



SCOTTISH EXECUTIVE

Health Department
Directorate of Primary Care and Community Care

Dear Colleague

THE MANAGEMENT, RETENTION AND DISPOSAL OF ADMINISTRATIVE RECORDS

Summary

1. This letter provides NHS Boards and special Health Boards with updated guidance on the retention and disposal of administrative records (it does not include the personal health records of individual patients.) This guidance replaces that relating to administrative records previously issued in Scottish Health Memorandum 60 of 1958 (SHM 58/60) (see below for details).
2. The retention and disposal guidance has been approved by the National Archives of Scotland.
3. This letter also updates the guidance previously provided in SHM 58/60 on the micro-filming of administrative and personal health records. Background to the letter is attached at Annex A.

Action

Chief Executives are asked to:

4. Comply with the records management guidance set out in the Code of Practice on Records Management issued under Section 61(6) of the Freedom of Information (Scotland) Act 2002, available at <http://www.scotland.gov.uk/Topics/Government/FOI/18022/13383> ;

April 2006

Addresses

For action

Chief Executives, NHS Boards,
Special Health Boards and NHS
National Services Scotland

Directors of Clinical Leads NHS
Boards

IM&T Leads, NHS Boards,
Special
Health Boards and NHS National
Services Scotland

Directors of Finance, NHS
Boards,
Special Health Boards and NHS
National Services Scotland

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5. Observe the generic Model Action Plan drafted by the Records Management Sub-Group of the Scottish Freedom of Information Implementation Group available at <http://www.nas.gov.uk/miniframe/foi/map.pdf> which contains detailed operational guidance on the keeping, management and destruction of records;
6. Implement, and ensure that all appropriate staff are aware of and follow, the updated retention and disposal schedule for administrative records set out in Annex B. The necessary arrangements should be made to inform primary care contractors about the contents of this letter. Sources of further information and advice are listed in Annex C;
7. Note that work on revising guidance on the management of personal health records has begun; and that records management guidance, including a retention and disposal schedule, consistent with the national eHealth strategy, and specific to personal health records, will be issued in 2006.

Yours sincerely

PAUL GRAY
Director of Primary Care and Community Care

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Background

Freedom of Information and Data Protection

1. Successful compliance with the Freedom of Information (Scotland) Act 2002 will depend greatly on a public authority's records management practices. It is expected that this will require a significant culture change for staff in NHS Boards (as for all public authorities), and senior managers have a role to lead and promote that change. This letter has been issued to assist senior management in this role.
2. The main features of the Freedom of Information (Scotland) Act 2002 are:
 - The establishment of a general right of access to recorded information of any age held by a wide range of authorities across the public sector in Scotland, subject to certain conditions and exemptions;
 - In relation to most exempt information, the information must nonetheless be disclosed where the public interest in disclosure outweighs the public interest in maintaining the exemption;
 - The creation of a new office of Scottish Information Commissioner, with wide powers to promote good practice and to enforce the rights created in the Act;
 - A duty on each Scottish public authority to adopt and maintain a publication scheme, approved by the Scottish Information Commissioner. Publication schemes must specify the classes and manner in which information is, or is intended to be, published; together with an indication of whether the information will be available free of charge or on payment;
 - A duty on the Scottish ministers to issue Codes of Practice containing guidance on specific issues (under sections 60 and 61 of the Act).
3. Some administrative records (e.g. employees' personnel files) may contain personal information and, by providing retention and disposal advice in relation to these records, this letter will also support compliance with the Data Protection Act 1998.

Retention and Disposal of Administrative Records

4. SHM 58/60, entitled 'Scottish Hospital Service, Destruction of Hospital Records', authorised the destruction of various types of hospital records (both administrative and those relating to the personal health of individual patients) after certain specified periods. The guidance has been updated once, in relation to the personal health records of individual patients, by [NHS MEL \(1993\) 152 'Guidance for the Retention and Destruction of Health Records'](#). This letter has been prepared in order to reflect the changes that have occurred since 1958, including not only the legislation mentioned above, but also in corporate governance and the widespread introduction of computers to administrative processes.

