



# **North Petherton Town Council**

## **Document Storage, Retention and Disposal Policy**

**Approved and adopted by The Town Council 16 June 2025**

This policy provides the framework for how long the Town Council will keep electronic and paper documents and records and the method(s) of their disposal.

## **1. Introduction**

- 1.1 This policy applies to users of North Petherton Town Council information held in both paper and electronic formats; it applies to both councillors and employees.
- 1.2 North Petherton Town Council requires a wide variety of documents for undertaking its business and everyday activities. This includes data generated internally (by Councillors and officers) in addition to information obtained from individuals and external organisations.
- 1.3 The Town Council is committed to retaining these documents in a format and for periods of time that enables it to meet its statutory obligations. Properly managed records provide authentic and reliable evidence of the Town Council's transactions and are a vital element of accountability.
- 1.4 For the purpose of this policy the terms "information", "document" and "record" are interchangeable and refers to both hard / paper copy and electronic copy., electronic information includes email.
- 1.5 It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely the Town Council, and relevant individuals, could face prosecution for not complying with legislation, there could also be operational difficulties, reputational damage and difficulty in defending any claim brought against the Town Council.
- 1.6 It is also important that the Town Council does 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 is necessary. Timely disposal also helps make efficient use of storage space.
- 1.7 This policy applies to users of North Petherton Town Council information and records both paper and electronic, it includes councillors and employees.

## **2. Scope And Objectives**

- 2.1 The aim of this policy is to provide a framework to determine which documents are:

- Retained – and for how long; or
  - Disposed of - and disposal method
- 2.2 The following do not need to be kept and can be routinely destroyed in the course of business:
- “with compliments” slips
  - Catalogues and trade journals
  - Invitations and responses
  - Email messages not related to Town Council business
  - Email messages promoting businesses, goods or services (those that amount to “cold calling” or touting for business)
  - Out of date distribution lists
  - Duplicated and superseded material e.g. stationery, manuals, forms, address books, publicity / information leaflets (provided that at least 1 copy is held).
- 2.3 As a matter of principle, records should not be destroyed if the information can be used as evidence to prove that something has happened.

### **3. Roles and Responsibilities**

- 3.1 The Town Clerk is responsible for:
- Making Councillors and employees are aware of the document retention and disposal policy
  - Facilitating a review of documentation held by the Town Council office / employees on at least an annual basis and that any document to be disposed of are dealt with in accordance with the General data Protection Regulations
  - Reminding Councillors, on at least an annual basis, to review the documents they hold relating to their role as a councillor and / town council business and for them to dispose appropriately of documents. (The Town Clerk will arrange for shredding of document when so requested by town councillors)

### **4. Document Storage**

- 4.1 Document storage should:
- Ensure security of documents
  - Protect individuals privacy (council employees and members for the public)
  - Enable information to be found easily

- Optimise storage space
- Be cost effective
- Facilitate the disposal of documents

## **5. Document Retention**

- 4.1 North Petherton Town Council will maintain records that are sufficiently complete and accurate to enable employees and their successors to undertake their responsibilities to and for the Town Council; this includes:
- Facilitating audits or inspections / examinations of the town council's business
  - Protecting the legal and other rights of the Town Council, its clients and any other persons affected by the Town Council's actions
  - Verification of consent to record, share, manage, or record disposal of personal data
- Authenticating records so that the evidence derived from them is credible and authoritative.
- 4.2 Whenever there is a possibility of legal action the associated records and information should not be amended or disposed of until the threat of litigation has been removed.
- 4.3 Legal documents such as deeds, conveyances, Exclusive Rights of Burial will be retained.

## **6. Document Review**

- 5.1 A document review will ask the following questions:
- Is retention required to fulfil statutory or regulatory requirements?
  - Is retention required to meet operational need?
  - Is retention required for evidence in possible or potential legal action?
  - Is retention required for evidence in case of dispute or complaint?

## **7. Document Disposal**

- 6.1 Where a document has been reviewed and has been scheduled for disposal, the method of disposal will be appropriate to the nature and sensitivity of the document.
- 6.2 in accordance with data protection legislation and the General Data Protection Regulations 2018, personal data will not be retained for longer than necessary.

- 6.3 A record of disposal will be kept to comply with the General Data Protection Regulations. This will include:
- The name of the document
  - The date of destruction
  - The method of destruction
- 6.3 Document disposal (including original and back-up copies) may involve any of the following methods:
- Hard copy non confidential records – waste paper bin / waste recycling
  - Hard copy confidential records, records containing personal information – shredding (this may include the use of commercial services)
  - Computer records – deletion from the folder and the trash / recycle bin and any other steps to ensure that the data is “virtually impossible to retrieve”
  - Transferring records to an external body such as the Somerset Heritage Centre / County Records Office

## **8. Background Information - Personal Data**

- 7.1 Data protection legislation requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained.
- 7.2 Personal information is defined as:  
Data that relates to a living individual who can be identified  
a) from the data or  
b) From the 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 intention of the Council or other persons in respect of the individual.
- 7.3 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.

