

FILE RETENTION PERIODS

Overriding principle	As part of file procedures, the Partner responsible for the matter is to specify a longer period for retention if there are special circumstances - e.g. where acting for a person under a capacity disability, then the file should be reviewed every 3 years after the initial 15 year period.
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Type of Work	Type of Transaction	Period of Retention
Company	Where transaction made by deed	12 years
	All other cases	7 years
Commercial Conveyancing	Sales	15 years
	Purchases	15 years
	Mortgages	15 years
	Leases	3 years after the end of the contractual term, minimum 6 years
	Option, pre-emptions, overage	3 years after the end of the contractual period
	Gifts of land/transfer at undervalue	15 years
	S106/278 Agreements	12 years
	Compulsory purchase	7 years
	Aborted matters	1 year
	Others	12 years unless marked for review
General Commercial work	Substantial and complex matters	15 years
	All others	6 years minimum
Dispute Resolution	In general	7 years
	Planning enforcement	7 years minimum
Employment	Contentious	7 years
	Non-contentious, under hand	7 years
	Non-contentious executed as a deed	12 years
Residential Conveyancing	Sales	6 years
	Purchases	15 years
	Mortgage	15 years
	Equity release	15 years
	Aborted Sale/Purchase	1 year
	First/Voluntary Registration	15 years

Type of Work	Type of Transaction	Period of Retention
	Leases (Other than residential purchase)	3 years after the end of the contractual term, minimum 6 years
	Transfer of ownership into a name	15 years
	Transfer of ownership out of a name	6 years
	General	1 year minimum
Wills	Wills	Will files reviewed every 15 years
	Trusts	15 years. Where the trust is ongoing or is a life or minority case this should be increased to 30 years
	Probate	15 years
	EPAs/LPAs, Court of Protection and personal affairs	15 years
	Administration of estates	15 years
	General	15 years
Family	Children Act Application	Not until all children have ceased to be minors, or 6 years, whichever is greater
	In files involving pension sharing	15 years
	In files involving prenuptial/post-nuptial or cohabitation agreements	15 years
	Change of name deeds	3 years
	Fixed fee only	3 years
	All other cases	6 years
Personal Injury / Clinical Negligence	In general	15 years (or, if later) 3 years after the injured party ceased to be a minor. If the injured party has a capacity disability then the file should be reviewed every 3 years after the initial 15 year period.
Criminal	In general	7 years
Charities	Charity registration	6 years
	All other cases	Refer to relevant section e.g sale/purchase