

GOVERNANCE SERVICES RECORDS RETENTION SCHEDULE

Revision and Signoff Sheet

Change Record

Date	Author	Version	Change reference
20150115	Diana Watt	0.1	Initial draft for review/discussion
20150323	Diana Watt	0.2	Updated
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20180712	Aimi Richmond	1.1	Retention period for Section 2.1 and 2.2 Court Management updated
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Reviewers

Name	Version approved	Position	Date
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i) Records Retention Schedule – Purpose and Guidance

A Records Retention Schedule is a control document that sets out the periods for which the University's records should be retained to meet its operational needs and to comply with legal and other requirements.

A Records Retention Schedule is an essential component of an efficient and effective records management system. Properly developed and consistently implemented, a Records Retention Schedule protects the interests of the University and its stakeholders by ensuring that business records are kept for as long as they are needed to meet operational needs and to comply with legal requirements and are then disposed of appropriately.

Records Retention Schedules facilitate the University's compliance with legislation, for example, the Data Protection Act 1998 Principle 5 states that personal data "shall not be kept for longer than necessary", and for the purposes of the Freedom of Information (Scotland) Act 2002, managing records in a corporately organised way enables public bodies to respond, as required by FOI(S)A, in a way that a) ensures compliance with legislative requirements, and b) with the minimum amount of effort. Records Retention Schedules promote improved records management practices, ensuring that information is accessible whilst protecting privacy and personal data. They assist with preventing premature disposal of records retained to satisfy legal, business, financial, etc. requirements and ensure that information is disposed of timeously or retained permanently, if required.

Records are the result of the functions, activities and tasks undertaken by the University and the retention schedule is therefore arranged accordingly to reflect the business processes undertaken.

1. What does the Records Retention Schedule Cover?

The Records Retention Schedule provides generic guidance on retention of records, which Universities commonly generate in the course of:

- Their core academic work:
- Managing the University as a corporate body;
- Developing their relationship/s with their stakeholders.

It covers key groups of records generated by the common business functions and business activities of Universities. The retention periods in this document have been approved after consultation with key stakeholders following guidance from sources such as the JISC Records Retention Schedule, which is based on extensive research and consultation with a wide range of Universities. However, it is not intended to be either prescriptive or exhaustive, but as detailed as possible to assist users with managing records.

2. Reviewing the Records Retention Schedule

This Records Retention Schedule will be reviewed periodically to ensure it still meets requirements – minor updates as and when required and a general review biennially.

ii) What does the Records Retention Schedule contain?

1. Arrangement and Description of Records

For each business activity, the schedule lists common groups of records which relate to individual sub-activities or processes. For example:

Management of Executive Committees.

Records documenting the development and establishment of terms of reference for the institution's executive committees.

Legal Affairs Management

or

Records documenting the development and establishment of the University's policies and procedures on the conduct and management of legal affairs and the acquisitions/provision of legal services.

2. Retention Period and Trigger Point

Statutory retention periods are indicated by a citation. These should be regarded as minimum retention periods. For business reasons, it may be advisable to retain some records for longer than these statutory periods.

All other retention periods are recommended minimum periods, based on assessments of common University needs and potential legal liabilities.

Although retention periods are often dictated by legislation and regulations, they are related to the rationale for keeping the record in the first place and therefore frequently required for business needs and external bodies. If this is the case, this information should be included in the 'Citation/Rationale' column for future reference (*) e.g. RRS review.

The 'trigger point' is when the retention period starts and this may be the current financial year (CFY), termination date (T) which may apply to supplier contracts, employment contracts, student status, etc. Trigger points can be specific e.g. contract termination (T) or general (CFY) depending on the citation.

Common acronyms e.g. 'CTY' are listed at the bottom of each page of the records retention schedule.

3. Retained by

This section details where the master record e.g. 'original' should be retained and who has responsibility for keeping it (job title, not individual's name).

4. Citation/Rationale

Citations are given for key Acts of Parliament, Statutory Instruments and Regulations, which are relevant to determining retention periods for the groups of records concerned. Those cited should not be regarded as the only ones that may be relevant. As mentioned above in 2) (*) the rationale for keeping the record in the first place is useful for deciding the retention period and particularly when reviewing the records retention schedule. Please note here if the retention period is dictated by business requirements.

