Swindon Borough Council In partnership with Wiltshire Council

Business records: guidance for the retention and transfer of records to archives

This document provides guidance for businesses wishing to transfer records (which are no longer required by the business for legal or administrative purposes) to the Wiltshire and Swindon Archives (WSA) for permanent preservation and public access as part of the county's historical record.

Record storage

- Businesses are required to keep certain records by law.
- The law also sets out minimum retention periods for particular classes of record; see https://www.gov.uk/browse/business for the legislative basis for these requirements.
- It is vital that business records are kept safely and securely to ensure they can be accessed when needed.
- It is also important to keep the records in good storage conditions.
- When the records have reached the end of their administrative use, it is recommended that the retention guidelines (below) are consulted to see what needs to be kept and what should be destroyed.
- Wiltshire & Swindon Archives will safely store any records that are to be kept permanently and catalogue them where possible.
- Records can be held either on deposit (where the depositor retains ownership as well as copyright where applicable) or as a gift (where ownership is transferred to the History Centre).
- After appraisal, any items not selected for permanent preservation in the archive will be offered back to the depositor or securely destroyed as agreed at the deposit appointment.
- Wiltshire & Swindon Archives is not a records management service, so please ensure that where possible you only deposit items no longer required for legal or administrative purposes.

How to store paper records

Please try and store your paper records in as good condition as possible:

- Store records in a cool, clean and dry environment.
- Keep records out of direct sunlight.
- Avoid using files with metal parts, plastic bags, rubber bands, adhesive tape and metal staples/clips.
- Keep records in strong boxes and do not overfill them.
- Make lists of what is in each box so you can easily find what you need.
- Keep the storage area locked if possible.

How to store digital records

Digital records can be easily damaged or lost if proper care is not given to their storage.

- Keep digital records secure using passwords.
- Avoid storing digital records on tapes or disks as the ability to read these is quickly becoming obsolete.
- Back up records on a server or the cloud.
- Keep metadata with the records so other people can understand what it means (for example, noting the file format, date of creation, name of person creating).
- Keep more important digital records as PDFs rather than Word.

Personal data in archives

Where appropriate, it is completely acceptable to retain records permanently as archives to preserve our nation's memory and provide public accountability for decision-making. The Data Protection Act 2018 and UK GDPR do **not** mean that **all** records containing personal data should or need be destroyed, redacted or removed.

Articles 5 and 9 of the UK GDPR provide exemptions to certain elements of the Act for "archiving purposes in the public interest, scientific or historical research purposes" provided that appropriate safeguards are in place.

In practice, this means that you do not need to remove, retain or destroy any items on the list below if they contain personal data. Our archivists will apply closure periods and redactions as appropriate when they catalogue the material and/or make it accessible to the public. If you believe that the material you are depositing contains personal data, please highlight this with the archivist taking your deposit who will then discuss it with you.

Please see https://wshc.org.uk/data-protection/ for further details on how personal data in archival collections held at WSA is managed.

Record retention and transfer

The following table provides our guidance for the retention and transfer of business records to WSA.

Material marked "Destroy" should be securely disposed of by the depositor prior to transfer to WSA. Please sort through and list materials to be deposited, but do not package them into plastic wallets or add new paperclips (etc) – please see our deposit guidance for more information on how to prepare your material for deposit.

Any commercially sensitive records should be brought to the attention of WSA staff.

If the records you wish to deposit are not covered by the table below, please ask our archivists for advice.

Type of record	Minimum retention period	Final action	Notes
Corporate/governance records			
Foundation documents (e.g. charters or memorandum and articles of association)	Longterm/permanent	Transfer to WSA	
Certificates of incorporation	Longterm/permanent	Transfer to WSA	
Share ledgers and share registers	Longterm/permanent	Transfer to WSA	For appraisal
Dividend lists	6 years from the end of the financial year	Destroy	
Correspondence		Transfer to WSA	For appraisal
Board/Director minutes and supporting papers	Longterm/permanent	Transfer to WSA	
AGM minutes and supporting papers	Longterm/permanent	Transfer to WSA	
Other major series of minutes e.g. committees	Longterm/permanent	Transfer to WSA	
Business continuity plans		Transfer to WSA	
Company prospectus		Transfer to WSA	
Reports (including annual reports)		Transfer to WSA	
Register of directors		Transfer to WSA	
Risk registers		Transfer to WSA	For appraisal
Major project files (including mergers and acquisitions)	6 years from the end of the financial year	Transfer to WSA	For appraisal
Financial records			
Annual accounts and/or annual reports	Longterm/permanent	Transfer to WSA	
Nominal and private ledgers	6 years from the end of the financial year	Transfer to WSA	For appraisal
Bank statements	6 years from the end of the financial year	Destroy	
Invoices	6 years from the end of the financial year	Destroy	
Receipts	6 years from the end of the financial year	Destroy	
VAT records	6 years from the end of the financial year	Destroy	

