Appleby-in-Westmorland Town Council

Document Retention Policy

Introduction

Information is one of the Council's assets; while carrying out its various functions, the Council accumulates information from both individuals and external organisations. The Council also generates a wide range of data, which is recorded in documents and records.

These documents and records are in several different formats, examples of which include, (but are not limited to) communications such as letters, emails, minutes, agendas, reports and attendance notes; financial information including invoices, statements and reports; legal documents such as contracts and leases; and information relating to various types of applications, including forms, plans, drawings, photographs and tape recordings.

For the purposes of this Policy, the terms 'document' and 'records' include information in both hard copy and electronic form.

In certain circumstances it will be necessary to retain specific documents in order to fulfil statutory or regulatory requirements and also to meet operational needs. Document retention may also be useful to evidence events or agreements in the case of disputes, and to preserve information which has historic value.

Premature destruction of documents could result in inability to defend litigious claims, operational difficulties and failure to comply with the Freedom of Information Act 2000 and General Data Protection Regulations 2018.

Equally, the retention of all documents and records is impractical and appropriate disposal is encouraged. Disposal will assist the Council to maintain sufficient electronic and office storage space and will de-clutter office accommodation, resulting in a more desirable working environment. Lengthy or indefinite retention of personal information could result in the Council breaching the General Data Protection Regulations 2018.

It is important for the above reasons that the Council has in place systems for the timely and secure disposal of documents and records that are no longer required for business purposes.

Aims and Objectives

The key objective of this Policy is to provide the Council with a simple framework which will govern decisions on whether a particular document should be retained or disposed of. In the case of documents which are to be retained by the Council, the Policy includes guidance on the format in which they should be retained and appropriate retention periods.

Implementation of the Policy should save officers' time when retrieving information, in particular by reducing the amount of information that may be held unnecessarily.

The Policy in relation to document retention and disposal applies to both Council records held and managed by officers and those held by Councillors.

It is envisaged that this Policy will assist the Council in securing compliance with legal and regulatory requirements, including the Freedom of Information Act 2000, the Environmental Information Regulations 2005, the General Data Protection Regulations 2018 and the Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000. In addition to assisting officers in their day to day business, this should also ensure that searches for information requested under the Freedom of Information legislation are as quick as possible.

Additionally, the Policy should help to ensure that the Council archives records and documents that are of historical value appropriately for the benefit of future generations.

Scope

This Document Retention Policy applies to all information held by the Council and its external service providers where they are processing information on the Council's behalf.

Policy Statement

Appleby-in-Westmorland Town Council will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of services.

Retention and Disposal Policy

Decisions relating to the retention and disposal of documentation should be taken in accordance with this Policy, in particular:

- Appendix 1 – Documents Type, Retention Period and Disposal Method

In circumstances where a retention period of a specific document has expired, a review should always be carried out prior to a decision being made to dispose of it. This review should not be particularly time consuming and should be straightforward. If the decision to dispose of a document is taken, then consideration should be given to the method of disposal to be used.

Roles and Responsibilities

The Town Clerk will be responsible for determining (in accordance with this Policy) whether to retain or dispose of specific documents.

The Town Clerk may delegate the operational aspect of this function to one or more officers within the Town Council.

The Town Clerk should seek advice (CALC, NALC or legal counsel) if they are uncertain as to whether minimum retention periods are prescribed by law, or whether the retention of a document is necessary to protect the Council's position where a potential claim has been identified.

Disposal

When documents are disposed of, the method of disposal should be appropriate to the nature and sensitivity of the documents concerned.

Documents can be disposed of by any of the following methods:

- Non-Confidential records: place in wastepaper bin for disposal
- Confidential records*: shred documents
- Deletion of Computer Records.
- Transmission of records to an external body such as County Records Office.

* It is essential that any documents which are to be thrown away and may contain confidential or personal data must be disposed of in this way, in order to avoid breaches of confidence or of the General Data Protection Regulations 2018.

Security

The Council will need to ensure that all data (hard copy or electronic) is kept securely, and access is only available to authorised personnel.

Councillors will need to assess how they manage the data they receive or generate on behalf of the Council and take steps to identify and address any potential weaknesses. E.g., access to email by a 3rd party.

Policy Review

This Procedure will be reviewed bi-annually by Appleby-in-Westmorland Town Council at a Full Council Meeting.

This policy has been agreed and approved by Appleby-in-Westmorland Town Council.

Cllr P Davidson

Cllr Pamela Davidson
Chair of Appleby-in-Westmorland Town Council

Adopted by Appleby-in Westmorland Council on 19th March 2025
Review Date: March 2027

Appendix 1

Document	Minimum Period	Reason
Minutes		
Agendas	Indefinite	Statutory
Supporting papers	1 year	Management
Draft minutes	Until approved	Management
Minutes	Indefinite	Statutory
Finance		
Receipts and Payment Accounts	Indefinite	Archive
Scale of fees and charges	7 years	Management
Annual Audited Accounts	Indefinite	Statutory
Receipt Books	7 years	VAT/Audit
Bank Statements	7 years	VAT/Audit
Bank Paying in Books	7 years	VAT/Audit
Cheque Book Stubs	7 years	VAT/Audit
Quotation and Tenders	7 years	Audit
Invoices Sent	7 years	VAT/Audit
Invoices Received	7 years	VAT/Audit
VAT records	7 years	VAT/Audit
Petty Cash Receipts	7 years	VAT/Audit
Timesheets	13 years	HMRC/Audit
PAYE Records	13 years	HMRC/Audit
Insurance	Indefinite	Legal
Other		
Health and Safety Records	21 years	Legal
Deeds, Leases, Agreements and Contracts	Indefinite	Legal
Public Hall Bookings	2 years	Management
Council Policies	2 years	Management
Correspondence	2 years	Management
Planning Information	westmorlandandfurness.gov.uk	Management