

New London Educational Trust



ESF London Learning Document Retention Policy

Version 1
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DOCUMENT PURPOSE

This policy aims to provide clear directives for the retention, storage and disposal of documents generated and received by the ESF London Learning Project. It is based on the guidance published in the ESF Document Retention Guidance Version 2 August 2018.

Specifically:

- To ensure that records required to be kept for legal/statutory reasons are retained for the appropriate period and in such a manner that allows them to be retrieved and admissible as evidence.
- To ensure the efficient, controlled and appropriate disposal of records that are no longer needed.

The term 'document' includes records in all media and formats including paper, microfilm, electronic records held on magnetic or digital media and photographic materials.

DOCUMENT RETENTION PERIOD

At project closure the Managing Authority will notify the ESF London Learning project of the retention period.

However, the period of documentation retention must be at least 10 years after the final ESF claim is paid by the ESF Managing Authority. This is to ensure documents may be made available to the European Commission and European Court of Auditors upon request in accordance with Article 140(1) of Regulation (EU) No 1303/2013.

The ESF London Learning project must also comply with and assist the Managing Authority to comply with document retention requirements under any applicable State Aid rules.

Operating in accordance with De Minimis Regulation (Commission Regulation (EU) No 1407/2013), the ESF London Learning project must maintain detailed records with the information and supporting documentation necessary to establish that all the conditions laid down in the Regulation are fulfilled. Such records must be kept for 10 years after the last aid is granted under the scheme.

Prior to the destruction of any documents, confirmation should be sought from the Managing Authority.

PROCEDURES

1. Archiving of Paper Records

1.1 Participant records are limited to documents relating to:

- Participants starting on the Project.
- Participants progressing in-work.
- Participants gaining basic skills.
- Participants gaining level 2 or below or a unit of level 2 or below qualification.
- Participants gaining level 3 or above or a unit of level 3 or above qualification.
- Participants who are employed females gaining improved labour market status.

1.1.1 ESF project evidence classed as core documentation that must be retained includes:

- All ESF related documentation including work carried out during the development, pre application, application and during and after the project.
- The Funding Agreement including any revised versions supported by appropriate correspondence from DWP of the approval of changes to the Funding Agreement.
- Correspondence from/to the Managing Authority.
- Quarterly claim forms.
- Working papers showing how claims were calculated, including any flat rate methodologies.
- The audit trail for all procurement undertaken for the project.
- The State Aid approved scheme used where relevant i.e. De Minimis Regulation.

1.1.2 The ESF London Learning must keep records of the following things (nb. this list is not exhaustive):

- Evidence of all project expenditure. This must include invoices and bank statements or equivalent to show the payments were made.
- Where indirect overheads costs and salaries have been apportioned to the project, records must show the agreed methodology for calculating these costs.
- Records of eligible participants and any supporting evidence to confirm their eligibility to receive ESF support.
- Evidence of open and fair procurement of goods and services. Including proof of advertising and contract notices, quotations or tenders received and the scoring methodology used for selecting the successful candidate. This will include details of all preparatory work prior to the procurement process and the delivery/use of the procured service and goods (see the National Procurement Guidance on <https://www.gov.uk/england-2014-to-2020-european-structural-and-investment-funds> for further information on procurement requirements).
- Evidence of auditable, accountable match funding, including copies of match funding acceptance letters and bank statements showing receipt of match funding.
- Compliance with publicity requirements. Copies of all publicity materials, including press releases and marketing must be retained to demonstrate the correct use of the EU logo and required text (see ESF Publicity Requirements, also on the above website, for further information on publicity requirements).
- Compliance with equal opportunities and environmental sustainability requirements.
- Clear records of businesses supported for state aid purposes, including signed declarations where an organisation is operating under any state aid rules, such as de minimis, or any other state aid ruling.
- Documentary evidence substantiating the outputs and results declared in ESF claims and on completion of projects.
- A record of the identity and location of all bodies holding the supporting ESF project documentation and make this available on request to the Managing and Audit Authorities.

