

Surrey County Council Legal Services Retention Schedule

Ref No	Description	Legal Basis	Retention	Action at End of Retention	Contains Personal Information	Protectively Marked?	Notes/Access
LEG1.0	General Law	-	-	-	-	-	-
LEG1.0.1	Case files relating to Criminal Injuries Compensation Authority Claims	-	Date of birth + 85 years then review	Secure Disposal	Y	Official - Sensitive	-
LEG1.0.2	Case files relating to injunction proceedings	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.3	Case files relating to injunctions under the Town & Country Planning Acts	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.4	Case files relating to Magistrate's Courts Proceedings	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.5	Case files resulting from prosecutions on behalf of client Directorates	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.6	Case files relating to the prosecution of breaches/review of community orders	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.7	Case files relating to debt recovery	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.8	Employment files	Limitation Act 1980 (Section 2)	Closure + 6 years then review - A complaint cannot be entertained unless it is presented to the Industrial Tribunal before the end of the period of 3 months beginning with the date on which the ground for the complaint arose, or other such period as the tribunal considers reasonable. For a redundancy payment, a claim must be presented within 6 months beginning with the relevant date.	Secure Disposal	Y	Official	-
LEG1.0.9	Case files relating to disciplinary matters	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official - Sensitive	-
LEG1.0.10	Case files relating to SCC Pension Scheme - Admission to Fund	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official - Sensitive	-
LEG1.0.11	Case files relating to SCC Pension Scheme - Admission Agreements	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official - Sensitive	-
LEG1.0.12	Case files relating to judicial review	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.13	Case files relating to Part 1 Land Compensation Act 1973 Payments	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.14	Records relating to the administration of bye-laws	-	Date of last action on the byelaw + 6 years	Offer to Archives	N	Not Protectively Marked	-
LEG1.0.15	Client general files	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG1.0.16	Records relating to intellectual property rights held by SCC	-	Life of the intellectual property + 7 years	Secure Disposal	N	Not Protectively Marked	-
LEG1.0.17	Common Law issues	Limitation Act 1980 (Section 2)	Closure + 6 years	Secure Disposal	N	Official	-
LEG1.0.18	Company formation, contracts or similar matters	-	Closure + 12 years	Secure Disposal	N	Official	-
LEG2.0	Land & Property Law	-	-	-	-	-	-

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LEG2.0.1	Case files relating to Deed Of Release/Rectification/Variation By Client	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.2	Case files relating to Legal Charges (other than charges under section 22 of the Health & Social Services & Social Security Adjudications Act 1983)	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.3	Conveyancing - acting for purchaser	-	Permanent - retained in the Legal Registry	Secure Disposal	N	Official	-
LEG2.0.4	Conveyancing - acting for vendor on sale of the whole of the title	Limitation Act 1980 (Section 8)	Closure + 12 years	Secure Disposal	N	Official	-
LEG2.0.5	Conveyancing - acting for vendor who retains part of the title	-	Permanent - retained in the Legal Registry	Secure Disposal	N	Official	-
LEG2.0.6	Case files relating to grant of easement to the client	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.7	Recovery of land	Limitation Act 1980 (Section 8)	Date of case of action +12 years then review - The same period is prescribed for the recovery of money charged on land, e.g. by mortgage, or the proceeds of sale of land, e.g. under a trust for sale. Longer periods are provided for Crown Lands, the period being either 60 or 30 years. Claims by subjects to recover lands from the Crown are barred after the ordinary period of 12 years.	Secure Disposal	N	Official	-
LEG2.0.8	Case file relating to the sale of property by auction	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.9	Sale of property (other than by auction or Order Of Court Protection)	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.10	Case file relating to Right to Buy pursuant to the Housing Act 1985	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.11	Case files relating to the transfer of schools to governing body	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.12	Case files relating to the purchase of property where contracts are used	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.13	Case files relating to the purchase of plot for highway scheme where contracts are not used	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.14	Case files relating to licences for assignment/under-letting/ alterations relating to leases	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.15	Case files relating to leases/tenancy agreements/licences to be granted to the client	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-

