



DOCUMENT RETENTION AND DISPOSAL POLICY

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ABSTRACT

This policy sets out the minimum requirements for the retention and disposal of documents as listed in the Retention Management System guidelines for local authorities.

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Where printing is necessary, please ensure that it is printed double sided
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Introduction

1.1 The guidelines set out in this document support the Town Council's Data Protection Policy and assists us in compliance with the Freedom of Information Act 2000 and other associated legislation. Peterlee Town Council default position is to adopt the Retention Management system guidelines for local authorities.

1.2 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. However, it is important to note that this is a live document and will be updated on a regular basis.

1.3 Peterlee Town Council will ensure that information is not kept for longer than is 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.

Aims and Objectives

2.1 It is recognised that up to date, reliable and accurate information is vital to support the work that the Council do and the services that we provide to our residents. This document will help us to:

- 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 Act 2018 and the Environmental Information Regulations 2004
- Save employees' time and effort when retrieving information by reducing the amount of information that may be held unnecessarily.

This will assist them as they carry out their daily duties, or if searching for information requested under the Freedom of Information Act; and,

- Ensure archival records that are of historical value are appropriately retained for the benefit of future generations.

Scope

3.1 For the purpose of this Strategy, 'documents' includes electronic, microfilm, microfiche and paper records.

3.2 Where storage is by means of paper records, originals rather than photocopies should be retained where possible.

Standards

4.1 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 Management System guidelines. This document provides a framework for good practice requirements for retaining information.
- Personal information will be retained in locked filing cabinets within the Corporate Services Manager's Office and access to these documents will only be by authorised personnel
- Disclosure information will be retained in a locked cabinet in the Corporate Services Manager Office
- Appropriate measures will be taken to dispose of information that is no longer required
- Appropriate measures will be taken to ensure that confidential and sensitive information is securely destroyed
- Information about unidentifiable individuals is permitted to be held indefinitely for historical, statistical or research purposes e.g., Equalities data
- Wherever possible only one copy of any personal information will be retained and that will be held within the Corporate Services Manager's Office.

Breach of Policy and Standards

5.1 Any employee who knowingly or recklessly contravenes any instruction contained in, or following from, this Policy and Standards may, depending on the circumstances of the case, have disciplinary action, which could include dismissal, taken against them.

Roles and Responsibilities

6.1 The Town Clerk has overall responsibility for the policy.

6.2 The Town Clerk is responsible for the maintenance and operation of this policy including ad-hoc checks to ensure compliance.

6.3 Senior Managers are responsible for ensuring their records are kept and destroyed in line with this policy.

6.4 The individual departments areas are responsible for ensuring that the guidelines set out in this policy are adhered to and to ensure that any documents disposed of are done so in accordance with their 'sensitivity' (i.e. whether they are normal waste or 'Confidential Waste').

Confidential Waste

7.1 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.

7.2 However, any information that is protected by the Data Protection Act or as Confidential under the Council's Constitution should be treated as confidential waste for disposal purposes.

7.3 Examples of what constitutes confidential waste:

- Exempt information contained within committee reports
- Files containing the personal details of an individual and files that predominantly relate to a particular individual or their circumstances - e.g., completed application forms and letters
- Materials given to the Council on a 'confidential' or on a limited use basis e.g., material provided by contractors or the police.

7.4 Examples of what does not constitute confidential waste:

- Documents that are available to the public via the Council website or by submitting an appropriate search request to the Council for general information
- All reports and background papers of matters taken to Committee in public session unless specifically exempt.

Disposal of Documentation

8.1 Confidential waste which clearly shows any personal information or information which can be identified using the parameters set out in 7.3 will be taken away in a sealed bag by BOX IT and shredded.

8.2 All information which appertains to children is to be shredded.

8.3 Information placed in the blue bin in the print room, inside the Council Offices is shredded by the contractor.

8.4 All other documents requiring disposal are to be placed in the recycling bins in the various locations on the offices and will be disposed of as general paper waste for recycling purposes.

Retention

9.1 Timeframes for retention of documents have been set using legislative requirements and the Chartered Institute of Personnel and Professional Development (CIPD) guidelines.

9.2 Throughout retention the conditions regarding safe storage and controlled access will remain in place.

9.3 Disclosure information appertaining to Disclosure and Barring Checks must be kept securely in a locked cabinet. Only those entitled to see it in the course of their duties should have access. The security and confidentiality of all Disclosure information is closely registered under the Police Act 1997.

9.4 Disclosure information must not be retained for a period of more than six months and must be destroyed in a secure manner using the shredder in the main office.

9.5 Any unauthorised employee accessing or attempting to access Disclosures or Disclosure information or personnel records will be dealt with under the Council's disciplinary procedures.

9.6 The attached 'Appendix A' shows the minimum requirements for the retention of documents as determined by those officers responsible for the management of these particular documentation types. Officers holding documents should exercise judgement as to whether they can be disposed of at the end of those periods detailed in the attached 'Appendix'.

Storage and Access

10.1 Disclosure information is kept with the personnel files and in securely lockable, non-portable cabinet with access strictly controlled and limited to the Town Clerk, Deputy Town Clerk and Corporate Services Manager.

Handling

11.1 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. The Council maintains a record of all those to whom Disclosures or Disclosure Information has been revealed and recognises that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

11.2 Personal information will only be available to those who are authorised officers.

11.3 Customer details and information will be kept up to date and reviewed annually by an authorised officer.

Usage

12.1 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's/employee's consent has been given. Disclosure Information will be shared between different departments of the Council, if necessary.

12.2 Where Disclosure information is shared with anyone other than the Town Clerk and the direct Manager, the employee must be given a reason why this information is being shared.

Any queries regarding this Policy please contact either Ian Morris, Town Clerk, ian.morris@petelree.gov.uk or Janet Hugill, Corporate Services Manager, Janet.hugill@peterlee.gov.uk or telephone 0191 5862491.

Author of Policy;	Corporate Services Manager
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APPENDIX A

Recommended Document Retention Timescales

The retention period should be the number of years specified plus the current financial period (i.e. three years plus the current period, therefore at least three years documentation will always be retained at any given point in time).

This list is not exhaustive, if you are unsure about any document contact the Town Clerk or Corporate Services Manager for clarification.

For the document retention timescales please click on this link [Retention-Guidelines-for-Local-Authorities.pdf](#)