

# **Document & Records Retention Policy**

**For Procurement and  
Related Business Documents &  
Records**

**April 2017**

## Document Retention Policy

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## 1 Overview

This policy is to be used by Scotland Excel employees as a guide to maintaining good management practice for all records created, used and retained by (a) Strategic Procurement with regard to the award of Category B collaborative contracts and (b) Scotland Excel with regard to the processing of orders for its own operations.

The policy also extends to include Scotland Excel's Finance and Personnel Records as referred to in section 8.

## 2 Purpose

The main purpose of the policy is to communicate to staff guidelines on the retention of procurement related documents and records that will meet legislative, accountability and organisational needs. This is the principal purpose of this policy and it is the duty of Scotland Excel's Executive Team to put in place all necessary mechanisms and procedures that will implement its directives.

Application of this policy should ensure that the cost of maintaining and storing unnecessary information is avoided and that Scotland Excel employees can be confident that they are not destroying information that is required to be kept for set periods of time for legal compliance purposes.

The policy document should be reviewed every year following an information audit (see section 9) to ensure the relevancy and accuracy of its content.

## 3 Coverage

This policy applies to original documents and records as detailed in Appendices 1 and 2. Copy and duplicate documents and records should be destroyed when not required unless they have been authorised as "Adopted as Original" if an original document or record has been misplaced or inadvertently destroyed.

Any documents being adopted as an original document must be verified by the original author and the authorised signatory of the document or record, and then checked for validity via Renfrewshire Council Legal Services.

This policy relates to both paper and electronic records.

### **3.1 Records Scope**

The retention schedule in Appendix 1 sets out the key documents that apply to procurement related records and should be used as a tool to assist Scotland Excel employees determine when a document or record should be destroyed once the record is no longer in active use.

Although this policy primarily covers records used in the award of Category B contracts and the processing of Scotland Excel orders, a proposed retention schedule for Scotland Excel personnel and financial records is outlined in Appendix 2.

The process for administering document retention is set out in Appendix 3.

## **4 Applicable statutory and regulatory legislation**

The retention of documents relating to procurement records covered by this policy must comply with legislation relating to:

- Freedom of Information (Scotland) Act 2002.
- Data Protection Act 1998.
- Limitations Act 1980.
- Public Contacts (Scotland) Regulations 2015.
- The Disclosure Scotland Code of Practice issued by Scottish Ministers from time to time.

This policy should prevent destruction of documents and records that should be retained according to relevant legislation and should reduce the occurrence of duplicate records and documents being retained unnecessarily for different time periods.

## **5 Procurement records to be retained**

The following procurement documents and records are covered by this policy:

### **5.1 Strategic Procurement Function**

Applicable documents and records:

- Pre-qualification records.
- Invitation to tender documents (including contract specifications).
- Tender evaluation records.
- Successful tender documents and post tender clarifications.
- Unsuccessful tender documents.
- Standstill letters and documentation associated with challenges.
- Contract acceptance letters and schedules.
- Supplier acceptance letter acknowledgments.
- EU contract notices.
- Contract variation notices relating to:
  - Contract extensions.
  - Price increases.
  - Termination.
  - Any notification that alters or varies the original contract agreement.

## **5.2 Scotland Excel as Purchasing Organisation**

Applicable documents and records:

- Successful tenders / quotations.
- Unsuccessful tenders / quotations.
- Price comparisons / assessments.
- Purchase requisitions.
- Purchase orders.
- Purchase order amendments.

## 6 Retention of Documents relating to Cat B contracts

Successful tenders and contract documentation along with associated PQQ's, ITT documents, tender clarifications, tender evaluations, contract schedules, standstill letters, EU notices and acknowledgements that relate to the award of Category B collaborative contracts must be retained in a secure and confidential place for **six years** from the date of expiry of the contract.

### 6.1 Responsibility for Records Management

Responsibility for records management with regard to this information shall lie with Strategic Procurement who shall, for each Category B contract awarded by Scotland Excel, maintain the following information:

- The contract title and reference number.
- The documents to be retained in the contract file.
- The date the contract was awarded.
- The date the contract is due to expire.
- The Strategic Procurement Strategic Procurement Manager responsible for the contract.

