

Commissioner for Ethical Standards in Public Life in Scotland

Electronic Records Folder Structure and Retention Schedule

Public Standards

Investigate complaints about the conduct of MSPs, local authority councillors and members of public bodies.

Covered by FOISA

Applicable legislation:

- Ethical Standards in Public Life etc. (Scotland) Act 2000
- Scottish Parliamentary Standards Commissioner Act 2002
- Lobbying (Scotland) Act 2016

Records stored in the
s:drive

Manager responsible:
Investigations Managers

Office Operation

Provide the Commissioner with the property, staff and services required to perform his/her functions.

Covered by FOISA

Applicable legislation:

- Scottish Parliamentary Commissions and Commissioners Etc. Act 2010
- Public Services Reform (Scotland) Act 2010
- Public Services Reform (Commissioner for Ethical Standards in Public Life in Scotland etc.) Order 2013

Records stored in the
o:drive

Manager responsible:
Business Manager

Public Appointments

Monitor how appointments are made by Ministers to the boards of specified public bodies.

Covered by FOISA

Applicable legislation:

- Public Appointments and Public Bodies etc. (Scotland) Act 2003

Records stored in the
p:drive

Manager responsible:
Public Appointments Manager

RETENTION PERIODS - GENERAL RULES

Description of Contents	Retention Period	Trigger
Consultation responses	In line with the rules for the folder in which they sit	
Contracts or Service Level Agreements (SLAs)	7 years	End of the financial year in which the contract/SLA expires
Service Level Agreements (SLAs) – Public Appointments Advisers	In line with the rules for the folder in which they sit	
Commissioned research – final report	Retain permanently	None
Minutes – management team meetings	7 years	End of the financial year in which the document created
Minutes – all others	In line with the rules for the folder in which they sit	
Draft documents	None	On publication of final version
Tenders	7 years	End of the financial year in which the contract awarded
Scottish Government – all documentation	File in relevant subject folder	
Standards Procedures and Public Appointments Committee – all documentation	File in relevant subject folder	
External events – all documentation	File in relevant subject folder	

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Standards s:drive Folder Structure	Archive	FC1 – Internal	Folder to be subsumed into current folder structure in 2014, remaining docs to be destroyed. HH needs to move remaining relevant docs.	5 years	After 31 March 2019
		FC2 – External	Folder to be subsumed into current folder structure in 2014, remaining docs to be destroyed. HH needs to move remaining relevant docs.	5 years	After 31 March 2019
		SPSC Office Filing – MSP	Folder to be subsumed into current folder structure in 2014, remaining docs to be destroyed. HH needs to move remaining relevant docs.	5 years	After 31 March 2019
	Codes of Conduct	Annual Folders	Drafts, research, reviews, correspondence, etc.	3 years	End of the financial year in which the document created/finalised
		Approved Codes (Live and archived)	Current and archived Codes of Conduct.	Retain permanently	None
	Complaints	Completed Complaints – CLLR + MEMBER ONLY (All decisions including breach)	Complaint decision only (however written eg Report, NoD, letter, file note – NOT appendices). (Redact addressee’s postal/ email/telephone. For clarity name to be kept).	Retain permanently	None
			Web Summary decision (if available).	Retain permanently	None
			SPSO final decision following a complaint about the Commissioner (if available).	Retain permanently	None

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Standards s: drive Folder Structure	Complaints contd	Completed Complaints – CLLR + MEMBER ONLY (All decisions including breach) – contd	Complaint sub-folders including: "Initial", "Interview", "Decision", "Hearing", "Post Decision", "FOI".	1 year	After the last activity date
			Non-key complaint subfolder: "IO/Office".	Retain until CESPLS decision issued	Delete on issue of the decision
			Triage notes.	Retain until CESPLS decision issued	Delete on issue of the decision
		Completed Complaints – CLLR + MEMBER ONLY (breach only)	SC final decision (either Hearing decision or decision not to hold a Hearing) (if available).	Retain permanently	None
			Court final decision (following a Hearing appeal) (if available).	Retain permanently	None
		Completed Complaints – MSP ONLY (All decision including breach)	Scottish Parliament final decision (if available).	Retain permanently	None
			Complaint decision only (however written eg Report, NoD, letter, file note – NOT appendices).	Retain permanently	None
			Complaint sub-folders including: "Initial", "Interview", "Decision", "Hearing", "Post Decision", "FOI".	5 years	After the last activity date
			Non-key complaint sub-folder: "IO/Office".	Retain until CESPLS decision issued	Delete on issue of the decision
			Paper (Master) file only.	1 year	After the last activity date
		CURRENT Complaints – CLLR + MEMBER	Live complaints.	Retain until moved to Completed folder	None
		CURRENT Complaints – MSP	Live complaints.	Retain until moved to Completed folder	None

