



Accountant in Bankruptcy – Retention and Destruction Policy.

Approved – 24 October 2016.

1st Amended and Approved – 23 October 2018

2nd Amended and Approved – 28 November 2018

3rd Amendment and Approved – 26 October 2020
Sections 4.1, 4.2 and 16 amended

4th Amendment and Approved - 6 April 2021
Sections

Type of File/Document	Instruction	Notes
1. AiB Policy development		
Policy and legislation files	<p>1.1 Hard copy files transferred from SG to be destroyed two years after closure (from date of last document/Note entry).</p> <p>1.2 Files and documents saved in the corporate electronic Records and Document Management system (eRDM) are to be retained and destroyed in accordance with Scottish Government (SG) Records Management Team (RMT) disposal schedule.</p>	<p>Policy Files to be marked with destruction dates on closure.</p> <p>Policy SOP to record who has responsibility for this and for checking the actions have been completed.</p>
2. General Correspondence		
General correspondence (not bankruptcy; PTD; DAS; Corporate Insolvency, CFT or Moratorium case related)	2.1 Hard copy documents to be scanned and saved to appropriate eRDM File - hard copies to be destroyed as soon as practical after scanned documents checked and saved.	Process and responsibilities for scanning, saving, destruction and management checks, to be

	2.2 Documents saved to eRDM Files to be destroyed in accordance with SG RMT disposal schedule.	recorded in Teams' SOPs
3. Office Procedures		
Management Planning, resource requirements, training, work plans, monitoring.	<p>3.1 Hard copy documents to be scanned and saved to eRDM Files - hard copies destroyed as soon as practical after scanned documents checked and saved.</p> <p>3.2 Files and documents to be saved in appropriate eRDM file.</p> <p>eRDM File/documents to be closed/destroyed in accordance with SG RMT disposal schedule.</p> <p>3.3 Live Excel Spread sheets which were not previously appropriate for saving to eRDM, and currently retained in the 'g' drive, to be transferred to eRDM from 31 January 2019 and deleted from the 'g' drive.</p> <p>Finalised Spread sheets saved to the 'g' drive to be destroyed, one year after the final Spread sheet entry, unless the Spread sheet has a specified destruction date.</p> <p>Spread sheets saved to eRDM to be destroyed in accordance with SG RMT disposal schedule.</p>	Process and responsibilities for producing, saving, destruction and management checks of documents, to be recorded in AiB SOPs.

Standard Operating Procedures (SOPs)	<p>3.4 All documents to be saved in appropriate eRDM Files.</p> <p>File/documents to be closed/ destroyed in accordance with SG RMT disposal schedule.</p>	
Agency-wide Guidance	<p>3.5 All documents to be saved in appropriate eRDM Files.</p> <p>File/documents to be closed/ destroyed in accordance with SG RMT disposal schedule.</p>	
SMT/Board/Branch/Team/Group/ Forum and other meetings	<p>3.6 All documents to be saved in appropriate eRDM Files.</p> <p>File/documents to be closed/ destroyed in accordance with SG RMT disposal schedule.</p>	
Minor procedural instructions and general notices	<p>3.7 All documents to be saved in appropriate eRDM Files.</p> <p>File/documents to be closed/ destroyed in accordance with SG RMT disposal schedule.</p>	
4. Bankruptcy Case Documents		
Hard copy Sederunt Books	<p>4.1 Hard copy Sederunt Books.</p> <p>To be received from trustees, checked and retained. Sederunt Books to be marked with destruction dates of six months after the date of discharge of the trustee and retained in folder store until date of destruction, then shredded.</p>	<p>Responsibilities for checking, marking, saving, destruction and management checks of documents, to be recorded in Teams' SOPs.</p>

	<p>Hard copy Sederunt Books to be made available for viewing up until the date of destruction.</p>	
<p>Bankruptcy administration documents (bankruptcy cases and cases where bankruptcy not awarded)</p> <p>Cases recorded on BASYS and MIDAS</p>	<p>4.2. Hard copy documents</p> <p>To be scanned and saved to the BASYS case file or the Correspondence Database (if there is no case on BASYS) – See Section 11. Hard copies to be destroyed, as soon as practical after documents scanned, checked and saved to appropriate BASYS/Correspondence Database file.</p> <p>Hard copy Debtor application forms will be either:</p> <p>Returned directly to sender, and not scanned, or</p> <p>Scanned and saved to the appropriate BASYS case file and then destroyed as soon as practical after scanning.</p> <p>4.3. Electronic bankruptcy case documents</p> <p>4.3.1 Bankruptcy not awarded:</p> <p>All non-finance related case administration documents, Notes, and the case summary page, to be destroyed one year after either:</p>	<p>COB SOPs to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.</p>

- the date of the last document/Note recorded in the case file, or
- the decision date not to award bankruptcy.