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LEG2.0.16	Case files relating to rent reviews	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.17	Case files relating to service of s.25 s.27 and other Notices to quit on SCC	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.18	Case files relating to receipt of Notices served pursuant to section 26 of the Landlord And Tenant Act 1954	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.19	Case files relating to service of Notices pursuant to section 26 of the Landlord and Tenant Act 1954	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG2.0.20	Case files relating to repossession of council properties held under an unsecured tenancy	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG3.0	Planning Law	-	-	-	-	-	-
LEG3.0.1	Case files relating to Section 106 agreements under the Town and Country Planning Act 1990	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG3.0.2	Case files relating to Section 106 agreements under the Town and Country Planning Act 1990 prepared by District Councils or developers	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG3.0.3	Case files relating to Planning And Compulsory Purchase Order Appeals (Public Inquiries)	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG3.0.4	Case files relating to planning contravention Notices	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG3.0.5	Case files relating to Breach Of Condition Notices	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG4.0	Social Welfare Law	-	-	-	-	-	-
LEG4.0.1	Case files relating to Section 22 charges under Health & Social Services & Social Security Adjudications Act 1983	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official - Sensitive	-
LEG4.0.2	Case files relating to redemption of Social Services Section 22 charges	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official - Sensitive	-
LEG4.0.3	Case files relating to obtaining any legal order relating to a child [This period relates to the legal file not to the child's personal file.]	-	Date of birth + 25 years or last action + 7 years whichever is the longer	Secure Disposal	N	Official - Sensitive	-
LEG4.0.4	General legal advice	-	Last action + 3 years then review to ensure that a copy is on the ASC or CSF copy of the file	Secure Disposal	Y	Official	-
LEG4.0.5	Foster parent records [This period relates to the legal file not to the personal file.]	Foster Placement (Children) Regulations 1991	Approval terminated + 10 years then review	Secure Disposal	Y	Official - Sensitive	-

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LEG4.0.6	Legal advice given relating to requests by Police for disclosure of Social Services records	-	Last action + 3 years then review	Secure Disposal	N	Official - Sensitive	-
LEG4.0.7	Case files relating to obtaining any legal order relating to an adult [This period relates to the legal file not to the adult's personal file.]	Limitation Act 1980 (section 28 (1))	Date of birth + 100 years	REVIEW	N	Official - Sensitive	-
LEG5.0	Highways Law	-	-	-	-	-	-
LEG5.0.1	Case files relating to Section 278 Agreements under the Highways Act 1980	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG5.0.2	Case files relating to Section 38 Agreements under the Highways Act 1980	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG5.0.3	Case files relating to section 142 licences under the Highways Act 1980	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG5.0.4	Case files relating to Highways Blight Notices	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG5.0.5	Case files relating to Side Roads Orders	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG5.0.6	Files relating to road building/maintenance issues	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG5.0.7	Fatal Accidents	-	Date of death or the date of knowledge of the person for whose benefit the action is bought + 3 years review if further consideration is required if a legal minor is involved	Secure Disposal	N	Official	-
LEG6.0	Contract Law	-	-	-	-	-	-
LEG6.0.1	Action founded on simple contract	Limitation Act 1980 (Section 2)	Date of case of action + 6 years - The basic period is 3 years if damages are claimed for personal injuries caused by negligence, nuisance or breach of duty, whether the duty arises contractually or Not (Section 11).	Secure Disposal	N	Official	-
LEG6.0.2	Action upon a speciality [Action upon a contract under seal, including a covenant under seal, e.g. A covenant contained is a conveyance or in a lease]	Limitation Act 1980 (Section 11)	Date of case of action +12 years then review – the period can be extended by virtue of Section 33	Secure Disposal	N	Official	-
LEG6.0.3	Case files relating to the receipt and preparation of contract documents	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-
LEG6.0.4	Case files relating to the release of bonds	Limitation Act 1980 (Section 2)	Close of case + 6 years then review	Secure Disposal	N	Official	-