5. The retention and disposal guidance specified in Annex A to this letter only replaces SHM 58/60 to the extent to which that guidance covered administrative records. Administrative records are those relating to the management and administration of healthcare organisations, and do not include the personal health records of individual patients.

Retention and Disposal of Personal Health Records

6. The retention periods of personal health records, as modified in the 1993 guidance already mentioned, continue to apply. A short life working group has been set up to advise the Health Department on these records, and details of the group's activities are published at <http://www.show.scot.nhs.uk/imt/HealthRecords.htm> Records management guidance, including a retention and disposal schedule, consistent with the national eHealth strategy, and specific to personal health records, will be issued later in 2006.

Scanning

7. Paragraph 7 of SHM 58/60 authorised, for documents required to be kept for a period of more than three years, micro-filming at the end of a 3 year period. Destruction of the originals of such micro-filmed documents is permitted, provided the micro-film is retained for at least the remainder of the relevant minimum retention period. Technology has developed significantly since 1958, and it is acknowledged that scanning and electronic document imaging technologies are beginning to replace micro-filming for administrative records. The guidance given at paragraph 7 of SHM 58/60 shall continue in relation to micro-filming and shall extend to scanning and electronic image documents also. This applies to administrative records only until new guidance on Retention and Destruction of Health Records is issued.

NHSScotland Administrative Records Retention and Disposal Schedule

1. Introduction

A record is a document (in any format) which is created or received by an organisation or person in the transaction of business, routine activities or legal obligations, and which is maintained as evidence of these.

The destruction of records is an irreversible act, while the cost of preserving records can be high and continuing. The schedule that follows is intended to give guidance on how long records should be kept for business purposes and on the identification of records of permanent value.

In each NHS body records managers must ensure that records no longer required for business use are reviewed as soon as practicable under the criteria set out below so that ill-considered destruction is avoided.

No surviving record dated 1948 or earlier should be destroyed and some categories of post-'48 records must also be preserved. There is an obligation to preserve appropriate records for historical use by a wide range of readers in the future. Every Board should have access to the services of a professional archivist. A number of NHS Boards employ qualified archivists to look after their non-current health records and make them available both to staff of the employing authority and members of the public in consultation with the Keeper of the Records of Scotland. In the case of areas that have no NHS Archivist, the National Archives of Scotland will offer advice on request.

All records management procedures with respect to NHS records, especially those that may be candidates for permanent preservation because of their wider medical or historical importance, should be informed by advice from the appropriate NHS archivist or the National Archives of Scotland. (See the attached list of useful contacts in Annex B.)

Individuals or bodies involved in NHS-related activities but not directly employed by the NHSScotland must comply with all statutory requirements in relation to the compilation and, where relevant, the maintenance of records, including timescales for retention.

This schedule sets out minimum retention periods for administrative records by record category. Records are listed alphabetically within each record category, e.g. financial, human resources.

This schedule identifies **minimum** retention periods. The review, to be undertaken by local organizations, will determine whether records are to be selected for permanent preservation, destroyed or retained for research or litigation purposes.

Whenever the schedule is used, the guidelines listed below should be followed:

- i. The minimum retention periods in this schedule must be adopted. However, local business requirements/instructions may require some categories of record to be kept for longer.
- ii. Recommended minimum retention periods should be calculated from the end of the calendar or accounting year following the last entry on the document.
- iii. The provisions of the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002 must be observed. Decisions should also be considered in the light of the need to preserve records that may be in the substantial public interest or in relation to research purposes (Section 33(3) contains some exemptions from the 5th principle of the Data Protection Act 1998.) This applies to records whose use cannot be anticipated fully at the present time, but which may be of value to future generations.
- iv. Some classes of document must be permanently preserved and the advice of the local NHS archivist, NAS (National Archives of Scotland) or the Scottish Executive Health Department regarding an appropriate place of deposit should be obtained.
- v. The selection of files for permanent preservation is partly informed by precedent (the establishment of a continuity of selection) and partly by the historical context of the subject (the informed identification of a selection). It is also possible to retain a sample of certain record series. General rules should be drawn up locally, using the profile of material that has already been selected, and the history of the institution or organisation (including pioneering treatments and examples of excellence) within the context of its service to the local and wider communities.
- vi. Files and documents which, having been retained for the minimum retention period, are selected for destruction, should be destroyed appropriately, with particular regard being to whether the information contained in them is of a confidential or sensitive nature.