Whichever is the latest.

Case Finance documents to be destroyed either:

- seven years after the date of the last financial transaction recorded in the MIDAS/BASYS case file, or
- the date for destruction of the case administration documents, whichever is the latest.

4.3.2 Bankruptcy awarded (including MAP cases):

Case and finance documents and Notes to be destroyed either:

- One year after the date the last document/ Note/ Financial transaction was saved in the BASYS case file; or
- Seven years post discharge of the trustee,

whichever is the latest.

The Case summary page and creditor list and creditor debt amounts, to be destroyed either:

- ten years post discharge of the trustee, or
- at the time the case and finance documents and Notes are destroyed,

whichever is the latest.

	<p>4.3.3. Bankruptcy Restrictions Orders (BROs)</p> <p>All BRO investigation documents saved to BASYS, to be destroyed either, one year after the end of the Bankruptcy Restriction period, or on the date for the destruction of the case administration documents and case summary (4.3.2), whichever is the latest.</p> <p>4.3.4 Bankruptcy Daily Schedules</p> <p>To be destroyed seven years after the date of award.</p> <p>4.3.5 Bankruptcy Management Information</p> <p>On destruction of all bankruptcy case administration documents, all case data is to be anonymised and saved to a Bankruptcy Management Information record.</p> <p>Bankruptcy data is to be deleted off the Management Information Record, 10 years after the case data was added to the Record.</p> <p>4.3.6 Debtor Application created on BASYS but not submitted</p> <p>If there has been no action taken on a draft debtor application on BASYS for a period of 60 days, the debtor application will be hard deleted on day 61.</p>	
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<p>Bankruptcy Restriction Order (BRO) documents – eRDM files (Pre-April 2015 cases)</p>	<p>4.4. All BRO investigation documents:</p> <p>To be saved and retained in the allocated eRDM cases file. Scanned hard copies to be destroyed immediately after checking and saving.</p> <p>eRDM files to be destroyed one year after the end of the Bankruptcy Restrictions period, in accordance with SG RMT disposal schedule, or:</p> <p>on destruction of the case file from MIDAS/ BASYS, in accordance with Section 4.3.2 or 4.3.3 above, whichever is the latest.</p>	<p>BRO SOPs to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.</p>
<p>Bankruptcy Restriction Order Press Releases which appears on AiB website.</p>	<p>All press releases relating to Bankruptcy Restriction Orders to be removed from the AiB website one year after the BRO/BRU end date.</p>	<p>BRO Press Releases to be removed by AiB Communications Team and checked regularly by AST.</p>

5. Debt Arrangement Scheme Case Documents

<p>Debt Arrangement Scheme (DASH/Eden) documentation</p>	<p>5.1. Completed DPPs</p> <p>Case documents, including Notes and Comments, for cases that have been completed, to be removed permanently from the DASH/Eden system, three years after the date of completion.</p> <p>5.2. Rejected Cases</p> <p>All case documents, including Notes and Comments, for cases which have been Rejected must be removed from the DASH/Eden system two year after the date of rejection.</p> <p>5.3. Revoked Cases</p> <p>All documents, including Notes and Comments, must be removed from the DASH/Eden system two year after the date of revocation.</p> <p>5.4. Withdrawn Case</p> <p>All documents, including Notes and Comments for cases that have been withdrawn must be removed* from the system one year after the date of withdrawal.</p> <p>Intimations which do not result in a live case must be removed 12 months and one day after the submission date.</p>	<p>DAS SOPs to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.</p>
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	<p>5.5. Management Information</p> <p>DAS Management Information records are to be destroyed 10 years after the information was produced.</p> <p>On destruction of DAS DPP documents, all case data is to be anonymised and saved to a DASH/eDEN Management Information record.</p> <p>DAS data is to be deleted off the Management Information Record 10 years after the case data was added to the Record.</p>	
<p>6. Protected Trust Deed (PTD)</p>		
<p>Trust deed documentation saved to ASTRA</p>	<p>Protected Trust Deeds</p> <p>6.1. PTD case administration documents and forms:</p> <p>PTD case administration and finance documents and Notes (excludes PTD Forms) to be destroyed either:</p> <ul style="list-style-type: none"> • One year after the date of the last document/Note/ Financial transaction saved in the PTD case file on ASTRA or, • seven years post discharge of the trustee, <p>whichever is the latest.</p> <p>The PTD summary page and PTD Forms to be destroyed either:</p>	<p>PTD SOPs to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.</p>

- Ten years post discharge of the trustee, or
- When the PTD case administration and finance documents, Notes and Forms are destroyed,

whichever if the latest.

