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Regulations on the Retention, Sorting, Archiving and Destroying of Official Documents at Rhine-Waal University of Applied Sciences (Document Retention Regulations)

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(Official Notice 17/2016)

As amended by the second amending statutes from 1 March 2024
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Contents

- Section 1 General provisions
- Section 2 Retention periods for documents
- Section 3 Discarding documents
- Section 4 Handling discarded documents
- Section 5 Publication and entry into force

Section 1

General provisions

(1) These regulations define the basic principles for retaining, sorting, archiving and destroying official documents as defined by subsection (3) below at Rhine-Waal University of Applied Sciences and are intended to help minimise the expenses of archiving while also ensuring compliance with the Act on the Securing and Use of Archived Materials in the Public Domain in North Rhine-Westphalia (*Archivgesetz NRW*).

(2) All documents produced by organisational units at the University, in particular the central organisational units, the faculties, research areas, administration and other operational units of Rhine-Waal University of Applied Sciences, is considered official university property.

(3) Documents within the meaning of these regulations include, but are not limited to, all files, in particular certificates, official books, official publications, general documents, images, card indices, maps, plans, blueprints, posters, paper and electronic seals, films, audio recordings and all other electronic recordings regardless of their form of storage, as well as all aids, tools and supplementary data required to maintain, understand or use the aforementioned information.

(4) If a process is documented in hard copy, then the following applies:

- a) Emails and other digital documents containing information relevant to the process must be printed out and added to the file.
- b) If said information cannot be printed, a corresponding notice about its storage in the central archiving system must be added to the file.

If a process is documented digitally, then all documents containing information relevant to the process must be saved to a central archiving system.

(4a) "Personal storage" is defined as a data repository that is only accessible by a single user. Personal storage cannot be used to archive documents within the meaning of these regulations. When an employee leaves the University, all data contained in their personal storage will be permanently deleted. All local data on a company device will be permanently deleted shortly after the device is returned.

(5) These regulations apply accordingly to machine-readable information. Electronic applications already in use must provide proper data storage options.

(6) To keep the cost and efforts from archiving documents to a minimum, employees should strive to produce as few documents as needed and discard unnecessary documents as soon as possible.

Section 2

Retention periods for documents

(1) A retention period is the length of time, in years, that official documents must be kept by the responsible office before destroying. Retention periods begin at the end of the calendar year in which the corresponding process was completed and end with the expiration of a subsequent calendar year, provided there are no superseding provisions set forth in subsection (3). The retention periods defined herein can be shortened if the corresponding documents are no longer required to perform official duties. This also applies to an extension, when justified on objective grounds.

(2) Any special retention periods set forth by law or official guidelines are considered authoritative. In cases of doubt, employees are expected to know and apply relevant retention periods within their areas of responsibilities.

(3) Provided there are no special and superseding guidelines to consider, the following retention periods shall apply to the documents below.

The following documents are to be stored at the responsible office:

No.	Documents (alphabetic/thematic)	Retention periods (Years)
1	File-keeping regulations, file plans, file registers	10
2	Departmental notes / standing instructions	10
3	Official seals (expired)	1
4	Official work agreements	10
5	Honours, awards	10
6	Official enactments	10
7	For university vehicles: – Driving orders – Driver logbooks	5 5
8	Financial and economic matters ¹ – Bank records – Financial and controlling reports – Procurement of goods and services (e.g. consumables) – Procurement of large-scale equipment ² – Loans, declarations of surety – Account books / account statements – End-of-year reports, with annexes – Delivery receipts – Invoice documents – Tax returns / documents – Documents connected to the creation of an economic / budget plan – Tender files for services, construction projects and commodities	10 10 10 10 10 ³ 10 10 10 10 10 10 10