5. Final Action

Final action details what should happen to the record once it no longer needs to be retained. There are some documents which will be of archival value to the University and these should be retained permanently. If a document is to be retained for a long period or A=archival, BR=business requirement, C=current, CAY=current academic year, CFY=current financial year, CTY=current tax year, D=destroy, D-CON=destroy confidentially, P=permanent (life of University), R=review for archival selection, T=termination of staff/student status or contract term

This retention schedule applies to all information regardless of format (i.e. paper and electronic). All retention periods are given in years unless otherwise stated.

permanently, special arrangements will be made to transfer it off-site to a storage facility. Governance Services can provide advice and assistance with this.

Many of the records the University staff members create and manage will contain personal information. It is important to ensure that these records are disposed of correctly and in line with guidance issued by the University's Data Protection Officer. Records which contain personal or sensitive personal information should be disposed of by using the shredding consoles which available in all University premises.

6. Records Category, Storage Location & Format

Records should be categorised as to whether they are Vital, Important, Useful or Non-Essential as this may affect how they are stored e.g. vital records may be kept in a fire proof safe, electronically and off-site, whilst Non-Essential records may only be stored electronically. Vital records should also be listed on Business Continuity Plan documents.

The storage location information is necessary to a) ensure records can be found (for both use and disposition), b) identifying copies (those not holding the golden copy/master record can be sure theirs is a copy and therefore ephemeral), and c) inform future RRS reviews.

The format in which records are detailed here along with the location details. The format can be described simply as H, E or H+E (e.g. hardcopy, electronic or both formats).

A physical (e.g. CR = Craiglockhart, ME = Merchiston and SI = Sighthill, together with a specific room number) and/or an electronic (e.g. S:Drive or Sharepoint) location is stated under this section. Where relevant, the information about off-site storage must also be provided.

7. Records Destruction (including electronic records)

Please ensure a Record Disposal Form (see Appendix A) is completed whenever records are destroyed. These would be permanent records. The form will be retained centrally by Governance Services. A copy of the disposal form is also available on the staff intranet.

Back-up copies stored by Information Services and/or other areas of the University must be destroyed at the same time as the 'golden' copy (other copies may be destroyed before this according to business requirements).

A 'hold' should be placed on the destruction date for records if there is a legal 'hold' in place/pending litigation. Putting a 'hold' on the destruction date involves removing the records from folders which may be destroyed as a matter of routine and placing the 'exception' records in a separate folder marked accordingly with either a review date or a new destruction date.

8. Records Retention Schedule Approval Process

Minor updates to this Records Retention Schedule will be aggregated for annual review and approval by Assistant Secretary. The schedule will be reviewed on a biennial basis.

iii) Legislation affecting the management of Governance Services Records

Acts and Statutory Instruments

1973 c.52	Prescription and Limitation (Scotland) Act 1973
1998 c.29	Data Protection Act 1998
2002 asp 13	Freedom of Information (Scotland) Act 2002
2010 c.15	Equality Act 2010

Other provisions

iv) Retention Schedule

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	Records category (Vital/Important/Usef ul/Non-essential) & storage location	
1	. Governance Structure						
1.1	Records documenting the development and establishment of the University's governance structure.	Р	Governance Services	Legal, historical and business requirement.	Review for archival value	V	H – Offsite
2	. Court Management		<u>'</u>		1		
2.1	Records documenting the appointment of members of the University's Court.	Р	Assistant Secretary/Gov ernance Services	1973 c.52	A	V	E – S:Drive H - Off-site
2.2	Records documenting the provision of training and development for members of the University's Court.	Р	Assistant Secretary/Gov ernance Services	BR/Best practice	A	I	E – S:Drive H - Off-site
2.3	Records documenting the organisation of meetings of the University's Court.	C+1	Assistant Secretary/Gov	BR/Best practice	D-CON	I	E – S:Drive H - Off-site

