



## **POLICY / PROCEDURE**

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| <b>Document Title</b>      | <b>Document Retention Policy</b>                   |
| <b>Version</b>             | <b>Version 1.2</b>                                 |
| <b>Approved by</b>         | <b>Executive Director of Finance and Resources</b> |
| <b>Date approved</b>       | <b>1<sup>st</sup> September 2017</b>               |
| <b>Effective date</b>      | <b>1<sup>st</sup> September 2017</b>               |
| <b>Date of next review</b> | <b>31<sup>st</sup> July 2019</b>                   |
| <b>Lead responsibility</b> | <b>Executive Director of Finance and Resources</b> |

## **DOCUMENT RETENTION POLICY**

### **1. Purpose**

- 1.1. The purpose of this Policy is to provide a framework for the effective management of the College's corporate records in order to ensure that they are retained for an appropriate period and are accessible as an information resource. The Policy is also designed to ensure compliance with relevant legal and regulatory requirements.

### **2. Scope**

- 2.1. The College has a corporate responsibility to maintain its records and record-keeping systems in accordance with the regulatory environment – with the Executive Director of Finance and Resources being the Senior Management Team (SMT) member with overall responsibility for this Policy.
- 2.2. The Director of Finance and Resources is also responsible for drawing up guidance on good practice for records management and for promoting compliance with this Policy in order to ensure the easy, appropriate and timely retrieval of information held on College records.
- 2.3. Individual employees are responsible for ensuring that the records that they originate are accurate and are maintained and disposed of in accordance with the College's records management guidelines.
- 2.4. All employees have a responsibility to understand and implement this Policy and to give it their full and active support.

### **3. Policy / Principles**

- 3.1. The College recognises that the efficient management of its records is necessary to support its core functions, to comply with its legal and regulatory obligations and to support its management processes.
- 3.2. This Policy applies to all records created, received or maintained by College employees in the course of carrying out their corporate functions.
- 3.3. Records are defined as all those operationally-significant documents (created, received and retained electronically or in hard copy) which facilitate the business carried out by the College and are thereafter retained, normally for ten years, to provide evidence of its transactions or activities.
- 3.4. Some records are required by statute or by virtue of a funding agreement, financial memorandum or other arrangement.
- 3.5. Some College records may be selected for permanent retention as part of a College archive – for example, for legal compliance and as an enduring record of the conduct of business.
- 3.6. When determining how to retain its records, the College will take into consideration factors such as cost, space utilisation, long term quality of storage, the medium of storage and accessibility.
- 3.7. The College will regularly review materials that have been retained, disposing of materials for which retention is no longer appropriate.

#### 4. Procedure

- 4.1. The SMT will determine the most suitable location and the most appropriate medium for the storage of records.
- 4.2. The key employees with a particular responsibility for record retention and disposal are –
- the Clerk to the Corporation;
  - the Data Services Manager;
  - the Facilities Manager;
  - the Finance Manager;
  - the Personnel Manager.
- 4.3. Each operational manager will review regularly (normally annually) records related to his or her operational area and decide which are to be retained and which it is no longer appropriate to retain, ensuring that –
- all retained records are stored in such a manner as to be safe and secure;
  - access to such records is controlled in order to maintain the confidentiality of personal information;
  - the storage media selected for these records is efficient, effective and economical;
  - the disposal of records no longer required is carried out in a manner that is safe and secure, and takes into account the levels of confidentiality and sensitivity involved.
- 4.4. A record will be retained if –
- it still has a use or business purpose;
  - it is subject to the requirements of a statutory minimum retention period ;
  - It is required under ESF contractual requirements (currently, documents of this nature will need to be retained until 31<sup>st</sup> December 2030);
  - it is relevant to an outstanding claim, or to ongoing litigation, arbitration or investigation;
  - it has evidential value for a possible claim, litigation, arbitration or Investigation;
  - it is relevant to ongoing audit processes (e.g. an audit trail of the use of funds);
  - it is a high level management document relevant to the decision-making process for a specific, key decision;
  - it is a current management document (e.g. policy, procedure, guidelines, rules);
  - it is not a duplicate of a record held elsewhere in the College.
- 4.5. The Executive Director of Finance and Resources will determine the record storage location(s) and the relevant operational manager will control the record storage for his or her operational area –
- acceptance of records to be retained will be subject to his or her agreement, which will not be unreasonably refused;
  - in determining the storage media and formats for records to be retained, he or she will take into consideration the need for their long-term survival and for accessibility;
  - records to be retained should be sent to him or her in a file (or box, where necessary) clearly marked to indicate their nature and the date from which they can be destroyed;
  - he or she may implement finding aids, such as an index for ease of access to retained records
- 4.6. Records that can be acquired from a secondary source, (e.g. documents that have been published by other organisations, such as the SFA) will not be retained.
- 4.7. Access to retained records will be restricted and controlled due to the confidential nature of many of the documents.
- 4.8. Retention of finance-related records will be in line with the retention strategy contained in the College Financial Regulations.

