



DERBYSHIRE COUNTY COUNCIL

Legal Services Retention Schedule

Due to the ongoing Independent Inquiry into Child Sexual Abuse (IICSA) some record types have been marked DO NOT DESTROY on this retention schedule. When the Inquiry has concluded, this guidance will be reviewed.



Version History				
Version	Date	Detail	Author	Responsible Officer
V0.1	27/06/2017	Draft version, drawn from retention rules laid down in the Legal Services office manual, arranged thematically	David Jenkins	Simon Hobbs
V1.0	23/08/2018	Final version, identical to the internal retention rules, arranged by Solcase reference types	Simon Hobbs, Lucie Collard, Mark Smith	Simon Hobbs
V1.1	05/04/2018	Approved version, additional entries marked with IICSA note	Simon Hobbs, Lucie Collard, Mark Smith	Simon Hobbs

Standard Operating Procedure

Some records do not need to be kept at all. Standard Operating Procedures (SOP) define all records which staff may routinely destroy in the normal course of business. However, the retention/disposal schedule must still contain references and instructions concerning them.

SOP usually applies to information that is duplicated, unimportant, or of only short term transactional or operational value.

Examples include:

- 'with compliments' slips
- catalogues and trade journals
- reports from third parties circulated for information
- journals of professional bodies or organisations
- telephone message slips
- non-acceptance of invitations
- trivial electronic mail messages or notes that are not related to Authority business
- requests for standard information such as location maps, plans, contact details, opening hours or promotional material
- out-of-date distribution lists/staff directories
- minutes circulated for information
- Diaries and notebooks (after contents have been entered into an approved record-keeping system)

(Note, this is not an exhaustive list)

Duplicated and superseded material such as official stationery, manuals, drafts, forms, address books and reference copies of DCC annual reports may be destroyed under SOP. Electronic copies of documents where a hard copy has been printed and filed, and thermal paper facsimiles after making and filing a photocopy, are also covered by SOP and may be destroyed

SOP should not be applied to records or information that can be used as evidence– to prove that something happened or that a decision was reached. Examples include: staff meeting minutes, public consultation papers or any record that has made a significant contribution to the discussion of the business being conducted should be captured as a record and have a retention period assigned.

Glossary of Terms:

Closure: when a record ceases to be 'current' – this can be the when a set of minutes are formally agreed, or when a Help Desk incident is formally closed. Many retention periods are triggered after the 'closure' of a record

Disposal: the processes associated with the end of a records lifecycle, they will typically include destruction of the records or transfer of the records to Derbyshire Record Office for permanent preservation

Functional Description: the description of the function that the record serves (i.e. the functional description of a set of minutes is 'the process of preparing business...')

Permanent: Retain the record permanently and transfer to Derbyshire Record Office

Record: the recorded evidence about an activity

Retention Action: the action regarding the retention of a record, these will be triggered by a particular event (i.e. the closure of a record)

Additional Information:

Records Disposal Policy and Procedures:

http://www.derbyshire.gov.uk/working_for_us/data/how_to_dispose_of_confidential_information_safely/default.asp

Additional Retention Schedules (including HR, Management and Administration, Property, Procurement):

http://www.derbyshire.gov.uk/working_for_us/data/how_to_dispose_of_confidential_information_safely/records_retention_schedules/default.asp

For further information about the contents of this retention schedule, or for records management generally contact Records Management on records.management@derbyshire.gov.uk or on ext. 39203

At a glance guide to other retention periods

Record Type	Retention Period	Further Information
Finance Records	6 years (from the end of the current financial year)	Finance Retention Schedule
Operational meeting minutes	3 years (from agreement of minutes)	Management and Administration Retention Schedule
Strategic meeting minutes	Permanent (transfer to Derbyshire Record Office)	Management and Administration Retention Schedule
Statistics	6 years	Management and Administration Retention Schedule
Contract Records	6 years (ordinary contract, 12 years (contract under seal) from end of terms of contract)	Procurement Retention Schedule
Staff Records	7 years from end of employment or 25 years from end of employment (if working in a social care or risk group)	Human Resources Retention Schedule
Cabinet reports	Permanent	Management and Administration Retention Schedule
Interview documents	12 months (for unsuccessful candidates), retain on personnel file for successful candidates	Human Resources Retention Schedule
Majority of health and safety records	7 years (with the exception of asbestos and radiation records)	Health and Safety Retention Schedule
Policies and associated procedures	Permanent (transfer to Derbyshire Record Office)	Management and Administration Retention Schedule