2. General Records

Record Type	Minimum Retention Period	Notes
Conferences: lectures given by staff at other conferences	permanent	
Conferences: organised by Boards - conference proceedings	permanent	
Conferences: organised by Boards - routine paperwork	destroy after conference	
Conferences: other conferences attended by staff	2 years	
Copies of out-letters (“flimsies”)	1 year	
Databases- records handling system	permanent	Retain to demonstrate implementation of established practice and provide audit trail, see also Indexes
Diaries - office	1 year after completion	
Indexes- file and document lists marked for permanent preservation	permanent	
Indexes- file and document lists not marked for permanent preservation	Destroy when no longer useful	Retention may be required if they are part of audit trails
Quality Assurance Records	12 years	
Receipts for registered and recorded delivery mail	2 years	
Records of custody and transfer of keys	2 years	
Research and development (scientific, technological and medical)	Consider for permanent preservation	
Software licenses	Operational lifetime of product	

3. Financial Records

The Scottish Executive policy on retention of financial records is set out in the Scottish Public Finance Manual, which can be accessed at: <http://www.scotland.gov.uk/library5/finance/spfm/spf-00.asp>

Financial records are required to be maintained for 3 years after the end of the financial year in question. Records relating to VAT however require to be kept for 6 years and in practice it may be difficult to differentiate VAT records from other financial records.

Record Type	Minimum Retention Period	Notes
Accounts – final annual master copies	permanent	
Accounts - cost	3 years	
Accounts - working papers	3 years	
Accounts - minor records: (including <ul style="list-style-type: none"> • pass books, • paying-in slips, • cheque counterfoils, cancelled/discharged cheques, • petty cash expenditure, • travelling and subsistence accounts, minor vouchers, • duplicate receipt books, • income records, • laundry lists) 	3 years after completion of audit	See ‘Receipts for cheques bearing printed receipts’ below
Accounts - statutory final	permanent	
Advice Notes	3 years after formal clearance by statutory auditor	A longer period may be required for investigative purposes
Audit records - original documents	3 years after formal clearance by statutory auditor	A longer period may be required for investigative purposes
Audit reports (including Management letters, VFM reports and system/final accounts memorandum)	3 years after formal clearance by statutory auditor	A longer period may be required for investigative purposes
Bank statements	3 years after completion of	

Record Type	Minimum Retention Period	Notes
	audit	
Benefactions – endowments, legacies gifts etc.	permanent	
Bills and receipts	6 years	
Budget monitoring reports	3 years	
Budgets	2 years after completion of audit	
Capital paid invoices	3 years	See ‘Invoices’ below
Cash books and sheets	6 years	
Cost accounts		See ‘Accounts’ above
Creditor payments	3 years	
Debtors' records - cleared	6 years	
Debtors' records - uncleared	6 years	
Demand Notes	6 years	
Expenses claims		See ‘Accounts – minor’ above
Financial plans, estimates recovery plans	6 years	
Funding data	6 years	
General ledgers	6 years	
Income and expenditure sheets and journals	6 years	
Indemnity Forms	6 years after the indemnity has lapsed	
Inquiries involving fraud/other irregularities	10 years	Where action is in prospect or has been

Record Type	Minimum Retention Period	Notes
		commenced, consult with legal representatives and NHS Counter Fraud Services and keep in accordance with advice provided
Invoices payable (creditors)	6 years	
Invoices receivable (debtors)	6 years	
Ledgers	6 years	See also 'General ledgers' above
Mortgage documents - acquisition, transfer and disposal	permanent	
Non-exchequer funds records		See 'Income and expenditure journals' above
PAYE records	6 years	
Receipts	6 years	Includes cheques bearing printed receipts
SFR returns	6 years	
Superannuation - accounts and registers	10 years	
Superannuation - forms	10 years	
Tax forms	6 years	
VAT records	6 years	In some instances a shorter period may be allowed, but agreement must be obtained from Customs & Excise
Wages/salary records	10 years	For superannuation purposes authorities, may wish to retain such records until the subject reaches pensionable age