## **5. Relevant Legislation / Regulation**

5.1. The following legislation and regulations apply to this policy / procedure:

- General Data Protection Regulation (GDPR) 2018;
- Data Protection Act 2018;
- Freedom of Information Act 2000;
- Human Rights Act 1998 (Article 10, the right to privacy).

## **6. Related Documents**

6.1. The following related documents are relevant to this policy / procedure:

- Privacy Notice

## **7. Accountability**

- 7.1. The Executive Director of Finance and Resources is responsible for the drafting and implementation of this policy.
- 7.2. He or she is also responsible for ensuring that this document is regularly reviewed and updated – and is the first contact point for managers seeking advice and guidance about the Document Retention Policy or making enquiries about its interpretation.
- 7.3. All managers are responsible for ensuring that they and their team members follow the requirements set out in this document.
- 7.4. All employees are responsible for adhering to the requirements set out in this document.

## **8. Equality & Diversity**

- 8.1. The College has paid due regard to equality considerations during the preparation and implementation of this Policy and Procedure.
- 8.2. These considerations included the potential for any differential negative effect on the grounds of age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, sexual orientation, marriage or civil partnership.
- 8.3. The College's judgement is that there is no such negative effect on those grounds and, consequently, no potential breach of the Equality Act 2010.
- 8.4. The operation of this Policy and Procedure will be monitored by the Personnel Manager in order to establish that no unlawful discrimination is taking place and to identify opportunities for the College to enhance equality of opportunity and fair treatment.

## **9. Review**

- 9.1. This document will be reviewed by the 31<sup>st</sup> July 2019.
- 9.2. The Executive Director of Finance and Resources will undertake this review, taking into account the outcomes of the monitoring process, legislative changes and developments in good practice.

9.3. As part of the review, the Executive Director of Finance and Resources will seek and consider the views of the College’s employees and of the recognised trade unions.

9.4. The outcome of the review will be reported to the Senior Management Team.

**10. Document Identification**

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| <p><b>Category</b><br/>[select ONE only]</p>       | <p><input type="checkbox"/> Programmes/courses</p> <p><input type="checkbox"/> Partnerships</p> <p><input type="checkbox"/> Finance</p> <p><input type="checkbox"/> Quality</p> <p><input checked="" type="checkbox"/> Governance</p> <p><input type="checkbox"/> Health and safety</p> <p><input type="checkbox"/> Facilities</p> <p><input type="checkbox"/> Computer Services</p> <p><input type="checkbox"/> MIS</p> <p><input type="checkbox"/> Admissions</p> <p><input type="checkbox"/> Teaching and learning</p> <p><input type="checkbox"/> Personnel</p> |
| <p><b>Audience</b><br/>[select ALL that apply]</p> | <p><input checked="" type="checkbox"/> Employees</p> <p><input type="checkbox"/> Learners</p> <p><input checked="" type="checkbox"/> Partners</p> <p><input type="checkbox"/> Suppliers</p>   |