



WESTON-SUPER-MARE TOWN COUNCIL

Records and Retention Policy

Date	Version	Author	Origin of change e.g. change in legislation	Changed by
October 2025	V3	Town Clerk/CEO	(NALC-Aligned, 2025) Updated from v2 (2019), incorporating NALC 2022 guidance Updated inline with UK legislation and regulation for HR and H&S	Democratic Services Manager Director of Finance and Resources

This policy applies to Weston-super-Mare Town Council

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1. Purpose and Scope

This policy defines how Weston-super-Mare Town Council retains, reviews, and disposes of its records. It aligns with the National Association of Local Councils (NALC) 2022 Retention Guidance, Arnold-Baker on Local Council Administration (Ch. 11), and relevant UK legislation.

2. Legal and Regulatory Framework

This policy complies with:

- Limitation Act 1980 (as amended)
- Local Government (Records) Act 1962
- Freedom of Information Act 2000 – Section 46 Code of Practice
- Data Protection Act 2018 / UK GDPR
- Employers' Liability (Compulsory Insurance) Regulations 1998
- Legal Deposit Libraries Act 2003 and Non-Print Works Regulations 2013
- NALC Model Financial Regulations (England and Wales)

3. Key Principles

Records are retained for as long as necessary to:

- Meet legal and audit obligations
- Support transparency and accountability
- Protect the Council's legal and financial interests
- Preserve items of historical or community significance

All records—paper or electronic—must be managed under the same retention and disposal rules. Electronic records may include typed signatures unless witnessing is legally required.

4. Retention Periods and Actions

The following table consolidates Council retention requirements, now fully aligned with NALC Annex 1 (2022) and including all health and safety and HR retention requirements

Record Type	Minimum Retention	Action	Reason / Legal Basis
Minute Books	Indefinite	Preserve	Archive – NALC Annex 1
Receipt & Payment Accounts	Indefinite	Preserve	Audit / Management
Receipt Books	6 years	Destroy	VAT / NALC update

Paid Invoices & Cheques	6 years (20 for VAT on rents)	Destroy	VAT Act 1994
Bank Statements / Paying-in Books / Cheque Stubs	Last completed audit year	Destroy	Audit requirement
Timesheets	3 years (or last audit year)	Destroy	Audit / Personal injury best practice
Wages Books	12 years	Preserve	Superannuation / NALC Annex 1
Insurance Policies	As long as claims may arise	Review then destroy	Risk management / legal proceedings
Employer's Liability Certificates	Indefinite	Preserve	Future claims / Reg. 5 (1998 SI 2753)
Quotations & Tenders (successful or unsuccessful)	6 years	Destroy	Limitation Act 1980
Planning Applications and Appeals	Until completion or appeal expiry (indefinite if precedent)	Review / Preserve	NALC guidance 2022
Insurance Company Details (summary)	Permanent	Preserve	NALC recommendation
Trust Deeds / Schemes	Never destroy	Preserve	No limitation period applies

Record type	Retention period	Legislation / Good practice
Health records from exposure to hazardous substances	40 years from last entry.	COSHH Regulations 2002.
Lead exposure and medical records	40 years from last entry.	Control of Lead at Work Regulations 2002.
Asbestos exposure and health surveillance	40 years from last entry.	Control of Asbestos Regulations 2012.
General risk assessments	Until superseded, keep for at least 3 years after activity ends.	Management of Health and Safety at Work Regulations 1999.
Noise and vibration health surveillance	40 years from last entry.	Control of Noise at Work Regulations 2005 and Control of Vibration at Work Regulations 2005.
Accident book / Injuries and dangerous occurrences	3 years from last entry. 6 years recommended for litigation.	RIDDOR 2013.
Accident/incident involving a child or young person	Until the individual is 21.	Based on civil law.
Legionella records	Current and 2 years after cessation for scheme, 5 years for monitoring.	HSE ACOP L8.
Fire risk assessments	Indefinitely or life of the building.	Regulatory Reform (Fire Safety) Order 2005.
General H&S training records	6 years after employment ends.	Good practice.
First aid training certificates	3 years (certificate duration) and per company policy.	Health and Safety (First-Aid) Regulations 1981.
First Aid Records: Records for first aid administered	3 years	
Hazardous substances training	40 years.	COSHH Regulations 2002.
Accident Books/Records: Records of reportable injuries, diseases, and dangerous occurrences (RIDDOR)	must be kept for at least three years from the date of the last entry. If a person involved was under 18, the record should be kept for three years from when they turn 18.	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 and the Limitation Act 1980
COSHH Test Records: Records of tests and examinations of control systems and protective equipment	5 years	COSHH Regulations 2002.
Personal Emergency Evacuation Plan (PEEP)	End of relevant period plus 6 years	

Statutory retention periods for HR records

The table below summarises the main legislation regulating statutory retention periods. If in doubt, it is a good idea to keep records for at least 6 years (5 in Scotland), to cover the time limit for bringing any civil legal action

Recommended (non-statutory) Retention Periods

For many types of personnel records, there is no definitive retention period: it is up to the employer to decide how long to keep these records. The list below is based on the time limits for potential tribunal or civil claims;

Where the recommended retention period given is six years, this is based on the six-year time limit within which legal proceedings must be commenced as laid down under the [Limitation Act of 1980](#). Thus, where documents may be relevant to a contractual claim, it is recommended that these be retained for at least the corresponding six-year limitation period.

