

Reference	Category/Function	Activity / Records Series	Description / Example Record Types	Trigger - event that prompts start of retention period	Retention Period	Disposal Action	Authority	Citation/ Notes	Edit History	Version	Publication Date
18	LEGAL SERVICES										
18.001	Advice										
18.001.002	Advice	Provision of legal advice	Case file	Date file closed	6 years	Destroy	Business requirement	Advice where expert opinion of counsel received is to be retained permanently. (Transfer to archives after 5 years.) Other advice: Review for historical value for potential retention in archives if a major precedent - otherwise destroy.	taken from SCARRS, retention period and disposal action updated by Service	1.1	
18.001.002a	Advice	Contract and Procurement Advice		Date contract terminates	5 years	Destroy	Business requirement		Added by Service	1.1	
18.002	Bylaws										
18.002.001	Bylaws	Enactment	Byelaws		Permanent	Transfer to Archives	Business requirement	Retain for historical value.	taken from SCARRS, agreed by Service	1.0	
18.005	Litigation										
18.005.001	Litigation	Anti-social behaviour cases (ASBO's)	All papers relating to court case including all file papers and any productions	Date of expiration of court order / date file closed	6 years	Destroy	Business requirement	Law Society Guidelines	taken from SCARRS, trigger and retention period updated by Service	1.1	
18.005.002	Litigation	Eviction actions (All papers relating to court case)	Includes recovery of temporary accommodation	Date of court order/conclusion of any court action	6 years	Destroy	Business requirement	Law Society Guidelines	taken from SCARRS, description updated by Service	1.1	
18.005.003	Litigation	Children and Families	All cases involving children - child protection orders, permanence etc.	Date of order/decision or close of file	Date of Birth + 21 years	Destroy	Statutory	See also RRS Children and Families. Adoption Agencies (Scotland) Regulations 2009. SSI 2009 No 154. Reg 27 Case record of adoptions to be kept in an accessible form in secure conditions for at least 100 years. In respect of a prospective adopter to whom an adoption order is not made, retain for at least 10 years. Preserve other case records in secure conditions for as long as it is considered appropriate	taken from SCARRS, activity / record series, description and retention period updated by Service	1.1	
18.005.004	Litigation	Employee Relations	Capability, disciplinary, grievances etc	Date file closed.	6 years	Destroy	Business requirement		taken from SCARRS, activity / record series, description and retention period updated by Service	1.1	
18.005.005	Litigation	Mental health	Adults with Incapacity, Adult Support and Protection, Guardianship etc	Date file closed (or death if indefinite guardianship).	6 years	Destroy	Business requirement		taken from SCARRS, description and retention period updated by Service	1.1	
18.005.006	Litigation	Civil Actions	Caveats, Judicial Reviews, Appeals etc	Date file closed	6 years	Destroy	Business requirement		taken from SCARRS, activity / records series, description, trigger and retention period updated by Service	1.1	
18.005.009	Litigation	Debt recovery	Debt collection actions - Irritancy, sequestrations and sundry debts etc	Date of court action if dismissed OR payment in full of any decree (last instalment of payment plan).	6 years	Destroy	Business requirement		taken from SCARRS, description and retention period updated by Service	1.1	

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18.006	Land and Property										
18.006.002	Land and Property	Agreements and Obligations	Section 69 Agreements and Section 75 Agreements	Date agreement expires or is terminated	5 years or 2 years if conditions are met	Destroy	Business requirement	Some agreements have conditions attached hence two different retention periods.	taken from SCARRS, category / function, activity / record series, description, retention period and citation / notes updated by Service	1.1	
18.006.003	Land and Property	Conveyancing	Acquisitions, Burdens Consent, Buy Backs, Compulsory Purchase Orders, Corrective Conveyancing, Leases, Mortgage to Rent, Sales and Title Checks	Date file closed	25 years	Destroy	Business requirement		taken from SCARRS, activity / record series, description and retention period updated by Service	1.1	
18.006.003a	Land and Property	Conveyancing	Leases	Termination	5 years	Destroy	Business requirement		Added by Service	1.1	
18.006.003b	Land and Property	Conveyancing	Title Checks	Date file closed	5 years	Destroy	Business requirement		Added by Service	1.1	
18.006.004	Land and Property	Deeds	Includes any documents required along with the deeds	Date file closed	Permanent	Retain	Business requirement	Transfer to archives for historical value.	taken from SCARRS, agreed by Service	1.0	
18.006.005	Land and Property	Securities and Land Charges	Charging Orders	Date file closed	6 years	Destroy	Business requirement		taken from SCARRS, activity / record series, description and retention period updated by Service	1.1	
18.006.005a	Land and Property	Securities and Land Charges	Notice of Potential Liability	Date file closed	3 years	Destroy	Business requirement		Added by Service	1.1	
18.006.005b	Land and Property	Securities and Land Charges	Standard Securities	Date file closed	10 years	Destroy	Business requirement		Added by Service, retention period updated by Service	1.1	
18.006.005c	Land and Property	Securities and Land Charges	Road Bonds	Date file closed	5 years	Destroy	Business requirement	Original bond is transferred to Development Services. See 25.001.006	Added by Service	1.1	
18.006.011	Land and Property	Servitudes and wayleaves	Servitudes	Date file closed	10 years	Destroy	Business requirement		Added by Service, retention period updated by Service	1.1	
18.006.012	Land and Property	Servitudes and wayleaves	Wayleaves	Date file closed	25 years	Review	Business requirement		Added by Service	1.1	