4. Property, Environment and Health and Safety Records

Record Type	Minimum Retention Period	Notes
Agreements		See 'Contracts' below
Buildings - papers relating to occupation	Permanent or until property demolished or disposed	Does not include Health & Safety information
Capital charges data	3 years after completion of previous 5 year valuation term	
Contaminated Land	permanent	
Contracts - non sealed (property) on termination	6 years	
Environmental Information	permanent	
Equipment		See 'Products – liability' under 'Procurement Records'
Estimates: including supporting calculations and statistics	3 years	
Greencode	permanent	
Health and safety: Asbestos Register	permanent	
Health and safety: Audit forms, COSHH (Control of Substances Hazardous to Health Regulations) documentation, safety risk data sheets, risk assessments and control measures etc.	10 years	
Health and Safety: Accident and Incident Forms	10 years	See 'Litigation dossiers' under 'NHS Board Records'
Health and Safety: Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) including Accident Register	10 years	

Record Type	Minimum Retention Period	Notes
Inspection Reports - e.g. boilers, lifts etc.	2 years after operational lifetime of installation / plant	Should be retained indefinitely if there is any measurable risk of a liability
Inventories (non-current) of items having an operational lifetime of less than 5 years	2 years	
Land purchase and sale - deeds, leases, maps, surveys, registers etc	permanent	
Land purchase and sale - negotiations not completed	6 years	
Laundry lists		See 'Accounts – minor' under 'Financial Records'
Manuals - operating		See 'Inspection reports' above
Manuals- policy and procedure	permanent	
Maintenance contracts		See 'Property- Cleaning and Maintenance' below
Maintenance request book	2 years after financial year referred to	
Maps	consider for permanent preservation	
Project files (£250,000 and over)	Permanent	Including abandoned or deferred projects
Project files (under £250,000)	6 years after completion / abandonment of project	
Project team files (£250,000 and over)	3 years	
Project team files (under £250,000)	3 years	
Property - acquisitions dossiers	permanent	

Record Type	Minimum Retention Period	Notes
Property - cleaning and maintenance (contracts less than £100,000)	6 years	
Property - disposal dossiers	permanent	
Property/ Estates- Land, Building and Engineering Construction Procurement: <ul style="list-style-type: none"> • Key records (including: <ul style="list-style-type: none"> ○ final accounts, ○ surveys, ○ site plans, ○ bills of quantities, ○ PFI/PPP records) • Town and country planning matters and all formal contract documents (including: <ul style="list-style-type: none"> ○ executed agreements, ○ conditions of contract, ○ specifications, ○ "as built" record drawings and documents on the appointment and conditions of engagement of private buildings and engineering consultants) 	permanent	Inclusive of major projects abandoned or deferred
Property - leases	permanent	
Property management system	permanent	
Property - minor contracts	6 years	
Property performance	permanent	
Property - purchases	permanent	
Property strategy	permanent	

Record Type	Minimum Retention Period	Notes
Property - title deeds	permanent	
Property- Terriers (NHS Premises Site Information)	permanent	
Safety Action Bulletins	permanent	
SEPA Registrations, Licenses and Consents	permanent	
Specifications for work tendered	6 years	
Tenders (successful)		See 'Contracts' above
Tenders (unsuccessful)	6 years	
Waste Consignment Notes- Controlled wastes such as clinical/ healthcare and household/ domestic	2 years	
Waste Consignment Notes- Special/ Hazardous/ Radioactive Wastes	3 years	
Waste- Duty of Care Inspection Reports	permanent, or for life of external contract	