Record	Statutory Retention Period	Statutory Authority
Accident books, accident records/reports	3 years from the date of the last entry (or, if the accident involves a child/young adult, then until that person reaches the age of 21)	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)(SI 1995/3163) as amended, and the Limitation Act 1980 . Special rules apply concerning incidents involving hazardous substances.
Accounting records	6 years for public bodies	the Local Audit and Accountability Act 2014 and the Accounts and Audit Regulations 2015
Income tax and NI returns, income tax records and correspondence with HMRC	Not less than 3 years after the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example, by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)
Medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry	The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations 2002 (SI 2002/2676)
Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SI 1999/437 and 2002/2677)
Medical records under the Control of Asbestos at Work Regulations. Medical records containing details of employees exposed to asbestos. Medical examination certificates	40 years from the date of the last entry, 4 years from the date of issue	The Control of Asbestos at Work Regulations 2002 (SI 2002/2675). Also see the Control of Asbestos Regulations 2012 (SI 2012/632)

Record	Statutory Retention Period	Statutory Authority
Medical records under the Ionising Radiations Regulations 1999	Until the person reaches 75 years of age, but in any event for at least 50 years	The Ionising Radiations Regulations 1999 (SI 1999/3232)
Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)	5 years from the date on which the tests were carried out	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SI 1999/437 and 2002/2677)
Records relating to children and young adults	Until the child/young adult reaches the age of 21	Limitation Act 1980
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	6 years from the end of the scheme year in which the event took place	The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity period ends	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended
Wage/salary records (also overtime, bonuses, expenses)	6 years	Taxes Management Act 1970
National minimum wage records	3 years after the end of the pay reference period following the one that the records cover	National Minimum Wage Act 1998
Records relating to working time	2 years from date on which they were made	The Working Time Regulations 1998 (SI 1998/1833)

Record	Recommended Retention Period
Actuarial valuation reports	Permanently – Gov.uk
Application forms and interview notes (for unsuccessful candidates)	6 months to a year. (Because of the time limits in the various discrimination Acts , minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicants' documents will be transferred to the personnel file in any event.)
Assessments under health and safety regulations and records of consultations with safety representatives and committees	Permanently – Gov.uk
Inland Revenue/HMRC approvals	Permanently – Gov.uk
Money purchase details	6 years after the transfer or value taken
Parental leave	5 years from birth/adoption of the child or 18 years if the child receives a disability allowance
Pension scheme investment policies	12 years from the ending of any benefit payable under the policy

Record	Recommended Retention Period
Pensioners' records	12 years after the benefit ceases
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy
Senior executives' records (that is, those on a senior management team or their equivalents)	Permanently for historical purposes
Statutory Sick Pay records, calculations, certificates, self-certificates	The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. Although there is no longer a specific statutory retention period, employers still have to keep sickness records to best suit their business needs. It is advisable to keep records for at least 3 months after the end of the period of sick leave in case of a disability discrimination claim. However, if there were to be a contractual claim for breach of an employment contract, it may be safer to keep records for 6 years after the employment ceases.
Time cards	2 years after the audit
Trade union agreements	10 years after ceasing to be effective

5. Electronic Records and Confidential Destruction

Digital files must undergo a two-step secure deletion: (1) deletion of contents and (2) full media wipe or equivalent certified software erasure. Paper records containing confidential or personal data must be cross-shredded or pulped. Commercial confidential destruction services must provide certificates of disposal.

6. Deposit and Archiving

Records of long-term or historical value should be deposited with Somerset County Archive under section 227 of the Local Government Act 1972. Examples include Council minutes and byelaws, historical maps, deeds, and terriers, and town newsletters and publications (retain one archival copy).

7. Annual Review and Oversight

The Council's internal auditor and Responsible Financial Officer (RFO) shall ensure an annual review of all record categories, verification that retention and disposal actions are followed, and periodic checks on storage systems for security and accessibility.

8. Data Protection & FOI Alignment

Personal data must not be retained longer than necessary (UK GDPR Art. 5(1)(e)). Staff files may be retained post-employment for tax, NI, pension, or legal reference. The Freedom of Information Act 2000 Section 46 Code of Practice encourages councils to maintain an auditable retention schedule and publish it publicly.

9. Key Legal References (Appendix A)

- Limitation Act 1980 (as amended)
- Local Government (Records) Act 1962
- Freedom of Information Act 2000 – Section 46 Code of Practice
- Data Protection Act 2018 / UK GDPR
- Employers' Liability (Compulsory Insurance) Regulations 1998
- Legal Deposit Libraries Act 2003 and 2013 Regulations
- Local Authorities Cemeteries Order 1977 (SI 204)
- NALC Model Financial Regulations (England & Wales) 2022

10. Review Cycle

This policy shall be reviewed annually or sooner following new statutory or NALC guidance.