¹Additional administrative guidelines must also be observed here, in particular Section 11 of the Higher Education Economic Governance Ordinance (*HWFVO*) from 11 June 2007 (GV.NRW. 2007, p. 246), as amended by the 3rd amending statutes from 12 November 2012 (GV.NRW. 2012, p. 610) and accordingly Section 257 (document retention, retention periods) of the German Commercial Code (HGB), Section 14b (invoice retention) of the Value Added Tax Act (*UStG*) as well as any applicable guidelines of individual funding organisations. Furthermore, the provisions on the retention of data from budget, treasury and invoice-related matters (*AufbewBest*), set forth by Section 71 of the State Budget Ordinance (LHO) and Section 257 of the German Commercial Code (HGB), must be observed as well.

² Costing 200,000 EUR or more.

³ After expiry/repayment.

	<ul style="list-style-type: none"> – Tender files for consumables – Work contracts / fee contracts – Economic / budget plans, with annexes and statutes – Payment requests / documents (accounting records) – Customs documents⁴ 	10 10 10 10 10
9	Research projects <ul style="list-style-type: none"> – Applications / grant confirmations – Reports on project results, analyses – Research data (primary data) – Annual reports 	10 ⁵
10	Facility management <ul style="list-style-type: none"> – Planning applications – Structural changes – Construction plans – Land-use plans – Land acquisition or real estate documents – Leasing and rental agreements – Documents relating to safety improvements, maintenance, repair 	10 10 10 10 10 6 ⁶ 5
11	Transactions <ul style="list-style-type: none"> – Business reports – Rules of procedure – Distribution of business plans 	10 10 10
12	Personal reference files <ul style="list-style-type: none"> – Executive Board members – Other employees 	10 5
13	Bans from university premises	10
14	International affairs: <ul style="list-style-type: none"> – DAAD programme General files Files for specific cases – Partnership agreements with other universities 	6 6 6 10
15	Inventory books, lists, registries, overviews	10
16	Annual reports	5

⁴ Customs documents in accordance with Article 15 (1) and Article 167 of the EU Customs Codex from 9 October 2013.

⁵ Funding organisations can stipulate longer retention periods. Refer to applicable funding guidelines or ancillary provisions.

⁶ Retention period begins after contract expiration.

17	Public relations documents (press releases, media reports, accompanying materials for events and exhibits etc.)	5
18	Patent documents and licensing agreements ⁷ <ul style="list-style-type: none"> – Patents – Utility models – Branding – Licences / licensing agreements 	10
19	Personnel files <ul style="list-style-type: none"> – Officials (<i>Beamte</i>) – Staff employed under collective bargaining agreements and student research assistants – Student assistants and tutors 	5 5 6
20	Other personnel-related financial documents (grants/aid, part-time employment, advance payments, travel stipends, reimbursement for relocation expenses etc.)	5
21	Personnel affairs <ul style="list-style-type: none"> – Time sheets (flexitime accounts) – Documents relating to professorial appointment processes – Documents relating to employment application processes <ul style="list-style-type: none"> – Management positions – Other positions – Disciplinary complaints – Business trip requests and invoices – Disciplinary criminal proceedings, other disciplinary proceedings – Holiday requests / holiday slips 	5 ⁸ 10 ⁹ 4 months 4 months 5 10 5 5
22	Personnel representatives (participatory procedures)	10
23	Records on incoming and outgoing post, postal books	10
24	Minutes (with templates) for all governing bodies and committees, in particular: <ul style="list-style-type: none"> – Dean's Offices – Faculties/departments – Commissions – Board of Governors – University Election Assembly – Executive Board / Rector's Office 	10

⁷ After expiration/cancellation.

⁸ Longer retention periods can apply. Refer to funding agreements for special provisions applicable to research projects.

⁹ After the professor's employment at Rhine-Waal University of Applied Sciences ends.