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Standards s:drive Folder Structure	Complaints contd	Database	Current and previous approved versions of complaints database. Note: current database is held directly on the server.	Retain permanently	None
			Correspondence with IT support, etc on maintenance of database. Stored by year.	3 years	End of the financial year in which the document created/finalised.
		Enquiries – CLLR + M	Communication relating to enquiries about making a complaint. Stored by year in which received.	1 year	After the last activity date
		Enquiries – MSP	Communication relating to enquiries about making a complaint. Stored by year in which received.	1 year	After the last activity date
		Procedures (Live and Archived)	Guidelines, investigation procedures, framework document.	Retain permanently	None
			Previous versions stored in year in which superseded. Standards procedures only	3 years	End of the financial year in which the document created/finalised
		Prospective Complaints – CLLR + M	Communication relating to prospective complaints. Stored by type. Stores by year in which received.	1 year	After the last activity date
		Prospective Complaints – MSP	Communication relating to prospective complaints. Stored by type. Stored by year in which received.	1 year	After the last activity date
		Standard Documents - CLLR + M	Approved standard document templates.	Retain permanently	When superseded.
		Standard Documents - MSP	Approved standard document templates.	Retain permanently	When superseded.

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Standards s:\drive Folder Structure	Complaints contd	CMS data	All data captured within the system on enquiries, prospective complaints, investigations and findings etc.	Retain permanently	None
			Contact details: address, telephone, email (of complainer, respondent, witness).	Anonymise after 1 year	After the last activity date
			Name of witness.	Anonymise after 1 year	After the last activity date
		CESPLS website	All complaint decisions on CESPLS website.	5 years	From decision date
	Events including training	Annual folders	Event dates, agenda, training events, etc. (All HR material in o:\drive).	3 years	End of the financial year in which the document created/finalised
			Drafts.	None	On publication of final version
	External communications	Annual folders	General correspondence with external bodies relating to standards issues. (Anything relating to office management should be stored in the o:\drive).	3 years	End of the financial year in which the document created/finalised
			Drafts.	None	On publication of final version
	IO Meetings	Annual Folders	Meeting agenda, papers, dates, catering, etc. (All HR material in o:\drive).	2 years	End of the financial year in which the document created/finalised
		Approved Minutes (Live and archived)	Final minutes. Stored by year in which taken.	Retain permanently	None
			Drafts.	None	On publication of final version

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Standards s:drive Folder Structure	IO Working Folders	Annual Folders	IO folders available for IOs for remote access working.	2 years	End of the financial year in which the document created/finalised
		Approved Helpful Information (Live)	MO, CE addresses for investigation contacts. Updated as required.	Retain permanently	None
			Drafts.	None	On publication of final version
		For Commissioner	Draft IO documents relating to standards complaints for the Commissioner to review.	None	Move to complaint folder to finalise.
	Legislation	Annual Folders	Correspondence and archived legal advice stored by year in which superseded.	3 years	End of the financial year in which the document created/finalised
		Approved legal advice (Live)	Relevant live legal advice in relation to complaints/the Codes of Conduct.	Retain permanently	None
			Drafts.	None	On publication of final version
	Statistics and targets	Approved statistics and targets (Live and archived)	Summaries and published statistics and targets.	Retain permanently	None
			Drafts.	None	On publication of final version
		CLLR + M – Annual Folders	Workings, etc.	2 years	End of the financial year in which the document created/finalised
		MSP – Annual Folders	Workings, etc.	2 years	End of the financial year in which the document created/finalised

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Office Operation o: drive Folder Structure	Accommodation	Annual Folders	Facilities maintenance, SLAB H&S items, annual lease negotiations, building closures, etc.	2 years	End of the financial year in which the document created/finalised
		Permanent Documents	Signed annual leases and spreadsheet summary of costs.	Retain permanently	None
			Tenders - identification, negotiation, recommendation, approval of office location	7 years	End of the financial year in which the document created/finalised
			Relocation documents	7 years	End of the financial year in which the document created/finalised
	Administration and Communication	Annual Folders	Presentations by external parties, communications with other agencies (non-core function), meeting requests (non-core), media articles, press releases, media liaison, media interviews, communications strategy development, presentations to external parties, PR events, brand development, COG arrangements, purchase orders (stationery, office furniture, printer toner, post, courier, catering, photocopier, etc), potential suppliers, TV licensing, corporate memberships, non-core consultations.	2 years	End of the financial year in which the document created/finalised