5. Human Resources Records

Record Type	Minimum Retention Period	Notes
Disciplinary: First written warning	6 months	
Disciplinary: Final written warning	12 months	
Disciplinary: First and final written warning	12 months	
Disciplinary: Letter of Dismissal	10 years	Where action is in prospect or has been commenced, consult with legal representatives and keep in accordance with advice provided.
Disciplinary: Records of action taken, including: <ul style="list-style-type: none"> • Details of rules breached • Employee's defence or mitigation • Action taken and reasons for it • Details of appeal and any subsequent developments 	6 years after leaving service	See above for retention periods for warnings.
Establishment records - major (including: <ul style="list-style-type: none"> • Personnel files, • letters of application and appointment, • confirmation of qualifications, contracts, • joining forms, • references & related correspondence, • termination forms) 	6 years after leaving service	
Establishment records - minor (including: <ul style="list-style-type: none"> • attendance books, • annual leave records, • duty rosters, • clock cards, • timesheets) 	2 years	
Industrial relations (not routine)	permanent	

Record Type	Minimum Retention Period	Notes
Personal Development: Nurses - training records	40 years after completion of training	
Personal Development: Study leave applications	2 years	
Recruitment: Applications for employment- unsuccessful applicants	1 year after completion of recruitment procedure	
Recruitment: CVs for non-executive directors (successful)	5 years following end of term of office	
Recruitment: CVs for non-executive directors (unsuccessful applicants)	2 years	
Recruitment: Disclosure Scotland information	6 months	Six months after the date on which recruitment or other relevant decisions have been taken; or six months after the date on which recruitment or other relevant decisions have been taken.
Recruitment: Job advertisements	1 year	

6. Procurement and Stores Records

Record Type	Minimum Retention Period	Notes
Approval files - contracts	permanent	
Approved suppliers lists	11 years	
Delivery notes	2 years	
Indents	2 years after financial year referred to	
Medical equipment specifications - major items purchased	permanent	
Medical Equipment - operating manuals	operational lifetime of equipment	
Procurement documentation	7 years	One copy of each supplier response from short listed to tender and the contract itself.
Products - liability	11 years	
Purchase orders	3 years after financial year referred to	
Requisitions	2 years after financial year referred to	
Stock control reports	2 years	
Stores - major (ledgers etc.)	6 years	
Stores - minor (requisitions, issue notes, transfer vouchers, goods received books etc.)	2 years	
Supplier correspondence	6 years after termination of agreement	
Supplies records - minor (e.g. invitations to tender and inadmissible tenders, routine papers relating to catering and demands for furniture, equipment, stationery and other supplies)	2 years	

7. NHS Board Records

Record Type	Minimum Retention Period	Notes
Area health plans	permanent	
Contracts - non sealed on termination	6 years	
Contracts- GP Practices and others to deliver core NHS services	permanent	
Contracts – sealed	permanent	Including associated records
Corporate policies	permanent	
Deeds of title	permanent	
Health promotion – core papers and visual materials relating to major initiatives	consider permanent preservation	
History of Boards or their predecessor organisations	permanent	
History of hospitals	permanent	
Hospital services files	consider permanent preservation	
Legal actions (adult)	7 years after case settled or dropped	
Legal actions (child)	until child is 18 or 7 years after case settled or dropped, whichever is later	
Litigation dossiers - complaints including accident reports	10 years	Where a legal action has commenced see Legal actions
Meeting papers - master set	permanent	Main committees and sub-committees of NHS Boards and special Health Boards and other meetings of significance for legal, administrative

Record Type	Minimum Retention Period	Notes
		or historical reasons
Minutes - master set	permanent	Main committees and sub-committees of NHS Boards and special Health Boards
NHS circulars - master set	permanent	
Nursing homes pre 1 April 2002: registration documents and building plans	permanent	The regulation of care services was taken over by the Care Commission on 1 st April 2002.
Nursing homes pre 1 April 2002: inspection reports and general correspondence	5 years	The regulation of care services was taken over by the Care Commission on 1 st April 2002.
Option appraisals	6 years after end of agreement	
Patient complaints without litigation -adults	7 years	
Patient complaints without litigation – children and young adults	until child is 16 or 7 years, whichever is later	
Photographs	consider for permanent preservation	Corporate and publicity photographs, not used those for patient care purposes.
Press cuttings	consider for permanent preservation	
Register of seals	permanent	
Reports - major	permanent	
Serious incident files	permanent	
Service development reports	6 years	
Service level agreements	6 years	

