 6years under landfill tax legislation |
| 7.23 | The process of arranging the collection or transportation of controlled waste | Destroy 6 years after last action |  | Limitation Act 1980 ESD Local Government Record Retention |
| 7.24 | The summary management of sites used for the disposal of waste within the local authority | Permanent. Offer to Archivist**.**Transfer to place of deposit after administrative use is concluded |  |  |
| 7.25 | The process of the short- term storage ofhousehold waste | Destroy 6 years after site closure | * Transfer sites
 |  |
|  **Ref****No.** | **Function Description** | **Retention Action** | * **Examples of Records**
 | **Notes** |
| 7.26 | The process involved in managing the use, type and amount of waste to be disposed at a specific site | Permanent. Offer to Archivist for review.Transfer to place of deposit after administrative use is concluded | * Waste site plans
 | ESD Local Government Record Retention |

1. **Planning and Land Use**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- |
|  | **Planning Scheme Development and****Amendment** |  |  |  |
| 8.1 | The activity of developing a vision and strategic directions regarding existing and future land use within the Local Authority to ensure the implementation of the Unitary Development Plan and its replacement the Local Development Framework | Permanent. Offer to Archivist when plan superseded | * Local Plan
* Town Centre Plans
 |  |
| 8.2 | The activity of consultation to gain approval for the Development Plan and its replacement the Local Development Framework | Permanent. | * Consultation documents and replies
* Inquiries and objections made by members of public
* Public Inquiry documents
 |  |
| 8.3 | The activity of recording information on historical buildings, monuments and ecology at a specific site | Permanent.Transfer to place of deposit after administrative use is concluded | * Sites and Monuments records
* Ecological records
* Species records
* Historically listed buildings
 |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
|  |  |  | * Definitive map
 |  |
| 8.4 | The process of receiving, considering and responding to submissions and objections to planning schemes and amendments | Destroy 10 years after decision. Offer controversial/high profile schemes to Archivist | * Objections
* Inquiries – Public etc.
* Archaeological: advice/conditions
 | Common practice |
| 8.5 | The process of controlling development of areas through applications for planning permission | Transfer planning application register to Archivist once the register has been completed (or at arranged intervals if it is held electronically)Refer all other records to Archivist for sampling | * Planning application files and plans
* Correspondence relating to any objections
* Hearing papers
* Planning application register
 |  |
| 8.6 | The process of maintaining the countryside and developing open spaces for public amenity | PermanentRefer all files relating to policy to the ArchivistDestroy other files 7 years after administrative use concluded | * Tree Preservation Orders
* Country parks and nature reserves development plans and correspondence, land

purchase agreements |  |
|  | **Planning Scheme Regulation** |  |  |  |
| 8.7 | The summary management of planning scheme regulation | Permanent. Offer to Archivist.Transfer to place of deposit after administrative use is concluded | * Building Control registers
 | ESD Local Government Record Retention |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| 8.8 | The process of regulating the planned use of land or buildings | Destroy 15 years after closure |  |  |
| 8.9 | The process of approving building applications in relation to listed or other significant buildings | Permanent. Offer to Archivist for review.Transfer to place of deposit after administrative use is concluded | * Building files
* Plans
* Specifications
* Correspondence
* Applications
* Permits
* Certificates
 |  |
| 8.10 | The process of approving building applications, for all other buildings | Destroy 10 years after construction completed | * Building files
* Plans
* Specifications
* Correspondence
* Applications
* Permits
* Certificate
* Objections
 | Building Control Performance Standards 2006ESD Local Government Record Retention |
| 8.11 | The process of inspecting building work for the purpose of insuring compliance | Destroy 10 years after the issue of a certificate of final inspection | * Certificate of final inspection
* Objections
* Building Inspection records
* Diaries
 | Common practice |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref****No.** | **Function Description** | **Retention Action** | **Examples of Records** | **Notes** |
| 8.12 | The process of enforcing building or land regulations | Destroy 3 years after compliance with enforcement notice |  |  |

1. **Plant & Equipment Maintenance and Inspection**

| **Ref No.** | **Function Description** | **Retention Action** | **Examples** | **Notes** |
| --- | --- | --- | --- | --- |
| 9.1 | Lifting equipment | Every record made under regulation 10(2) should be kept available until the next such record is made.Lifting Operations and Lifting Equipment regulations 1998.2 years after last use |  All records | See Section 7.1 also. |
| 9.2 | Work equipment | Until next inspection | All records | It is advised that these records should not be disposed of until at least 3 years after inspection |
| 9.3 | Scaffolding | 3 months after dismantled |  All records | Or six years after the end of the contract term if part of a contracted service.  |
| 9.4 | Local exhaust ventilation examination and test reports | 5 yearsCoSHHPermanently | All records | Limitation can commence from knowledge of potential claim, not cause of it. ADC will require these records to defend industrial disease or personal injury claims. |
| 9.5 | Noise Surveys/data | Permanently | All records | Limitation can commence from knowledge of potential claim, not cause of it. ADC will require these records to defend industrial disease or personal injury claims. |
| 9.6 | Vibration surveys/data | Minimum of 40 yearsHSE guidance Permanently | All records | Limitation can commence from knowledge of potential claim, not cause of it. ADC will require these records to defend industrial disease or personal injury claims. |
| 9.7 | Vehicle maintenance | Maintenance records must be kept for a minimum period of 15 months or the life of the asset. Ministry of Transport2 years after disposal | All records |  |
| 9.8 | Electrical equipment | 3 years after disposal | All records |  |
| 9.9 | Access equipment | Until next inspection |  | It is advised that these records should not be disposed of until at least 3 years after inspection |