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
Minutes	Indefinite	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. (At regular intervals - suggested 10 years they should be archived and deposited with the Somerset Records office)
Agendas	10 years	Management	Shred
Accident/incident reports	20 years	Potential claims	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scales of fees and charges	6 years	Management	Bin
Receipt and payment accounts	Indefinite	Archive	N/A
Receipt books of all kinds	6 years	VAT	Shred – may contain personal information
Bank statements including deposit/savings accounts	Last completed audit year	Audit	Shred - Confidential waste

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
Bank paying-in books	Last completed audit year	Audit	Shred - Confidential waste
Cheque book stubs	Last completed audit year	Audit	Shred - Confidential waste
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Paid invoices	6 years	VAT	Shred - Confidential waste
Paid cheques	6 years	Limitation Act 1980 (as amended)	Shred Confidential waste
records	6 years generally but 20 years for VAT on rents	VAT	Shred - Confidential waste
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)	Shred - Confidential waste
Timesheets	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice)	Shred - Confidential waste
Wages books/payroll	12 years	Superannuation	Shred - Confidential waste
Insurance policies	While valid (but see next two items below)	Management	Bin
Insurance company names and policy numbers	Indefinite	Management	N/A
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management	Bin



List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
Town Park equipment inspection reports		21 years	
Investments	Indefinite	Audit, Management	N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management	N/A
Members' allowances register	6 years	Tax, Limitation Act 1980 (as amended)	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant		Bin
Local/historical information	Indefinite – to be securely kept for benefit of the Parish	Councils may acquire records of local interest and accept gifts or records of general and local interest in order to promote the use for such records (defined as materials in written or other form setting out facts or events or otherwise recording information).	N/A

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
Magazines and journals	Council may wish to keep its own publications For others retain for as long as they are useful and relevant.	The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 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.	Bin if applicable
<b>Record-keeping</b>			
To ensure records are easily accessible it is necessary to comply with the following: <ul style="list-style-type: none"> <li>A list of files stored in cabinets will be kept</li> </ul>	The electronic files will be backed up periodically on a portable hard drive and also in the cloud-based programme supplied by the Council's IT company.	Management	Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
<ul style="list-style-type: none"> <li>Electronic files will be saved using relevant file names</li> </ul>			meet the requirements of the GDPR regulations.
General correspondence	<p>Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept.</p> <p>Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.</p>	Management	<p>Bin (shred confidential waste)</p> <p>A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.</p>
Correspondence relating to staff	<p>If related to Audit, see relevant sections above.</p> <p>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.</p> <p>Likely time limits for tribunal claims between 3–6 months</p>	<p>After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related</p>	<p>Confidential waste</p> <p>A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.</p>

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
	Recommend this period be for 3 years	legal claims made against the council.	
<p><b>Documents from legal matters, negligence and other torts</b>  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		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Defamation	1 year		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Contract	6 years		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
Leases	12 years		Confidential waste.
Sums recoverable by statute	6 years		Confidential waste.
Personal injury	3 years		Confidential waste.
To recover land	12 years		Confidential waste.
Rent	6 years		Confidential waste.
Breach of trust	None		Confidential waste.
Trust deeds	Indefinite		N/A
<b>For Halls, Centres, Recreation Grounds</b>			
<ul style="list-style-type: none"> <li>• Application to hire</li> <li>• Invoices</li> </ul>	6 years	VAT	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Lettings diaries	Electronic files linked to accounts	VAT	N/A
Terms and Conditions	6 years	Management	Bin
Event Monitoring Forms	6 years unless required for claims, insurance or legal purposes	Management	Bin. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>For Allotments</b>			
Register and plans	Indefinite	Audit, Management	N/A
Legal papers	Indefinite	Audit, Management	N/A

List of Documents for Retention or Disposal Document	Minimum Retention Period	Reason	Disposal
<b>For Burial Grounds</b>			
<ul style="list-style-type: none"> <li>• Register of fees collected</li> <li>• Register of burials</li> <li>• Register of purchased graves</li> <li>• Register/plan of grave spaces</li> <li>• Register of memorials</li> <li>• Applications for interment</li> <li>• Applications for right to erect memorials</li> <li>• Disposal certificates</li> <li>• Copy certificates of grant of exclusive right of burial</li> </ul>	Indefinite	Archives, Local Authorities Cemeteries Order 1977 (SI 204)	N/A
<b>Planning Papers</b>			
Local Development Plans	Retained as long as in force	Reference	Bin
Local Plans	Retained as long as in force	Reference	Bin
Town/Neighbourhood Plans	Indefinite – final adopted plans	Historical purposes	N/A

Background Papers: SLCC Model Document