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	(Vi ul/	cords category ital/Important/Usef Non-essential) & orage location
			ernance Services				
2.4	Records documenting the conduct and proceedings of meetings of the University's Court.	Р	Assistant Secretary/Gov ernance Services	BR/Best practice	A	I	E – S:Drive H - Off-site
2.5	Register of Interests	CAY + 6	Governance Services	BR/Best practice	D-CON	U	http://staff.napier.a c.uk/services/secre tary/governance/g ovman/court/Docu ments/Register%2 0of%20Interests% 202014-15.pdf
2.6	University Court Committees	Р	Committee Clerk	BR/Best practice	D-CON	I	E – S:Drive H - Off-site
2.7	Academic Board sub committees	C+10	Committee Clerk	BR/Best practice	D-CON	I	E – S:Drive H - Off-site
2.8	Academic Departmental Committees	C+6	Committee Clerk	BR/Best practice	D-CON	I	E – S:Drive H - Off-site

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	(Vi ul/	cords category ital/Important/Usef Non-essential) & orage location
2.9	Ad hoc groups reporting to a University Committee	Same as parent Committee	Committee Clerk	BR/Best practice	D-CON	I	E – S:Drive H - Off-site
3.	Executive Committee Manag	gement including the Univ	ersity Leadersh	ip Team (ULT)		•	
3.1	Records documenting the development and establishment of terms of reference for the University's executive committees.	T+6	Committee Clerk	BR/Best practice	D-CON	I	E- SharePoint H- Off-site
3.2	Records documenting the appointment of members of the University's executive committees.	T+6	Committee Clerk	1973 c.52	Review for archival value	I	E- SharePoint H- Off-site
3.3	Records documenting the provision of training and development for members of the University's executive committees.	C+3	Committee Clerk	BR/Best practice	D-Con	I	E- SharePoint H- Off-site
3.4	Records documenting the organisation of meetings of	C+1	Committee Clerk	BR/Best practice	D	I	E- SharePoint H- Off-site

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	Records category (Vital/Important/Use ul/Non-essential) & storage location
	the University's executive committees.					
3.5	Records documenting the conduct and proceedings of meetings of the University's executive committees.	C+50	Committee Clerk	BR/Best practice	Review for archival value	I E- SharePoint H- Off-site
4.	Legal Affairs Management		•	•		
4.1	Records documenting the development and establishment of the University's policies on legal affairs and the acquisition/provision of legal services.	S+6	Governance Services	1973 c.52	D-CON	E – S:Drive H - Off-site
4.2	Records documenting the development and establishment of the University's procedures for the conduct of legal affairs	S+6	Governance Services	1973 c.52	D-CON	E – S:Drive H - Off-site

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	(Vi ul/l	cords category tal/Important/Usef Non-essential) & orage location
	and the acquisition/provision of legal services.						
4.3	Records documenting legal support for the negotiation, establishment and review of contracts and agreements between the institution and third parties: agreements and contracts under seal.	T+12	Governance Services	1973 c.52	D-CON		E – S:Drive H - Off-site
4.4	Records documenting legal support for the negotiation, establishment and review of contracts and agreements between the institution and others: other contracts and agreements.	T+6	Governance Services	1973 c.52	D-CON		E – S:Drive H - Off-site
4.5	Records documenting the provision of legal support and representation for the institution in dealing with claims by or against the	Settlement of claim + 6 years OR Withdrawal of claim + 6 years	Governance Services	1973 c.52	D-CON		E – S:Drive H - Off-site

Rece	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	(Vit	cords category tal/Important/Usef Non-essential) & trage location
	institution which do not proceed to litigation or settlement by an agreement.						
4.6	Records documenting litigation between the institution and third parties where legal precedents are set.	Р	Governance Services	1973 c.52	D-CON		E – S:Drive H - Off-site
4.7	Records documenting litigation between the institution and third parties which does not set legal precedents.	T+6	Governance Services	1973 c.52	D-CON		E – S:Drive H - Off-site
4.8	Records documenting legal advice requested by, and provided to, the institution concerning: - interpretation of legislation affecting the University's legal framework, governance, responsibilities or operations	P	Governance Services		D-CON		E – S:Drive H - Off-site

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	Records category (Vital/Important/Usef ul/Non-essential) & storage location
	- proposals for new legislation affecting the University's legal framework, governance, responsibilities or operations - the University's relationships with government bodies and HE regulators - industrial relations issues - health, safety and environmental issues Legal Interpretation & Advice Provision					
4.9	Records documenting legal advice on other matters requested by, and provided to, the institution.	S+6	Governance Services	1973 c.52	D-CON	E – S:Drive H - Off-site
5.	Contract Management					
5.1	Records documenting legal support for the negotiation, establishment and review of contracts and agreements	T+12	Governance Services	1973 c.52	D-CON	E – S:Drive H - Off-site