At the end of the retention period, documents and records associated with Category B collaborative contracts may be disposed of by:

- (a) Transferring to archive.
- (b) Destroying.

Records and documents identified for disposal should be referred to the relevant Strategic Procurement Manager for advice as to whether the record or document should be archived or can be destroyed.

### 6.2 Transferring to Archive

Paper documents and records selected for archive should be transferred to the Scotland Excel archive facility in existence at the time of transfer once they are no longer operationally required. The period for retention in archive should be agreed with the Strategic Procurement Manager responsible for the contract.

On transfer to archive, the option to convert paper records to other suitable electronic media to reduce the costs associated with physical storage space should be considered, provided the conversion / scanning process complies with legislation relating to Data Protection and the need to reflect a true electronic representation of the original paper document.

### **6.3 Destroying Documents**

Paper documents and records selected for destruction can only be extinguished after the last date specified for the retention period *only on the written authorisation of the Director of Scotland Excel* and only in accordance within current governance policies and procedures relating to the destruction of business documentation.

Records containing confidential, personal or sensitive information must be destroyed according to Data Protection and must take cognisance of Freedom of Information legislation. Duplicate and / or backup copies stored on alternative media must also be destroyed at the same time.

No record or document should be destroyed if there is any pending litigation, dispute or request for information under Freedom of Information or Data Protection legislation relating to the contract to which the record or document is associated with.

In these cases the records should be preserved until the litigation process or request is completed and all appeals have been exhausted, after which time they may be destroyed.

Contracts designated for disposal by destruction should be approved by the Scotland Excel Executive team and authorised in writing by the Director of Scotland Excel.

### **6.4 Disposal Register**

Strategic Procurement should maintain a list of all records that have been disposed of after the end of the retention period, which should include the following information:

- The date of disposal.
- The manner of disposal i.e. either destruction or transfer to archives.
- Description of documents and records destroyed / transferred to archive.

- Date of authorisation to destroy documents.
- The method used to destroy any documents and records i.e. shredding.
- Date of approval of documents designated for destruction and the name of the person authorising the destruction.
- The store location of any archived material.
- The name of the Strategic Procurement representative overseeing the disposal.

### **6.5 Unsuccessful tenders**

Unsuccessful tenders relating to the award of Category B collaborative contracts shall be reviewed and retained on the same basis as set out in this section of the policy (i.e. retained for 6 years).

## **7 Retained Records relating to Scotland Excel Purchase Orders**

Scotland Excel purchase orders, together with the appropriate requisition and associated successful tender / quotation must be retained in a secure and confidential place for **six years** from the date of the purchase order.

### **7.1 Responsibility for Records Management**

Responsibility for records management with regard to this information shall lie with Business Services who shall ensure that files containing all necessary purchase order records and documents to be retained are preserved.

Retained documents or records associated with Scotland Excel purchase orders may be disposed of by:

- (a) Transferring to archive.
- (b) Destroying.

Purchase orders identified for disposal should be referred to the person responsible for the purchase order for advice as to whether the record or document should be archived or can be destroyed.

## **7.2 Transferring to Archive**

Paper documents and records selected for archive should be administered in accordance with sub-section **6.2** above but with the Scotland Excel person responsible for the purchase order agreeing the period for retention.

## **7.3 Destroying Documents**

Paper documents and records selected for destruction should be administered in accordance with sub-section **6.3** above noting that records can only be destroyed *on the written authorisation of the Director of Scotland Excel*.

## **7.4 Disposal Register**

Business Services shall maintain a list of all records that have been disposed of as per sub-section **6.4** above.

## **7.5 Unsuccessful quotations**

Unsuccessful quotations relating to Scotland Excel purchase orders shall be reviewed and retained on the same basis as set out in this section of the policy (i.e. retained for 6 years).