Contracts	6 years from the last payment on the contract	Destroy	
Employee and Pension records			
Pay records	3 years from the end of the tax year they relate to	Destroy	
Personnel files	6 years from termination of employment	Transfer to WSA	For appraisal. Data protection safeguards will be applied by WSA
Lists of staff		Transfer to WSA	Data protection safeguards will be applied by WSA
Role/job descriptions		Transfer to WSA	For appraisal
Application/recruitment records	6-12 months	Destroy	
Apprenticeship indentures	6 years from end of apprenticeship	Transfer to WSA	
Individual employee's records		Destroy	
Redundancy records	6 years from end of the last payment on the contract		
Pension scheme trust deeds and rules		Transfer to WSA	For appraisal
Pension fund annual accounts		Transfer to WSA	For appraisal
Pension fund annual investment records		Transfer to WSA	For appraisal
Health and safety records			
Accident books	3 years	Transfer to WSA	For appraisal
Property records			
Title deeds (leases; property/title deed/asset registers)	12 years from end of deed	Transfer to WSA	
Maintenance records	6 years from end of financial year	Destroy	
Architectural plans and layouts		Transfer to WSA	
Insurance policies	6 years from end of financial year	Destroy	

Valuations	6 years from end of financial year	Destroy	
Fire assessments	Life of the risk assessment plus 6 years	Destroy	
Publicity/Promotional records			
Advertising records		Transfer to WSA	For appraisal
Articles/press cuttings		Transfer to WSA	For appraisal
Marketing plans		Transfer to WSA	For appraisal
Circulars or industry specific publications		Destroy	
Conference proceedings		Destroy	
Press releases		Transfer to WSA	For appraisal
Photographs, films and videos		Transfer to WSA	For appraisal
Manufacturing/Production records			
Order books	Longterm/permanent	Transfer to WSA	
Machinery registers/plans & specifications	Longterm/permanent	Transfer to WSA	
Price lists		Transfer to WSA	For appraisal
Product and service catalogues/stock books		Transfer to WSA	For appraisal
Sales figures		Transfer to WSA	For appraisal
Trademark and patent files	Longterm/permanent	Transfer to WSA	
Product design and sales literature		Transfer to WSA	For appraisal
Diaries (business or production)		Transfer to WSA	For appraisal
Staff event and social/recreational clubs' records			
Staff reminiscences	Longterm/permanent	Transfer to WSA	
Accounts		Transfer to WSA	For appraisal
Posters, programmes and tickets		Transfer to WSA	For appraisal
Photographs, films and videos		Transfer to WSA	For appraisal
Other records			
Trade union records	Longterm/permanent	Transfer to WSA	
Strike/industrial action	Longterm/permanent	Transfer to WSA	
Employee welfare records (e.g. medical schemes)		Transfer to WSA	
Company histories		Transfer to WSA	

Records of other businesses acquired by the company			Treat each business as a discrete unit and apply criteria as above.

What we do not collect

Wiltshire & Swindon Archives has a collecting policy and an acquisition and disposal policy. Material that we take in must fit with these policies and must represent Wiltshire or Swindon. Because space is at a premium in our climate-controlled strongrooms we do not accept material that does not fit our collecting policy or that has limited historical or informational value.

We do not generally accept the following classes of record:

- Items with no significant link to Wiltshire or Swindon
- Three-dimensional objects, including works of art, trophies, plaques, banners, quilts, tablecloths etc
- Multiple copies of the same record (including draft versions, unless no final copy survives)
- Copies of records that are available online or in another publicly available collection (original items of material available online will be accepted)
- Financial records which are less than seven years old (these are legally required to be retained by the depositing organisation)
- Receipts, bank statements, chequebook stubs, invoices, VAT records, paying-in books or other ephemeral financial records beyond final accounts
- Insurance records
- Risk assessments
- Tender documents or other quotations for work
- Circulars from regional or national bodies
- Staff files of an ephemeral nature, including timesheets or personnel records (not including staff lists or employee registers, which should be deposited with WSA)
- Research notes

Please ensure that any records from the classes in this list are removed from the collection prior to transfer. We reserve the right to charge for the disposal of any material from this list which is transferred to WSA without prior agreement.

Unwanted items

As part of the accessioning and cataloguing process, our archivists will appraise the material you bring in to select items for permanent preservation. When you transfer the material to us, the form you fill out will allow you to specify what you would like done with anything we decide not to keep. We can:

- Dispose of unwanted items responsibly as confidential waste
- Return unwanted items to you

    - We will contact you to let you know how much there is and what it is. We will retain these items for one month after notifying you that they are ready to collect. If they are not collected within that time they will be disposed of confidentially, and we reserve the right to charge for this disposal.
    - If any items in the deposit are legally required to be retained by the depositor (for example financial records that are less than seven years old), you will be asked to collect them within one calendar month. As these items cannot be destroyed, we will charge for their continued storage after one calendar month.
- Transfer unwanted items to another service
    - This is relevant to items that may be more suitable held elsewhere. Usually this applies to out of county material but could sometimes apply to material that would be better suited in a specialist archive, library or museum.

Contact details:
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