

Upleadon Parish Council

Document Retention and Disposal Policy

Adopted: 13 November 2025

Next Review Due: September 2028

1. Introduction

Parish and town councils are legally required to create, maintain, and safeguard documents relating to governance, decisions, finances, and administration. They must also make certain records available for inspection, respond to requests for information, and securely dispose of records when they are no longer needed.

This policy sets out [Council Name]'s approach to retention, storage, and disposal of documents. It ensures compliance with statutory duties, supports transparency, protects personal data, and provides clear operational guidance for councillors, staff, and auditors.

2. Legal and Best Practice Framework

The Council's duties arise from:

- **Local Government Act 1972** – requires safe custody of minutes, byelaws, maps, and other key records.
- **Accounts and Audit Regulations 2015** – require accounting records and supporting information to be retained for audit.
- **Freedom of Information Act 2000 (FOIA)** – requires councils to adopt a Publication Scheme and manage records properly (s.46 Code of Practice).
- **Data Protection Act 2018 and UK GDPR** – require personal data to be kept no longer than necessary, and disposed of securely.
- **Limitation Act 1980** – requires certain documents to be retained for up to 6 or 12 years in case of legal claims.
- **Health and Safety legislation** – requires accident and injury records to be retained (generally 3 years).
- **Employment and tax law** – requires payroll and personnel records to be kept (generally 6 years).
- **Community Infrastructure Levy (CIL) Regulations** – require CIL reporting records to be retained.

- **Local Authorities' Cemeteries Order 1977** – requires burial registers and related records to be kept permanently.

Best practice sources include:

- **JPAG Practitioners' Guide 2025** – identifies records management as part of proper internal control.
- **NALC LTN 40.**
- **ICO Records Management Code (s.46 FOIA)** – national standards on retention, disposal, and record-keeping.

3. Policy Statement

Upleadon Parish Council will:

- Retain records for as long as required by law or best practice.
- Dispose of records securely once they are no longer required.
- Maintain a Retention Schedule (Appendix A) covering all classes of records.
- Keep a Disposal Log recording all authorised destructions.
- Pause disposal if litigation, FOI/EIR requests, or subject access requests are anticipated.
- Review this policy every three years, or sooner if legislation or best practice changes.

4. Roles and Responsibilities

- The Clerk is the Council's Records Manager and has overall responsibility for implementing this policy.
- If appointed, the Data Protection Officer (DPO) will monitor compliance with GDPR-related retention and disposal.
- All councillors, staff, and contractors must follow this policy when handling council information.
- The Clerk/DPO will carry out spot-checks and report findings to Council.

5. Storage and Security

- Paper records will be stored in locked cabinets. Where the Council has a dedicated office, records will be kept on site with controlled access. Where the Clerk works from home, the Clerk's designated storage area will serve as the Council's office for these

purposes, and paper records must be stored in lockable, fire-safe cabinets or equivalent secure storage.

- Electronic records will be held in secure, backed-up systems with role-based access controls. Where cloud-based storage is used, it must be:
 - Provided under a council-owned account or domain (not personal accounts).
 - Hosted on servers that meet recognised security standards (e.g. ISO 27001, UK GDPR-compliant, data hosted in the UK/EEA).
 - Backed up regularly, with clear arrangements for recovery in case of data loss.
- Council emails must be sent and received only through an official council domain (not personal accounts). This ensures that records are properly managed, retained, and accessible under FOI and GDPR.
- Website content and social media posts that constitute official council business are covered by this policy.
- Records of permanent or historical value may be transferred to the County Archives by agreement.

6. Suspension of Disposal (“Litigation Hold”)

Where litigation, audit investigation, FOI, EIR, or Subject Access Requests are reasonably anticipated, the Clerk will suspend routine destruction of all relevant records until the matter has been resolved.

7. Disposal of Documents

- **Paper records** will be shredded or incinerated.
- **Electronic records** will be permanently deleted, including from backups where possible.
- Destruction must be authorised by the Clerk and recorded in the **Disposal Log** (kept for 6 years).
- Where third-party services are used (e.g. IT providers or secure shredding companies), the Clerk must obtain a **certificate of destruction**.

8. Training and Awareness

- New councillors and staff will be briefed on this policy at induction.
- The Clerk will provide an annual reminder as part of the policy review cycle.

- Where needed, training will be arranged on data protection, information security, and records management.

Appendix A – Retention Schedule

Record Type	Minimum Retention Period	Authority / Guidance
Governance		
Council minutes (signed)	Permanent	LGA 1972
Title deeds, leases, agreements, contracts under seal	Permanent (contracts under seal – 12 years after completion if not kept permanently)	Limitation Act 1980
Policies, procedures, registers	Until superseded + 1 year	Best practice
Finance		
Annual Governance & Accountability Return (AGAR)	Permanent	Accounts & Audit Regs 2015
Accounting records, invoices, VAT, receipts	6 years	Accounts & Audit Regs 2015
Bank statements, paying-in books, cheque stubs	6 years	Accounts & Audit Regs 2015
Community Infrastructure Levy (CIL) reports and records	6 years (published reports online for statutory period)	CIL Regs
Insurance policies	6 years; indemnity records permanent	Limitation Act 1980
Employment		
Personnel files	6 years after leaving	Employment law best practice

Record Type	Minimum Retention Period	Authority / Guidance
Payroll and tax records	6 years	Taxes Management Act 1970
Health & Safety accident books	3 years (longer if litigation likely)	RIDDOR 2013
Land and Property		
Allotment tenancy registers, maps	Permanent	Best practice
Individual allotment tenancy agreements	6 years after tenancy ends	Limitation Act 1980
Burial registers and grave records	Permanent	LACO 1977
Exclusive Rights of Burial certificates	Permanent	LACO 1977
Digital Records		
Emails conducting council business	In line with subject matter retention period	FOIA Code
Website content	Until updated or superseded	Transparency Code
Social media content (official council posts)	Until administratively useful	Best practice
CCTV footage (if operated)	28–31 days unless required for incident/police	Best practice
Other		
Planning papers (applications, decisions)	Until decision + 6 years	Local practice
Routine correspondence/drafts	Until administratively useful	FOIA Code

Appendix B – Disposal Log (Template)

Date	Record Class	Description	Disposal Method	Authorised by	Certificate of Destruction (Y/N)

Disclaimer

In the absence of NALC model policies for all areas of core and recommended council governance, GAPTC has prepared this policy by studying a cross-section of parish and town council policies available online, identifying their strengths, common pitfalls, and where scope might need to be broadened to be fully effective. Drafting has been assisted by AI tools, and the content has not been assessed by a legal expert. Councils are strongly encouraged to tailor and customise this policy to suit their individual circumstances, activities, and risk profile, and to seek independent legal or professional advice where necessary.