# **8 Electronic Records**

Electronic records held for Category B collaborative contracts and Scotland Excel purchase orders that form any part of contractual documentation relating to the contract or purchase order must be retained for the same periods specified for Category B collaborative contracts and Scotland Excel purchase orders in sections 4 and 5 of this policy.

## **8.1 Storage**

Electronic records must be stored in a confidential and secure place that complies with Data Protection legislation and will facilitate an effective response to any Freedom of Information requests.

The IT Services Manager should ensure that procedures for creating and storing electronic documents are authentic, reliable, accessible and secure and that electronic records are legally admissible.

## **8.2 Electronic Scanning of Paper Documents**

With regard to the electronic scanning of paper documents, responsibility for this lies with Strategic Procurement (Category B collaborative contracts) and Business Services (Purchase Orders) who will ensure that robust scanning procedures, standard operating procedures and quality control maintains the consistency and accuracy of documentation being copied.

Legal documents, and contract documents with an original signature, should not be destroyed when scanned without the specific approval of Scotland Excel's Director and the advice of Renfrewshire Council Legal Services.

## **8.3 Disposal of Electronic Records**

Strategic Procurement and Business Services shall liaise with the IT Manager on the disposal of electronic records relating to this policy. Electronic records can only be deleted *on the written authorisation of the Director of Scotland Excel* and only in accordance within current governance policies and procedures relating to the deletion of electronic records.

## **8.4 Note re Contract Management Systems**

Any future electronic contracts information systems to be used for processing Category B Collaborative contracts must be capable of maintaining an audit trail of records held, and disposed of, from the system.

# **9 Working Documents**

## **9.1 Definition**

Working documents of short-term value that do not have any lasting value or are not considered to have any legal consequence on Category B contracts or Scotland Excel purchase orders can be destroyed as soon as possible or when they reach the end of their usefulness.

Working documents can be assumed to be unimportant, insignificant or duplicated material or something which has an inconsequential "one time only" use. Their destruction should be a routine part of standard office operating procedures.

Appendix 1 does not include such material as it is up to each Scotland Excel employee to determine when usefulness of the record or document has come to an end and to decide on an appropriate method of destruction of such material.

If any employee is of any doubt as to whether specific working document should be kept as part of contract documentation to be retained, they should contact Renfrewshire Council Legal Services for advice.

## **9.2 Examples of Working Documents**

Examples of working documents include:-

- Draft working documents and notes taken to inform a later document.
- Copies and duplicates where the original exists.
- Trivial notes or general e-mails not related to the contract.
- Post-it notes.
- Marketing material enclosed with tenders not affecting the contract.
- An employee's personal copies of minutes (if original is in file).
- Compliments and message slips.
- Electronic copies of records that have been printed off and filed.
- Unless forming part of a contract, faxes once an "original" document has been filed.
- Superseded versions of templates etc.

## **9.3 Electronic Mail**

E-mails (printed out or in electronic form) should be disposed of in a secure manner as they contain personal information e.g. e-mail addresses and names.

Please refer to Scotland Excel's policy on Internet and Email Use for further information on the disposal of electronic mail.

## **9.4 Pre-contract Documentation**

The period for the retention of documents that form an integral part of the Scotland Excel contract procurement process, but does not form part of final

contract documentation (e.g. spend analysis, sourcing strategies) should be agreed with the Head of Strategic Procurement.

The period of retention for such documents should take cognisance of the importance of them with regard to contract decision making and their relevance to possible Freedom of Information requests regarding the contract award.

It is however recommended that all documents, records and files considered to have a significant input into the contract award decision making process are retained with the contract for the proposed six year retention period.

## **10 Scotland Excel Personnel and Financial Records**

Although the principal focus of this policy document is on procurement documents and records, a retention schedule for personnel and financial records is set out in Appendix 2 and covers financial records relating to Scotland Excel's operations and personal records relating to Scotland Excel employees.

Business Services should develop and maintain a list of financial and personnel records to be retained by Scotland Excel analogous to the procedures and processes proposed for procurement records and in accordance with Renfrewshire Council guidelines.

The proposed retention periods set out in Appendix 2 apply to both paper and electronic records and documents.