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Office Operation o: drive Folder Structure	Administration and Communication contd	Permanent Documents	Logos, brand images, etc. Archive folder contains selection of previous brand images.	Retain a selection of items permanently	When superseded
			Templates, distribution list, key register, organisation charts, etc	None	Replace when superseded
			Photocopier lease	7 years	Expiry of contract
			COG Minutes and Terms of Reference	5 years	End of the financial year in which the document created/finalised or when superseded
	Annual Reports	Annual Folders	Workings, laying papers, distribution, etc	3 years	End of the financial year in which the document created/finalised
			Drafts	None	On publication of final version
		Permanent Documents	Final version of reports	Retain permanently	None
	Corporate Governance	Annual Folders	Workings and research for MTM, Scheme of Delegation, Standing Orders, policies and procedures (those not covered by contract of employment – see Staff), business and strategic plans, SPCB operating agreements, risk management, risk registers, health and safety items, miscellaneous consultations, changes to CESPLS underpinning legislation, etc.	2 years	End of the financial year in which the document created/finalised

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Office Operation o:drive Folder Structure	Corporate Governance contd	Permanent Documents	Health and safety – accident books, incident records, health and safety audits, risk assessments.	5 years	End of the financial year in which the document created/finalised
			Annual business plan, complaints handling procedures, contingency plan (<i>remove personal details when archiving</i>), declaration of interests and gifts & hospitality register, MTM minutes, risk management policy and current register, Scheme of Delegation, Standing Orders, strategic plans, SPCB operating agreements and procedures, final policies and procedures (those not covered by contract of employment – see Staff), etc. Policy, contract, consultation and documents laid registers.	Transfer to archive folder and retain permanently	When superseded
	Finance	Annual Folders	Workings and research for Accounts Direction, Annual Accounts, external audit, PSR Act information, insurance, desk instructions, fixed asset registers, appointment of auditors, RBS bank accounts, etc. Annual bank statements, budgets & MI, credit card statements, direct debit mandates, expense claims, funding drawdown requests, invoices issued and received, journals, pension set-up and maintenance, supplier correspondence.	7 years	End of the financial year in which the document created/finalised
			Payroll	Information related to payroll split into annual folders. Not stored in standard 'annual folders' to allow for restricted access permissions.	7 years

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Office Operation o: drive Folder Structure	Finance contd	Permanent Documents	Accounts Direction, Annual Accounts, AAB minutes and terms of reference, bank account setup, insurance policies & certificates, desk instructions, fixed asset registers and supporting documentation, appointment of auditors, HMRC setup, contracts, key pensions documents, etc.	Transfer to archive folder and retain permanently	When superseded
	ICT	Annual Folders	Helpdesk requests (ICT and website), activity reports (ICT and website), Sage back-ups, project working papers, workings for software and hardware purchases, etc.	2 years	End of the financial year in which the document created/finalised
		Permanent Documents	Registration certificates, licence agreements, warranties, service and support agreements.	5 years	End of the financial year in which the document expires.
			Secure disposal certificates, purchase and installation of hardware and software, development of website (significant records).	Retain permanently	None
			Instructions for ICT equipment and processes, domain name register, router access, permissions register	None	Replace when superseded
	Merger	Various	All documents relating to the merger	7 years 1 April 2018	31 March 2011
	Records Management	Annual Folders	Data protection subject access requests, data protection workings (compliance, breaches, training, policy), DPA notifications, EIR requests, FOISA requests, FOISA publication scheme workings, FOISA workings (compliance, training), workings for records management (draft retention schedules, classification schemes, etc), submissions to NLS, meetings, FOISA statistics.	3 years	End of the financial year in which the document created/finalised

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Office Operation o: drive Folder Structure	Records Management Contd	Permanent Documents	Records management policy/plan, classification schemes, retention schedules (final versions), staff folder permissions, etc. FOISA & DPA request registers, destruction register, FOISA publication scheme.	Transfer to archive folder and retain permanently	When superseded
	Staff	Annual Folders	Correspondence with SPCB (staff numbers, terms), draft job descriptions, policies and terms and conditions, training course files and materials, annual leave allowance and calculations, IO hours, SPCB pay and travel awards, SPCB training scheme, staff communications, public sector employment stats.	2 years	End of the financial year in which the document created/finalised
			Recruitment - advert, unsuccessful applications, evaluation template, interview questions, timetables, equal opportunities monitoring forms, etc.	6 months	Date of appointment
		Personnel Files	Contact details, personal details, application for employment, contract of employment (initial and updated), leave allowances, references (incoming and outgoing), medical assessments, disciplinary proceedings (founded), maternity/paternity leave, performance management records, sickness, termination of employment, induction, training, declaration of interests and gifts & hospitality, DSE and H&S assessments, excess fares claims.	5 years	Termination of employment
			Timesheets	2 years	End of the financial year in which the document created/finalised