Reco	ord Series			Citation/ Rationale	Final action	Records category (Vital/Important/Usef ul/Non-essential) & storage location		
	between the institution and third parties: agreements and contracts under seal.							
5.2	Records documenting legal support for the negotiation, establishment and review of contracts and agreements between the institution and others: other contracts and agreements.	T+6	Governance Services	1973 c.52	D-CON		E – S:Drive H - Off-site	
6.	Information Access Manage	ment/Legislative Complia	ance		•			
6.1	Data Controller notification to ICO	C+1	SGO(DP&L) Governance Services	1998 c.29	D		E – Secured network drive H – Locked cabinet, SI.	
6.2	Data sharing agreements and development	T+6	SGO(DP&L) Governance Services	1973 c.52	D-CON		E – Secured network drive H – Locked cabinet, SI.	

Record Series		Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	Records category (Vital/Important/Usef ul/Non-essential) & storage location	
6.3	Subject Access Requests (DPA)	Last action + 2 years	SGO(DP&L) Governance Services	1998 c.29	D-CON		E – Secured network drive H – Locked cabinet, SI.
6.4	DPA SARs anonymised statistics, analyses and reports	C+10	SGO(DP&L) Governance Services		D		E – S:Drive H - Off-site
6.5	Requests for personal data: disclosures without consent to official bodies with the necessary authority (DP CoP 8.6 refers)	Last action + 2 (this may be extended if a legal hold is in place – see page 7 above)	SGO(DP&L) Governance Services	1998 c.29	D-CON		E – Secured network drive H – Locked cabinet, SI.
6.6	Freedom of Information/EIRs request files	C+6	GA&SGO(RM) Governance Services	P&L Act	D-CON		E: SPoint S:\unisecoff\Gover nance\Legal Compliance\Freed om of Information H-5.B.18 Sighthill/locked cabinet

Reco	ord Series	Retention Period & Trigger	Retained by	Citation/ Rationale	Final action	Records category (Vital/Important/Usef ul/Non-essential) & storage location	
6.7	Publication Scheme maintenance/review	C+6	GA&SGO(RM) Governance Services	P&L Act	D		E: S:Drive
7	. Records Management						
7.1	Records Retention Schedule development and maintenance	C+6	SGO(RM) Governance Services	2002 asp 13, 1973 c.52	D	I	E – S:Drive
7.2	Records disposal processing and authorised schedules	Р	SGO(RM) Governance Services	2002 asp 13, 1973 c.52	D		E – S:Drive
7.3	Offsite storage contract	T+6	SGO(RM) Governance Services	1973 c.52	D-CON		E – S:Drive
7.4	Offsite storage log/tracker of requests and transactions	Р	SGO(RM) Governance Services		D		E – S:Drive
7.5	Records migration, planning and implementation	T+6	SGO(RM) Governance Services	1973 c.52	D		E – S:Drive

v) Approval

Signed(Head of Department)	Date	
Print Name	Job Title	
Signed(Governance Services)	Date	
This signed off schedule authorises Governance Services to des recommended retention periods and to provide a copy of all Recamended without first consulting Governance Services.		

vi) Records Disposal Form



RECORDS DISPOSAL FORM

This form must be completed before disposal of University records.

If you require assistance please contact the Senior Governance Officer (Records Manager), Governance Services, 0141 455 6257.

Please use block capitals when filling in this form

Faculty/School/Department			Contact N	lame	E	Extension	
Records Series Number e.g. 4.1	Department Reference/Name/Description	Format e.g. Electronic/ Microfiche/Phy sical	Start/ Creation date	End/ Trigger date	Reason for Destruction e.g. as per RRS (CAY + 5 years) If different to or not on RRS contact the Records Manager	Method of Disposal e.g. shredding, confidential waste	

Records Manager	Signature		Date Date	
Head of School/Department/Service	Signature		Date	
Destruction Approvals:				

Please retain this form within the school/service area and return a copy to: Senior Governance Officer (Records Manager), 5.B.18 Sighthill Campus, email: foi@napier.ac.uk

Pleas	e ensure:
1)	There is no pending litigation before destroying records
2)	Records are disposed of in accordance with the recommended guidelines, which are available on the staff intranet or from
,	Governance Services