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
PROVISION OF LEGAL SERVICES					
Deeds and other hard copy legal records are held separately in Modern Records. These rules apply only to records managed through the Legal Services electronic case management system, which is supplemented by a series of parallel paper files. Retention periods may differ from those used in departmental retention schedules: for instance, a file deriving from provision of legal services in a trading standards case is kept for ten years; this does not affect the retention of related records by Trading Standards, governed by the service's own retention schedule.					
106o	Section 106 Agreements-Out	6 years from closure		Agreements to be stored separately	Case management system
AA	Education Appeals	DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
ADOP	Adoption	DO NOT DESTROY until IICSA has given permission. Thereafter: 24 years from date of birth			Case management system
ASGE	Adult Services – General	6 years from closure			Case management system
BEST	Best Value	6 years from closure			Case management system
BPN	Blight and Purchase Notices	Accepted ones 6 years; Refusal 15 years			Case management system
BT	Termination of Tenancies – In	6 years from closure			Case management system
BTOU	Termination of Tenancies – Out	6 years from closure			Case management system
CEAR	Chief Executive Annual Report	6 years from closure			Case management system
CH	Charities	Permanent – transfer to Derbyshire Record Office when no longer current			Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
CHCP	Child Protection	DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
CICA	Criminal Injuries Compensation Claims	If common law file, 3 years from cause of action. If relating to a child, DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
CLB	Claims by the Council	6 years from closure			Case management system
CMPO	Companies and Outside Bodies	6 years from closure			Case management system
COMC	Community Care	6 years from closure			Case management system
COMP	Compensation Claims part 1LCA	6 years from closure			Case management system
CONF	Confidential	12 years from closure			Case management system
COPO	Compulsory Purchase Orders	15 years from closure			Case management system
CORE	Committee Reports	10 years from closure			Case management system
CP	Complaints	10 years from closure			Case management system
CULI	Highways Cultivation Licences	3 years from closure		Agreements to be stored separately	Case management system
CVG	Commons and Village Greens	6 years from closure			Case management system
DATA	Data Protection advice	6 years from closure			Case management system
DEAG	Dedication Agreements	6 years from closure		Agreements to be stored separately	Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
DEBT	Debt Claims	3 years from closure (non court action); 6 years from closure (court judgement)			Case management system
DMLP	Derbyshire Minerals Local Plan	10 years from closure			Case management system
DG	Disciplinary/Grievance Cases	6 years from closure			Case management system
DOA	Discharge of Orders	DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
DPAG	Deferred Payments Agreements	6 years from closure			Case management system
EAOT	Easements-Out	15 years from closure		Agreements to be stored separately	Case management system
EAS	Easements-In	15 years from closure		Agreements to be stored separately	Case management system
EDM	Editing of Definitive Maps	Permanent – transfer to Derbyshire Record Office when no longer current			Case management system
EMPA	Employment Advice	6 years from closure			Case management system
EXCO	External bodies	6 years from closure			Case management system
EXGP	Ex Gratia claims by Employees	6 years from closure			Case management system
FIRE	Misc Fire Service Matters	6 years from closure			Case management system
FOIA	Freedom of Information Advice	6 years from closure			Case management system
FRE	Freeing	DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
GEN2	Misc Common Law Matters	6 years from closure			Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
GEN3	Misc Education Advice	DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
GENC	Misc Conveyancing Transactions	15 years from closure			Case management system
GENH	Misc Highways Matters	6 years from closure			Case management system
GENP	Misc Planning Matters	6 years from closure			Case management system
GENQ	Misc Countryside Matters	6 years from closure			Case management system
GENR	Misc Right of Way Matters	6 years from closure			Case management system
GUAR	Guardianship	DO NOT DESTROY until IICSA has given permission. Thereafter: 6 years from closure			Case management system
HADM	Highways Act – Deposited Maps (S31 (6))	6 years from closure		Deposited documents stored separately	Case management system
HAE	Highways Act – Enforcement	6 years from closure			Case management system
HASU	Highways Act – Stopping Up S116	15 years from closure			Case management system
ICE	ICE Contracts	12 years if under seal; 6 years if not under seal			Case management system
IT	IT Contracts	12 years if under seal; 6 years if not under seal			Case management system
ITC	Employment Tribunal Cases	6 years after decision			Case management system
