

Legal and Contracts

Ref. No.	Function Description	Retention Action	Examples of Records	Notes
Litigation				
4.1	The process of managing, undertaking or defending for or against litigation on behalf of the local authority	Destroy 7 years after last action. Major litigation – offer to Archivist for review	<ul style="list-style-type: none"> • Criminal case file • Childcare case file • Civil case file • correspondence 	Common practice
Advice				
4.2	The process of providing legal advice on a point of law.	Destroy 3 years after last action – unless a major precedent, then offer to Archivist for review		Common practice
Agreements				
4.3	Process of agreeing terms between organisations Note : this does not include contractual agreements	Destroy 6 years after agreement expires or is terminated	<ul style="list-style-type: none"> • Concordat 	Common practice Depends on value of agreement Mainly to do with agreements between public bodies, not in regard to contracts
Conveyance (see also Property Acquisition and Disposal)				
4.4	The process of changing ownership of land or property	Destroy 12 years after closure	<ul style="list-style-type: none"> • Conveyancing files 	Statutory

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	Contracts and Tendering			
	Pre Contract Advice			
4.5	The process of calling for expressions of interest	Destroy 2 years after contract let or not proceeded with	<ul style="list-style-type: none"> Expressions of Interest 	Common practice
	Specification and Contract Development			
4.6	The process involved in the development and specification of a contract	<u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired	<ul style="list-style-type: none"> Tender specification Note: For project files containing drafts leading to a final version these records can be destroyed.	Statutory
	Tender Issuing and Return			
4.7	The process involved in the issuing and return of a tender	Destroy 1 year after start of contract	<ul style="list-style-type: none"> Opening notice Tender envelope 	Common practice

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	Evaluation of Tender			
4.8		<ul style="list-style-type: none"> • <u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired • <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired 	<ul style="list-style-type: none"> • Evaluation criteria 	Statutory
4.9	Successful tender document	<ul style="list-style-type: none"> • <u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired • <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired 	<ul style="list-style-type: none"> • Tender documents • Quotations 	Statutory
4.10	Unsuccessful tender documents	Destroy 1 year after start of contract	<ul style="list-style-type: none"> • Tender documents • Quotations 	Common practice

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	Post Tender Negotiation			
4.11	The process in negotiation of a contract after a preferred tender is selected	Destroy 1 year after the terms of contract have expired	<ul style="list-style-type: none"> • Clarification of contract • Post tender negotiation minutes 	Common practice
	Awarding of contract			
4.12	The process awarding of contract	<ul style="list-style-type: none"> • <u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired • <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired 	<ul style="list-style-type: none"> • Signed contract 	Statutory
	Contract Management			
4.13	Contract operation and monitoring	Destroy 2 years after the terms of contract have expired	<ul style="list-style-type: none"> • Service Level Agreements • Compliance reports • Performance reports 	Common practice

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4.14	Management and amendment of contract	<p>(a) <u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired</p> <p>(b) <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired</p>	<ul style="list-style-type: none"> • Minutes and papers of meetings • Changes to requirements • Variation forms • Extension of contract • Complaints • Disputes on payment 	Statutory
Tenancy Agreements				
4.15	The process of awarding tenancies in welfare housing	<p>a) <u>Ordinary Tenancy</u> Destroy 6 years after the terms of agreement have expired</p> <p>b) <u>Tenancy Under Seal</u> Destroy 12 years after the terms of agreement have expired</p>	<ul style="list-style-type: none"> • Signed tenancy agreements • Sealed tenancy agreements 	Statutory