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Office Operation o: drive Folder Structure	Staff contd	Personnel Files contd	Disciplinary proceedings (unfounded)	Not held	Case closure
			Individual pension records	Retain permanently	None
		Permanent Documents	Job descriptions, terms and conditions (policies), performance management scheme, organisation charts, equal opportunities monitoring report.	Transfer to archive folder and retain permanently	When superseded
			Register of staff contact details, generic recruitment materials (template advert, evaluation form, etc).	None	Replace when superseded

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Appointments p: drive Folder Structure	Advisers	Annual Folders	Appraisal documents, communication and networking event correspondence, general correspondence, recruitment, mentoring.	5 years	End of the financial year in which the document created/finalised
		Adviser Allocation	Allocation database, database back up and desk instructions	Retain permanently	When superseded or obsolete
		Adviser Files	PAA files – archive	5 years	End of the financial year in which contract expires
			PAA files – current	Transferred to archive	End of the financial year in which contract expires
			Training register, legal advice	Retain permanently	None
			Contact details register, specialisms register.	Retain permanently	Content edited in line with PAA file movement
		Empty folders for records move	Template folder structure	Not records – records management tool	

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger	
Appointments p:drive Folder Structure	Advisers contd	Tendering Processes	Tenders for PAAs – dated folders	7 years	End of the financial year in which tender process finalised	
	Code of Practice	Code Folders	Background / Consultation / Distribution	Lifespan of 3 Codes	Publication of revised Code	
			Drafts	None	Publication of final version	
	Complaints Procedures	Archive Procedures	Previous versions of procedures for reference in Code Files.	Lifespan of 3 codes	Publication of revised code	
		Complaint Handling Process	Procedures and templates	Transfer to archive folder	When superseded or obsolete	
		Investigations Process	Procedures and templates	Transfer to archive folder	When superseded or obsolete	
		Procedure development		Drafts	None	Publication of revised procedures
				Background, research, workings, correspondence	Lifespan of 3 codes	Publication of revised code
	Critical Documents	Subject Folders	Any document laid before parliament, diversity strategy, breach of compliance reports, applicant survey, commissioned research etc.	Retain permanently	None	
	Diversity	Code Folders	Background, consultation and implementation guidance relating to any diversity strategy implemented during or relevant to the Code.	Lifespan of 3 codes	Publication of revised code	
			Drafts	None	Publication of final version of strategy	

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Appointments p:drive Folder Structure	External Contact	Annual Folders	Applicant Surveys, Events and Meetings, General Enquiries, Leaflets and Publications, Press Contact, Social Media.	5 years	End of the financial year in which the document created/finalised
			Drafts of reports (applicant survey for e.g.)	None	Publication of final version of report
	Guidance on the Code	Code Folders	Audits / best practice - innovative ideas / code decision database / general correspondence / general guidance / handbook / statutory guidance)/ guidance provided by CESPLS to the Scottish Government	Lifespan of 3 codes	Publication of revised code
			Drafts (Statutory Guidance, general guidance, handbook etc)	None	Publication of final version of code
		Empty folders for records move	Template folder structure	Not records – records management tool	
	Monitoring of the Code	Code Folders	Diversity initiatives, process initiatives, review forms, reappointments, statistics, training and events, work undertaken by the Scottish Government	Lifespan of three codes	Publication of revised code
			Empty folders for records move	Template folder structure	Not records – records management tool

Level 1	Level 2	Level 3	Description of Contents	Retention Period	Trigger
Appointments p: drive Folder Structure	NDPBs	Code Folders	All working documents relating to the body – identification that round pending, allocation of risk level and PAA if relevant, Any queries, reports and feedback relevant to the round (including investigations and complaints). Abolished bodies or removed from remit / NDPBs general / regulated bodies / unregulated bodies.	Lifespan of 3 codes	Publication of revised code
			Draft versions of investigation reports	None	Publication of final version of report
		Empty folders for records move	Template folder structure	Not records – records management tool	
	Scottish Government	Annual Folders	Meetings, Minister Correspondence, PAWD Correspondence	5 years	End of the financial year in which the document created/finalised
		Empty folders for records move	Template folder structure	Not records – records management tool	

This file plan and retention schedule was approved for use by:



Commissioner for Ethical Standards in Public Life in Scotland

Date: 17 February 2017