## **11 Information Audit**

At least once per year an information audit on Scotland Excel documents and records should be undertaken.

### **11.1 Purpose of Audit**

The purpose of the information audit is to establish what information Scotland Excel needs to retain as records and the audit should seek to establish:

- The types of information currently held:
  - The purpose of different forms of information with respect to different aspects of the business process.
- What needs to be kept and why:

- Legal requirements – EU Legislation, Data Protection Act, Companies Acts, Tax Regulations, Freedom of Information etc.
- What is wanted to be kept and why:
  - Business process dependent – cycle times, knowledge working, evaluation & project management.
  - How information is to be kept - storage facility.
  - Hard copy v electronic v hybrid.
  - On-site v off-site.
  - Levels of back-up required.
- Amount of information to be kept taking cognisance of:
  - Annual growth of information volume to be retained.
  - Volumes for disposal.
  - Storage space.
- Disposal Process:
  - Security requirements.
  - Approval processes.
  - Equipment required.

Once an information audit has been completed the periods of retention noted in Appendices 1 and 2 should be reviewed and confirmed with regard to current legal compliance, storage availability and Renfrewshire Council guidelines.

## **11.2 Review of Policies & Processes**

This policy document and the records management process set out in Appendix 3 should also be reviewed and revised following completion of each annual information audit.

### 11.3 Responsibility for Information Audit

Responsibility for conducting the audit lies with Business Services under the supervision of the Business Services Manager.

## 12 Change Control

Amendments to this document can only be made by the Author and in accordance with approved processes and procedures.

Approval of this policy will initiate the management of Scotland Excel documents and records with regard to retention and disposal.

The electronic version of this document held by the Custodian is the only true version – all printed copies are uncontrolled.

## 13 Document History & Version Control

### 13.1 Document Information

<b>Document Title</b>	Document & Records Retention Policy
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<b>Revision No.</b>	Version 3.0
<b>Author (Business Owner)</b>	S Brannagan
<b>Issued by</b>	J McLaggan
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### 13.2 Approval Information

<b>Name</b>	<b>Business Area</b>	<b>Version</b>	<b>Date</b>
Executive Team (SB)	Scotland Excel Executive	Final	10 April 2017

### 13.3 Distribution Information

<b>Name</b>	<b>Business Area</b>	<b>Purpose</b>
J McLaggan	Business Services	Review

### 13.4 Version History

<b>Version</b>	<b>Date</b>	<b>Change</b>
Draft 0.1	December 2009	N/A
Draft 0.2	December 2009	Include Personnel & Finance Records
Draft 0.3)	January 2010	Revised to new format
Final 1.0	August 2010	Updated to Final Version
Draft 1.1	September 2012	Review
Draft 1.2	May 2011	Update job titles following restructure

Draft 1.3	May 2012	Review
Final 2.0	September 2012	Updated to Final Version
Final 3.0	April 2017	Updated to Final Version to reflect changes in legislation

### 13.5 References

**(Key documents drawn upon and/or referred to by this document):**

File Name	Title
Document Retention Policy v0.2.docx	Document & Records Retention Policy

## Appendix 1 – Retention Schedule (Procurement)

### (1) Category B Collaborative Contracts

<u>Record / document</u>	<u>Retention period (RP)</u>	<u>Action after elapsed RP</u>	<u>Period to retained in archive (if required)</u>
Pre-qualification documentation and records	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Invitation to tender documents (including specifications and addenda to ITT)	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Successful tender documents and post tender clarifications	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Tender evaluation records	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Unsuccessful tender documents	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Standstill letters and associated challenges	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Contract acceptance letters and schedules (including SLA's and maintenance contracts)	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract

<b><u>Record / document</u></b>	<b><u>Retention period (RP)</u></b>	<b><u>Action after elapsed RP</u></b>	<b><u>Period to retained in archive (if required)</u></b>
Supplier acknowledgements	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
EU contact notices	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract
Contract variation notices	6 yrs from date of contract expiry	Archive or destroy	As agreed with Strategic Procurement Manager responsible for contract