JCT	Joint Contracts Tribunal (JCT) Contract	12 years if under seal; 6 years if not under seal			Case management system
JUAG	Joint Use Agreements	15 years from closure		Agreements to be stored separately	Case management system
LAU	Licences to assign/underlet, etc	6 years from closure		Agreements to be stored separately	Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
LBS	Bus Shelter Consents	3 years from closure		Agreements to be stored separately	Case management system
LCCD	Land Compensation Claims by Derbyshire County Council	6 years from closure			Case management system
LFU	Leases of Factory Units	12 years from end of lease			Case management system
LTIN	Leases/Licences/Tenancy Agreements-In	12 years from end of lease			Case management system
LTMA	General Advice	6 years from closure			Case management system
LTOU	Leases/Licences/Tenancy Agreements-Out	12 years from end of lease			Case management system
MBWC	Minor Building Works Contracts	12 years from closure			Case management system
MEHE	Mental Health	6 years from closure			Case management system
NONC	Non Chargeable Work	6 years from closure			Case management system
ORD	Ordinary residence disputes	6 years from closure			Case management system
P111	Part III Accommodation Matters	6 years from closure			Case management system
P3AC	Part III Accommodation Charges (HASSAs)	12 years from discharge			Case management system
PAH	Provision of Amenities on Highways	6 years from closure			Case management system
PFAA	Pension Fund Admission Agreements	6 years from closure		Agreements to be stored separately	Case management system
PII	Public Interest Immunity	6 years from closure			Case management system
POL	Misc Police Authority Matters	6 years from closure			Case management system
PP	Possession Proceedings-PP	3 years from closure			Case management system
PROJ	Major Projects	15 years from date of contract signature			Case management system
PROP	Misc Property Matters	6 years from closure			Case management system
PROS	Prosecutions	6 years from closure			Case management system
PURC	Purchases	15 years from completion			Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
REG	Regeneration	6 years from closure			Case management system
REIN	Registration and Inspection	6 years from closure			Case management system
RERE	Rent Reviews	3 years from closure			Case management system
RHT	Registered Homes Tribunal	6 years from closure			Case management system
ROV	Highways Buildings and Improvement Lines	30 years from closure			Case management system
S106	Section 106 Agreements-In	6 years from closure		Agreements to be stored separately	Case management system
S25	Secure Accommodation Proceedings S25	DO NOT DESTROY until IICSA has given permission. Thereafter: 10 years from closure		Agreements to be stored separately	Case management system
S278	Section 278 Agreements	10 years from closure		Agreements to be stored separately	Case management system
S38	Section 38 Agreements	10 years from closure		Agreements to be stored separately	Case management system
S547	S547 Education Act 1996	6 years from closure			Case management system
S56	S56 Highway out of repair	6 years from closure			Case management system
SALE	Sales (General)	15 years from closure			Case management system
SGFC	Secure Grants to Foster Carers	10 years from closure		Agreements to be stored separately	Case management system
SIRO	Side Road Orders	6 years from closure		Agreements to be stored separately	Case management system
SNCA	Special Needs Casework	DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.			Case management system
SSC	Contracts for Goods or Services	12 years if under seal; 6 years if not under seal			Case management system
SSGS	Safety of Sports Grounds	6 years from closure			Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
STLA	Street Lighting Agreements	3 years from closure		Agreements to be stored separately	Case management system
STP	Highway Act Stopping Up and Diversions (s. 118/119)	15 years from closure			Case management system
TA	Transfer of Assets of Colleges and Grant-Maintained Schools	15 years from closure			Case management system
TCDO	Town and Country Planning Act Diversions	15 years from closure			Case management system
TCPA	Town and Country Planning Act – Appeals	6 years from closure			Case management system
TCPE	Town and Country Planning Act – Enforcement	6 years from closure			Case management system
TM	Misc Transportation Matters	6 years from closure			Case management system
TRAD	Trading Standards Matters	10 years from closure			Case management system
TRO	Traffic Regulation Orders	6 years from closure			Case management system
VPST	Vesting of Premises in School Trustees	15 years from closure			Case management system
WCAC	Wildlife & Countryside Act 1981 claims	15 years from closure			Case management system
WDM	Misc Waste Disposal Matters	6 years from closure			Case management system
WELC	Woolf – Employers Liability	7 years from closure		Updated Apr 2017 in line with Local Government Group guidelines	Case management system

Ref. No.	Functional Description	Retention Period	Examples	Further Information	Storage Location
WTH1	Woolf – Third Party Claims	7 years from closure For claim involving a child: DO NOT DESTROY until IICSA has given permission. Thereafter: Destroy 35 years from closure.		Updated Apr 2017 in line with Local Government Group guidelines	Case management system