



Cyngor Dinas Llanellwy St Asaph City Council

Document Retention and Disposal Policy

1 Introduction

- 1.1 It is important that the Council has in place arrangements for the retention and disposal of documents necessary for the adequate management of services in undertaking its responsibilities. This policy sets out the minimum requirements for the retention of documents and sets out the requirements for the disposal of documents. It will be reviewed and if required updated on a regular basis.
- 1.2 The Council will ensure that information is not kept for longer than necessary, and will retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.
- 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.

2 Aims and Objectives

- 2.1 It is recognised that up to date, reliable and accurate information is a vital to support the work that the Council does. There is a clear need to retain documentation for audit purposes, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings.
- 2.2 Subject to the aforementioned reasons for retaining documents, and as a basic starting point, papers and records may be destroyed if they are no longer of use or relevant. If in doubt, documents should be retained until proper advice is received.
- 2.3 This document will:-
 - Ensure the retention and availability of the minimum amount of relevant information that is necessary for the Council to operate and provide services to the public.

- Comply with legal and regulatory requirements, including the Freedom of Information Act 2000, the Data Protection Acts of 1998 and 2018 and the Environmental Information Regulations 2004.
- Save time and effort when retrieving information by reducing the amount of information that may be held unnecessarily. This will assist searching for information requested under the Freedom of Information Act.
- Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

3 Standards

3.1 The Council will make every effort to ensure that it meets the following standards of good practice:

- Adhere to legal requirements for the retention of information as specified in the Retention Schedule at Appendix 1.
- Personal and disclosure information will be retained by the Clerk in a locked filing cabinets and access to these documents will only be by authorised personnel.
- Appropriately dispose of information that is no longer required.
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes eg. Equalities data.

4 Confidential Waste

4.1 Fundamentally any information that is required to be produced under the Freedom of Information Act or Environmental Information Regulations, is available on the website or is open to public inspection should **not** be treated as confidential waste.

4.2 However, any information that is protected by the Data Protection Act or as Confidential under the Councils Standing Orders should be treated as confidential waste for disposal purposes.

5 Disposal of Documentation

5.1 Confidential waste which clearly shows any personal information or information will be shredded securely. This may include the use of a commercial secure shredding service.

5.2 Duplicated and superseded materials such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.

5.3 Records should not be destroyed if the information can be used as evidence to prove that something has happened.

5.4 Documents should only be disposed of if reviewed in accordance with the following:

- Is retention required to fulfil statutory or other regulatory requirements?

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- Is retention required to meet the operational needs of the service?
- Is retention required to evidence events in the case of a dispute?
- Is retention required because the document or record is of historic interest or intrinsic value?

6 Retention

- 6.1 Timeframes for retention of documents have been set using legislative requirements. The attached 'Appendix' shows the minimum requirements for the retention of documents. The Clerk should exercise judgement as to whether they can be disposed of at the end of those periods detailed in the appendix.
- 6.2 Throughout retention the conditions regarding safe storage and controlled access will remain in place.

7 Handling

- 7.1 Personal information will only be available to those who are authorised. The Council complies with s124 of the Police Act 1997, so that Disclosure Information is only passed to those who are authorised to receive it in the course of their duties.

<i>Policy Adopted</i>	<i>May 2019</i>
<i>Last Review:</i>	<i>May 2025</i>
<i>Next review</i>	<i>May 2030</i>

Retention & Disposal Policy

Class of Document	Minimum Retention	Reason
Corporate		
Accident Books	21 years	Limitations Act 1980
Agendas	3 years	Management
Applications for Hire	6 years	VAT
Asbestos records for premises/property including survey and removal records	40 years	Management
Asset Management records and reports	Indefinitely	Archive
Claims/Legal Dispute Records	6 years	Limitation Act 1980
Contractors References	6 years	Limitation Act 1980
Copies of Bills to Hire	6 years	VAT
Quotations & Tenders	6 years	Limitation Act 1980 as amended
Inspection certificates - All	3 years	Management
Insurance Policies	While valid	Management
Insurance Company Names & Policy Numbers	Indefinite	Management
Insurance against liability for employees Certificates	40 years from date on which insurance commenced or was reviewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management
Insurance Claims	12 years	Limitation Act 1980
Insurance Details – Stallholders & Contractors	21 years	In case of Public Liability Claims Limitation Act 1980
Insurance Public Liability Certificates	21 years	Management
Internal Audit Fraud Investigation	7 years from outcome	Audit
Lettings Diaries	6 years	VAT
Local or Structure plans	Whilst in force	Management
Minute Books	Indefinitely	Archive
Periodic machinery inspection tests (PAT Equipment calibration etc)	2 years	Management
Play Area Inspection reports	21 years	Limitations Act 1980