6.2. Trust Deed documents - where trust deed not protected.

All documents, including finance documents, saved to ASTRA pertaining to a trust deed which was advertised but not protected, to be destroyed seven years after either:

- the date the last document, form or Note was entered to the case or,
- the end of the trust deed advertising period,

whichever is the longer.

6.3. PTD Deeds of Assumption

To be destroyed ten years after date of receipt by AiB.

6.4. PTD Management Information

PTD Case Management Information records are to be destroyed 10 years after the information was produced.

On destruction of ASTRA, PTD case administration documents, all case data is to be anonymised and saved to an ASTRA Management Information record.

	<p>PTD case data is to be deleted off the Management Information Record 10 years after the case data was added to the Record.</p>	
<p>7. Common Financial Tool</p>		
<p>Entries made to AiB's Common Financial Tool system (CFT).</p>	<p>7.1 CFT entries</p> <p>7.1.1 Draft CFT cases are to be deleted from the system, in full, sixty days after the date the CFT/SFS case was last updated.</p> <p>7.1.2 Submitted CFT cases are to be deleted from the system, sixty dates after the date the CFT case was submitted. Finalised CFT cases are to be deleted from the system, sixty dates after the date the CFT case was finalised.</p> <p>7.2 CFT Management Information Prior to the destruction of Submitted and Finalised CFT cases, CFT case data will be anonymised, including the deletion of the second half of the debtor's post code, and saved for Bankruptcy Management Information purposes only. CFT Management Information is to be destroyed 10 years after the information was anonymised.</p>	

8. Corporate Insolvency

Corporate Insolvency cases	<p>8.1. Hard copy documents and Forms:</p> <p>to be scanned and saved to the appropriate case file in BASYS. Hard copies destroyed immediately after scanning, checking and saving to BASYS.</p> <p>8.2. Cases in MIDAS and BASYS</p> <p>Are to be destroyed one years after the liquidator's/receiver's 'appointment ended' date.</p>	Corporate Insolvency SOPs to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.
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9. Moratorium cases		
Documents saved to the Register of Insolvencies (Rol)	All documents pertaining to a registered moratorium to be retained and destroyed 12 months and one day after the moratorium was registered and recorded in the public Register of Insolvencies.	Moratorium SOP to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.
10. Register of Insolvencies (Rol)		
Information retained in the Register of Insolvencies (Rol)	<p>10.1 Bankruptcy, PTD cases: All case information to be removed from the Rol, one year after the discharge date of the trustee, or one year after the end of a BRO/BRU, whichever is the latest.</p> <p>10.2 Corporate insolvencies</p> <p>All case information to be removed from the Rol, one year after the date recorded in the Rol field titled - 'Date Appointment Ended'.</p>	

11. DAS Register		
DAS Information retained in the DAS register	<p>Completed DAS DPPs - to be deleted from the DAS Register the day after the date of completion of the DPP.</p> <p>Rejected DPP proposals to be deleted from the DASH register on the 15th day following the date of decision being made.</p> <p>Revoked DAS DPPs: to be deleted from the DAS Register either, on the 15th day from the decision being made, if no review request has been received or, until after the date of the review decision, if the decision is to reject the review grounds.</p> <p>Appealed cases: Case information to remain in the DAS register until the appeal decision is known and then to be deleted from DAS if the DAS DPP is to be revoked.</p>	
12. The AiB Correspondence Database		
Correspondence containing personal data and AiB's replies and relating to; bankruptcies; PTDs; DPPs; Corporate Insolvencies and Moratoriums, is saved to AiB Correspondence Database when there is no case file open in the BASYS/ASTRA or DASH/Eden case management systems.	A Correspondence case in the AiB Correspondence Database, is to be deleted in full from the database, one year after the date the last communication, document or Note was uploaded to the Correspondence case file.	AST's SOPs to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.