	<ul style="list-style-type: none"> – Examination Boards – Senate 	
25	Examination records ¹⁰ <ul style="list-style-type: none"> – Written examinations – Final examination papers – Other related records, excluding certificates – Official documents, certificates – Doctoral records 	5 5 10 ¹¹ 50 ¹² 30
26	Legal matters <ul style="list-style-type: none"> – Appeals, criminal proceedings, legal proceedings, court settlements – Contracts, agreements and out-of-court settlements 	10 10
27	Statistics, statistical data (personnel, students etc.)	5
28	Student records Deregistration notices	10 50
29	All documents providing information about the organisation, development, establishment, expansion and duties of Rhine-Waal University of Applied Sciences and its constituent parts	10
30	Official announcements / bulletins (<i>Amtliche Bekanntmachung</i>)	30
31	Lecture catalogues/timetables	
32	Election documents	10
33	Temporary documents ¹³	1
34	Documentation from selection procedures for degree programmes with restricted admissions	10

(4) Documents with only topical value or generally non-essential information should be destroyed, not retained. These include, for example:

- a) unsolicited flyers, advertisements, invitations etc., and
- b) messages with short-term relevance.

With regard to employees and their personal data storage and locally saved data, sentence 1 applies accordingly after their departure from the University.

(5) If a student requests their examination documents (written examinations, essays, projects, models, diagrams, other creative works, thesis papers) by no later than three months before expiry of the retention period, then their examination documents will be returned to them once the retention period has expired.

¹⁰ Examination records may not be discarded or destroyed if and so long as an appeal or suit has been filed against an examination-related decision and the legal process has not yet concluded with a legally binding judgement.

¹¹ The retention period begins at the end of the calendar year in which the last examination was completed.

¹² See footnote 10.

¹³ Documents with non-essential information that is only briefly relevant.

Section 3

Discarding documents

In the interest of keeping the amount of archived documents as small as possible, all organisational units of the University should regularly destroy stored documents after expiry of the applicable retention period, without making any changes to said documents. Destroying documents in regular intervals is compliant with data protection guidelines and serves to keep administrative work efficient.

Section 4

Handling discarded documents

(1) In accordance with Section 11 (1) sentence 1 of the Archive Act NRW, Rhine-Waal University of Applied Sciences manages, under its own authority and via its own University Archive, the archiving and use of documents produced within the organisation. The University Archive is responsible for archiving documents produced by the University in accordance with the Archive Act NRW and these Document Retention Regulations and for advising teams and departments of the University on the proper management, storing and securing of their documents.

(2) Documents listed under Section 2 (3), which are no longer required to perform official duties at the University, must be offered to the University Archive. If there are doubts as to whether documents should be destroyed pursuant to Section 2 (3) or instead retained for a longer period of time, the University Archive must be consulted before destruction. This decision can only be made after expiry of the relevant retention period.

(3) The heads of the organisational units defined in Section 1 (2) are responsible for the proper destruction of documents. Employees are forbidden from destroying any and all official documents of Rhine-Waal University of Applied Sciences without consulting the University Archive first. The sole exception to this rule applies to non-essential documents within the meaning of Section 2 (4) sentence 1, which can be destroyed without involving the University Archive.

(4) The office submitting documents to the University Archive should, when possible, create an overview of submitted documents as an itemised list, containing file numbers, file names, elapsed times and applicable retention periods.

(5) The University Archive will keep all documents with archival quality and approve the destruction of any remaining documents. Submitting offices can view archived documents at any time.

(6) Documents without archival quality that have been cleared for destruction ("invalidated") must be destroyed by the responsible office in accordance with applicable legal guidelines and data privacy law. To streamline the process, the University Archive can grant permanent permission to specific offices to destroy specific documents without prior consultation. The University Archive can revoke this permission as needed and mandate that the office again consult with the University Archive before destroying the documents in question.

Section 5

Publication and entry into force

These Document Retention Regulations shall enter into force on the day after their publication in the Official Notices of Rhine-Waal University of Applied Sciences.

Note: *These regulations entered into force in their present version on 9 May 2024.*