2. Preparing Paper Records for Archive

All paper records must be suitably prepared prior to the data being sent for archiving. This includes the following activities:

- The removal of duplicate data.
- The removal of any data that does not fall under the document retention policy. The retention of unnecessary data is costly and could potentially be a breach of data protection legislation e.g. if the records relate to personal data.

- The removal of all plastic wallets, sleeves and box files. This aids the destruction process at the end of the archiving period as all paper records can then be sent for confidential destruction without further intervention.
- The collation and securing of loose data.
- Keep a clear record of what has been sent for archiving.

All records must be placed in archiving wallets, boxed up and clearly marked with the following information using approved wallet labels:

- GLA / ESF London Learning - Project Number: 23S19P04060.
- Record type (see 1.1 for details).
- Period the records relate to.
- Estimated destruction date.

Records/documents with different destruction years must not be stored in the same wallet. For the avoidance of doubt all project records should be destroyed at the same time. All company records under heading 1.1.1 and 1.1.2 must be placed in archiving boxes and clearly labelled with two archiving box labels. One label must be taped to the top of each box and the other to one of the short sides for the box. Boxes must not be overfilled. Boxes must then be sent to the Head of HR for appropriate storage.

All documents must be stored in such a manner as to be safe and that access to such material is controlled to ensure the confidentiality of personal data and always kept separately and securely, in lockable, fireproof, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

3. Archiving Electronic Records

Electronic records, like paper records, can be at risk of loss/damage if they are not managed appropriately. Portable storage devices like CD-ROMS, DVDs and USB drives are not intended for long-term storage or preservation of digital records. They are short-term storage solutions and should be used with caution.

Regular and frequent changes in Information Technology mean that the currency or lifespan of certain technologies should be considered when sending electronic records for archive.

Wherever possible, electronic records should be saved on New London Educational Trust's network, which is backed up regularly. Documents can be held either as originals or certified true copies of the originals, or on commonly accepted data carriers. Commonly accepted data carriers include electronic versions of original documents on optical data carriers and documents existing in electronic version only.

Project information kept on commonly accepted data carriers must be kept secure and can be relied upon for audit purposes. The computer system on which the electronic data is held must meet accepted security standards, which ensure that the documents held meet with national legal requirements and can be relied upon for audit purposes. All electronic documents also need to have the equipment/software retained, to ensure it is functional for a two-year period from 31st December following the submission of the annual accounts in which the final expenditure of the completed project is included.

Each version must be certified as conforming to the original document and the following declaration used:

I certify that this is a true copy of the original document:

Signed.....

Date.....

Position in Organisation:.....

Name of Organisation:.....

It is NLET's responsibility to ensure that documents can be retrieved and relied upon for audit purposes. For the avoidance of doubt, all electronic documents must be kept for the same duration as required for paper copies. Exchanges of data and transactions should bear an electronic signature compatible with Directive 1999/93/EC on a community framework for electronic signatures. This will be provided by the DWP electronic data exchange system.

4. Disposal of Records

When the project records have reached their retention period, data will be disposed of securely and confidentially. The confidential destruction of records is a crucial element of the project's good records management practice. All information relating to identifiable, individuals must be disposed of in an appropriately secure manner.

Material that falls under any of the following categories need to be treated as confidential:

- Records containing personal information (for example application/registration forms, assessments, payroll and pensions records, completed questionnaires, participant files, etc.).
- Records of a commercially sensitive nature (for example contracts, purchasing records, legal and financial documents).
- Records concerning intellectual property rights (for example unpublished data, draft papers and reports).
- Material not classified as confidential may be disposed of via approved waste disposal services.

All records to be disposed of will be removed from the archiving facility and disposed of via a confidential waste disposal service. The Head of HR will oversee this operation for all participant and project records. All records will be recorded on an appropriate archiving spreadsheet.