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Class of Document	Minimum Retention	Reason
Policies & Procedures	Until updated	Management
Records of Tickets Issued	6 years	VAT
Risk Assessment Forms	2 years	Management
Risk Register	Indefinitely	Management
Risk Management Reports	Indefinitely	Management
Stallholders Records – Food Hygiene/PAT Testing etc	3 years	Limitation Act 1980
Successful Applications Winter Fair	6 years	VAT
Title Deeds, Leases, Agreements, Contracts	Indefinite	Audit Management
Unsuccessful Applications Winter Fair	Following completion of Audits	Data Protection
Warranties	10 years or life of product	Management
Financial		
Audit Records	3 years	Audit
Bank Statements	Last completed Audit year	Audit
Bank paying-in books	Last completed Audit year	Audit
Cheque book stubs	Last completed Audit Year	Audit
Final Accounts of Contracts executed under hand	6 years from completion	Limitation Act 1980
Final Accounts of Contracts executed under seal	12 years from completion	Limitation Act 1980
Grant Applications	6 years	VAT
Loans & Investments	12 years after redemption	Limitation Act 1980
Paid Invoices	6 years	VAT
Paid cheques	6 years	VAT; Limitation Act 1980 (as amended)
Pensions	Indefinitely	Superannuation
Receipt & Payment Accounts	Indefinitely	Archive
Receipt books of all kinds	6 years	VAT
Scales of fees and charges	6 years	Management
VAT records	6 years	VAT
Personnel		
Annual Leave Records	6 years	Data Protection
Criminal Records Bureau Checks	6 months	Data Protection

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Class of Document	Minimum Retention	Reason
Disciplinary or Grievance Investigations - proved	18 months	Data Protection
Disciplinary or Grievance Records – unproven	6 months	Data Protection
Members Allowances Register	6 years	Tax Limitation Act 1980
Membership records	Whilst a member & 1 year	Data Protection
PAYE Records	6 years	Tax
Personnel File & Training Records	Duration of employment & 5 years	Data Protection
Statutory Sick Records, pay, calculations, Certificates etc	6 years	Tax
Successful application forms, and CVs	Duration of employment & 5 years	Data Protection
Successful References	Duration of Employment & 5 years	Data Protection
Timesheets	Last completed Audit year	Audit
Unsuccessful Application Forms	6 months	Data Protection
Unsuccessful reference Requests	1 year	Data Protection
Wages/Salary records, overtime, expenses	12 years	Tax Superannuation
Other		
CCTV Images	28 days	Data Protection
Complaints	2 years	Data Protection
Community Engagement Responses	Once results have been verified and announced	Democracy
Correspondence with Tenants	Indefinitely or when no longer required – dependent on contents.	Audit Management
Electoral Register	1 year	Data Protection
Equalities Data	Indefinitely	Management
Freedom of Information Requests	1 year	Data Protection
General Correspondence including e-mails	2 years	Data Protection
Information from other Bodies	Until no longer relevant	Management
Invitation Lists for Events	2 years	Data Protection

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Class of Document	Minimum Retention	Reason
Local or historical information	Indefinite	Community benefit
Magazines & Journals (other bodies)	Until no longer relevant	Management
Photographs	3 years	Data Protection
Planning Application Objections	2 years unless controversial application	Management
Planning Papers	Until completion of development	Management
Contact Details:		
Community Organisations	2 years – unless they request a website entry	Data Protection
Contractors	When no longer Required	Data Protection
Councillors	Term of Office & 1 year	Data Protection
Members of the Public	2 years	Data Protection
Nominations from Community Organisations for External Committee Members	Term of Office	Data Protection
Other Organisations/General	1 year	Data Protection
Staff	Duration of Employment & 5 years	Data Protection
Stall Holders	2 years	Data Protection
Tenants	Term of Agreement	Data Protection