Record Type	Minimum Retention Period	Notes
Strategic plans	permanent	
Subject files	permanent	Files relating directly to the formulation of policy and major controversies must be permanently preserved. Other files should be disposed of when no longer needed.
Trust arrangements legally administered by NHS organisations - documents describing terms of foundation/ establishment and winding-up	permanent	
Trusts arrangements legally administered by NHS organisations - other documents	6 years	

8. Service Planning

Record Type	Minimum Retention Period	Notes
Activity monitoring reports	6 years after end of agreement	
Admission, transfer and treatment of patients- policy files	permanent	
Databases - demographic and epidemiological based on data supplied by NHS National Service Scotland, Information Services		In accordance with general policies of NHS National Service Scotland, Information Services, and any specific terms and conditions imposed by them in relation to particular data sets
Databases - demographic and epidemiological based on survey data		May be retained indefinitely if data quality and potential for future re-use justifies cost of migration / regeneration to new formats and platforms
Patient activity data	3 years	
Summary bed statistics	permanent	
Waiting list monitoring reports	6 years	
Winter business plans	6 years	

SOURCES OF FURTHER INFORMATION

1. Contacts

National Archives of Scotland (NAS)
HM General Register House
2 Princes Street
EDINBURGH
EH1 3YY
Tel: 0131 535 1314

Charles B Knox
eHealth
Scottish Executive Health Department
Basement Rear
St Andrews House
Regent Road
Edinburgh
Tel: 0131 244 2345

There are at present four NHS archivists providing archive services to NHS Boards in Scotland. They can provide advice on the selection and preservation of healthcare records and the management of current records.

Mike Barfoot
Lothian Health Services Archive
Edinburgh University Library
George Square
EDINBURGH
EH8 9LJ
Tel: 0131 650 3392
E-mail: m.barfoot@ed.ac.uk

Alistair Tough
Greater Glasgow NHS Board Archive
University of Glasgow Archives
77-81 Dumbarton Road
GLASGOW
G11 6PW
Tel: 0141 330 2992
Fax: 0141 330 4158
E-mail: A.Tough@Archives.gla.ac.uk

Fiona Watson
Northern Health Services Archives
ARI Woolmanhill
ABERDEEN
AB25 1LD
Tel: 01224 555562
E-mail: fiona.watson@ghb.grampian.scot.nhs.uk

Morag Williams
Dumfries and Galloway NHS Board
Crichton Royal Hospital
DUMFRIES
DG1 4TG
Tel: 01387 267613

For NHS Tayside archives contact:

Pat Whatley
Archive, Records Management & Museum
Services
Tower Building
University of Dundee
Dundee, DD1 4HN
Tel: 01382 344095
E-mail: p.e.whatley@dundee.ac.uk

Archival advice about moving images can be obtained from:

Scottish Screen Archive
1 Bowmont Gardens
Glasgow
G12 9LR
Tel: 0141 337 7400

2. Sources of Further Information

Scottish Information Commissioner
(*Freedom of Information (Scotland) Act 2002*)

Kinburn Castle,
Doubledykes Road,
St Andrews, Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
E-mail: enquiries@itspublicknowledge.info
Website: <http://www.itspublicknowledge.info>

Information Commissioner- Scotland Office

(Data Protection Act 1998)

28 Thistle Street

Edinburgh

EH2 1EN

Telephone/ Fax: 0131 225 6341

E-mail: Scotland@ico.gsi.gov.uk

Website: <http://www.informationcommissioner.gov.uk>

Scottish Executive Freedom of Information Unit

G-A North

Victoria Quay

EDINBURGH

EH6 6QQ

Telephone: 0131 244 5210

E-mail: foi@scotland.gsi.gov.uk

Website: <http://www.scotland.gov.uk/FOI>