



Data Retention and Disposal Policy

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Next Review Date	Annually

Data Retention Policy and Disposal Policy

Introduction

Newton Abbot Town Council recognise that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Town Council. It accumulates a vast amount of information and data during the course of everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various types of documentation. This policy provides the framework through which this effective management can be achieved and audited.

This policy covers:

- Scope
- Responsibilities
- Relationships with existing policies
- Disposal Scheme
- Retention Schedule

Scope of the Policy

This policy applies to all records created, received or maintained by the Town Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Town Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically. A small percentage of the Town Council's records will be selected for permanent preservation as part of the Council's archives and for historical research.

Responsibilities

The Town Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Town Clerk. The Town Clerk will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner.

The retention periods set out in this policy reflect the Council's commitment to retaining information only for as long as necessary for legal, operational and historical purposes. There is no specific legislation covering the format for which local government records are retained with electronic storage, except for those prescribed by HM Revenue & Customs. Original document required for VAT and tax purposes shall be retained for seven years unless a shorter period has been agreed with HM Revenue & Customs.

Relationship with existing policies

This policy should be read in conjunction with the Council's GDPR Data Protection and Privacy Policy, Freedom of Information Policy, Privacy Notice and Publication Scheme and with other legislation or regulations (including audit and Statute of Limitations) affecting the Town Council.

The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.

Newton Abbot Town Council processes personal data in accordance with the UK GDPR, Data Protection Act 2018 and the Council's GDPR Data Protection and Privacy Policy. This policy should be read alongside those documents.

External storage providers or archivists that are holding Council documents must also comply with the above principles of the UK General Data Protection Regulation.

Documents not requiring retention

Under the Freedom of Information Act 2000, the Town Council is required to maintain a retention schedule listing the record series which it creates in the course of its business.

Some records do not need to be kept and may be routinely destroyed to ensure the most efficient use of limited storage space. This usually applies to information that is duplicated, superseded, unimportant or only of short-term value. Duplicated or superseded material such as stationery, manuals, drafts, forms, address books, and reference copies of annual reports, may be destroyed. Unimportant information includes:

- Compliment slips
- Catalogues and trade journals
- Non-acceptance of invitation
- Trivial email messages which are not related to council business.
- Requests for information such as maps, plans or advertising material
- Out of date distribution lists

Records should not be destroyed if the information can be used as evidence to prove that something has happened.

Retention Schedule

The retention schedule lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use.

Documents should only be disposed of if reviewed in accordance with the following:

- Is retention required to fulfil statutory or other regulatory requirements?
- Is retention required to meet the operation needs of the service?
- Is retention required to evidence events in the case of dispute?
- Is retention required because the document or record is of historic interest or intrinsic value?

Members of staff are expected to manage their current record keeping systems using the retention schedule and to take account of the different kinds of retention periods when they are creating new record keeping systems. The retention schedule refers to records regardless of the media in which they are stored.

Document	Minimum Retention Period	Reason	Location Retained	Disposal
Minutes and Correspondence				
Signed Minutes	Indefinite	Archive, Public inspection, legislation	Council Office, storage and SharePoint	N/A
Agendas	5 years	Management	SharePoint	Deleted & Confidential waste
General emails and correspondence	Retained for as long as document is needed and to a maximum of 3 years	Management	Outlook/SharePoint/Council Offices	Deleted & Confidential waste
Information from other bodies (e.g. DALC)	Retained for as long as document is useful	Management	Outlook	Deleted
Local / historical information	Indefinite	To be securely kept for the benefit of the Town	Museum Archives	N/A
Magazines and journals	Retained for as long as document is useful	The Legal Deposit Libraries Act 2003	Council Offices	Recycled waste
Insurance				
Accident/incident reports	20 years	Potential claims	Council Offices	Confidential waste *
Insurance policies	9 years	Management	RFO Office	Confidential waste
Insurance claims	7 years after all obligations are concluded	Limitation Act 1980 (as amended)	RFO Office	Confidential waste

	or child reaches age of 21			
Insurance certificates	9 years	The Employers Liability (Compulsory Insurance) Regulations 1998 (SI2753)	RFO Office	Recycled waste
Health & Safety inspection records	7 years	Management	Council Offices/SharePoint	Confidential waste
Finance & Payroll				
Audited Accounts	Indefinite	Audit	RFO Office	N/A
Receipt and payment accounts	Indefinite	Archive	RFO Office	N/A
All bank statements	7 years	VAT	RFO Office	Confidential waste
Bank paying-in books	7 years	Audit	RFO Office	Confidential waste
Cheque book stubs	7 years	Audit	RFO Office	Confidential waste
Quotations and tenders (successful)	7 years or until the appointed contract ceases if longer	Limitation Act 1980 (as amended)	RFO Office	*Confidential waste
Paid invoices	7 years	VAT	RFO Office & Digital Accounts system	Confidential waste
Paid cheques	7 years	Limitation Act 1980 (as amended)	RFO Office	Confidential waste
VAT records	7 years	VAT	7 years	Confidential waste
Petty cash records	7 years	Tax, VAT, Limitation Act 1980 (as amended)	RFO Office & Digital Accounts system	Confidential waste
Timesheets	Last completed audit year	Audit	RFO Office	Recycled Waste
Wages / payroll	7 years from end of employment	Audit	RFO Office	Confidential waste
Asset register	Indefinite	Audit	N/A	Deleted

Human Resources				
Staff files	6 years from end of employment	Audit	RFO Office/ SharePoint	Confidential waste
Job applications (unsuccessful)	6 months from time of appointment	Management	SharePoint	Deleted
Miscellaneous				
Strategic Plans	Until superseded	Common Practice	SharePoint	Recycled waste
Policies & Operational Procedures	Until superseded	Common Practice	SharePoint	Recycled waste
Declarations of office	Term of office	Management	Council Office	Confidential waste
Members register of interests	Term of office	Management	Monitoring Officer at Teignbridge District Council and the Town Council website	Confidential waste
Complaints	2 years from resolution	Management	SharePoint	Confidential waste
Investments	7 years or until the investment ceases, if longer	Audit, Management	RFO Office	N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management	Clerk's Office	N/A
Mayoral allowance register	7 years	Tax, Limitation Act 1980 (as amended)	Scribe Accounts	Confidential waste
Legal/Litigation Files	7 years	Common practice	Clerk's Office	Confidential waste
Allotments				
Waiting List	Indefinite	Audit, Management	NADCAA	N/A

** a list will be kept of those documents disposed of to meet GDPR requirements. All confidential waste will be disposed of securely*

Disposal Protocol

The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. The Freedom of Information Act or cause reputational damage.
- Where computer records are deleted, steps should be taken to ensure that data is virtually impossible to retrieve, in accordance with advice from the Information Commissioner.
- Where documents are of historical interest it may be appropriate for these to be transmitted to the Newton Abbot Museum, subject to their policies on accepting articles.
- Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal). When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned.

All confidential records will be securely destroyed in accordance with applicable data protection legislation and the Council's GDPR Data Protection and Privacy Policy.

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

- Non-confidential records – place in wastepaper bin for disposal.
- Confidential records or records giving personal information – to be destroyed by an appointed contractor.
- Deletion of computer records.

These records should contain the following information:

- The name of the document destroyed
- The date the document was destroyed
- The method of disposal