**(2) Scotland Excel Purchase Orders**

<b><u>Record / document</u></b>	<b><u>Retention period</u></b>	<b><u>Action after elapsed</u></b>	<b><u>Period to retained in archive (if required)</u></b>
Successful tender / quotations	6 yrs from date of date of order	Archive or destroy	As agreed with person responsible for purchase order.
Unsuccessful tenders / quotations	6 yrs from date of date of order	Archive or destroy	As agreed with person responsible for purchase order.
Price comparisons / assessments	6 yrs from date of date of order	Archive or destroy	As agreed with person responsible for purchase order.
Purchase requisitions	6 yrs from date of date of order	Archive or destroy	As agreed with person responsible for purchase order.
Purchase order	6 yrs from date of date of order	Archive or destroy	As agreed with person responsible for purchase order.
Purchase order amendments	6 yrs from date of date of order	Archive or destroy	As agreed with person responsible for purchase order.

## Appendix 2 – Retention Schedule (Personnel & Finance)

### (1) Scotland Excel Financial Records (Year End Is 31 December)

<u>Record / document</u>	<u>Retention period (RP)</u>	<u>Action after elapsed RP</u>	<u>Period to retained in archive (if required)</u>
Accidents / claims Correspondence	7 yrs from year end of resolution of claim	Archive or destroy	As agreed with the Resources Manager.
Accounting system records (all ledgers)	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Annual accounts (approved)	Life of organisation	N/A	N/A
BACS records	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Bank records	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Budget reports	1 yr from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Correspondence on all tax matters	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.

<b><u>Record / document</u></b>	<b><u>Retention period (RP)</u></b>	<b><u>Action after elapsed RP</u></b>	<b><u>Period to retained in archive (if required)</u></b>
Creditor and debtor records	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Debt write off approvals	Life of organisation	N/A	N/A
Expense forms	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Financial performance reports	1 yr from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Management accounts and reports	7 yrs from year end date of creation	Archive or destroy	As agreed with the Resources Manager.
Payments / remittance advice	7 yrs from year end date of creation	Archive or destroy	As agreed with the Resources Manager.
Sales invoices / credit notes	7 yrs from year end date of creation	Archive or destroy	As agreed with the Resources Manager.
Supplier invoices / credit notes	7 yrs from date of payment / credit issue	Archive or destroy	As agreed with the Resources Manager.
Tax records	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.

<b><u>Record / document</u></b>	<b><u>Retention period (RP)</u></b>	<b><u>Action after elapsed RP</u></b>	<b><u>Period to retained in archive (if required)</u></b>
VAT Correspondence & returns	7 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.

**(2) Scotland Excel Personnel Records (Year End Is 31 December)**

<b><u>Record / document</u></b>	<b><u>Retention period</u></b>	<b><u>Action after elapsed</u></b>	<b><u>Period to retained in archive (if required)</u></b>
Annual leave records	1 yr from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Absentee / sickness records	6 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Disciplinary and grievance records	6 yrs from year end of date of resolution	Archive or destroy	As agreed with the Resources Manager.
Health & safety records	6 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Maternity leave records	6 yrs from year end of date when leave ends	Archive or destroy	As agreed with the Resources Manager.
Medical records	6 yrs from termination of employment	Archive or destroy	As agreed with the Resources Manager.

<b><u>Record / document</u></b>	<b><u>Retention period</u></b>	<b><u>Action after elapsed</u></b>	<b><u>Period to retained in archive (if required)</u></b>
Parental leave records	Until child reaches 5 or 18 (disabled children)	Archive or destroy	As agreed with the Resources Manager.
PRD records	6 yrs from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Personnel file (incl. training records)	6 yrs from termination of employment	Archive or destroy	As agreed with the Resources Manager.
Recruitment file	6 months from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.
Training course evaluations	1 yr from year end of date of creation	Archive or destroy	As agreed with the Resources Manager.

## Appendix 3 – Process for Document Retention

A proposed process for managing procurement document retention is shown in the file “Document Retention – Appendix 3” is set out in the file “Document Retention Appendix 3” that accompanies this document.