13. Compliance and GDPR Trackers		
Documents retained in the Compliance and GDPR Trackers	All correspondence/ documents/Notes relating to Compliance and GDPR enquiries to be recorded in case files in the appropriate Tracker. Documents and case records to be destroyed, two years from the date the case file was last updated.	OPC's Compliance and GDPR SOPs to record process for recording correspondence in the Trackers and monitoring outcomes.
14. Case documents saved to 'g' and 'h' drives		
Case documents saved to the 'g' and 'h' drives (documents relating to: bankruptcy; trust deed; DAS; Corporate Insolvency and Moratorium cases)	<p>12.1 No case document should be retained in an AiB officer's 'h' drive.</p> <p>Case documents can be retained temporarily only in the 'g', prior to transfer to a case management file on BASYS/ASTRA or DASH/Eden, or the Correspondence Database.</p> <p>12.2 Any case document saved to the 'h' and 'g' drives, to be retained only until the document is saved to the appropriate case management file, or the Correspondence Database, then destroyed from the 'g', 'h' drive immediately thereafter.</p> <p>12.3 Documents must be saved to a case management system, or the Correspondence Database, as soon as practical after the document has been scanned.</p>	AiB SOPs, which record the process of recording documents to the 'g' drive, to record who is responsible for ensuring documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.

15. eRDM files		
AiB files held on Objective (except BRO files)	Destroy in accordance with SG RMT disposal Schedule.	AiB SOPs to detail which documents are to be saved to eRDM and the file they are to be saved in.

Finance Records:

16. Bank account records		
AiB cheques and associated records	Cheque book/butts for all accounts; cancelled cheques; dishonoured cheques; stoppage of cheque payment notices; cheque registers, to be destroyed three years after information recorded.	Finance SOPs to record who is responsible for ensuring all finance documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.
Bank reconciliations	Reconciliation files; daily list of paid cheques; unpaid third party cheque records, to be destroyed three years after information recorded.	
Bank statements	Bank statements and bank certificates of balance, to be destroyed three years after information recorded.	
Electronic banking and electronic funds transfer	Records of electronic transfers; payment files and electronic list of accounts, balances and transaction data and merchant services records, to be destroyed seven years after information recorded.	

Paygate	AiB DAS DPP Payment information retained on Paygate system to be deleted on completion of the DAS DPP and when debtor ceases to pay DPP contributions by Direct Debit.	Finance SOP to record this requirement and the process for compliance.
17. Expenditure records		
Creditors	Creditors' history records and lists/reports, to be destroyed seven years after information recorded.	Finance SOPs to record who is responsible for ensuring all finance documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.
Statements	Statements of accounts outstanding, to be destroyed three years after information recorded.	
Case payments	Accounts showing details of fees and outlay transactions paid; Sage and Roybank payment records and consignment uplifts paperwork, to be destroyed seven years after information recorded.	
Government Procurement Card (GPC) expenditure	Records supporting GPC expenditure to be destroyed seven years after information recorded.	
Invoices Paid	Purchase Order requests and copies of direct running costs invoices received, to be destroyed seven years after information recorded (Easebuy records kept by SG in line with their policy).	

Expense claims	Records and receipts for T&S and expenses claimed, where these are not kept by SG under shared service arrangement, to be destroyed seven years after information recorded.	
18. Ledgers and Journals		
General and subsidiary ledgers	General and subsidiary ledgers produced for the purposes of preparing certified financial statements or published information, to be destroyed seven years after information recorded (SG main ledger 'SEAS' records kept by SG in line with their policy).	Finance SOPs to record who is responsible for ensuring all finance documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.
Journals	Journals – prime records for the raising of charges, includes inter-entity journals, to be destroyed seven years after information recorded.	
Trial balances and reconciliations	Analysis reports, year-end balances, reconciliations and variations to support ledger balances and published financial information, to be destroyed seven years after information recorded.	
System reconciliations	Reconciliations between systems and reports for internal control within systems.	
19. Receipt and refund of funds		
Records of funds received	Records of valuables received in office, to be destroyed seven years after information recorded.	SOPs to record who is responsible for ensuring all finance documents are scanned, saved and

		destroyed in accordance with the retention and destruction policy, and who has responsibility for checking action is timeously taken.
Case income	Paperwork accompanying payments received (such as asset/contribution documents and consignment forms), to be destroyed seven years after information recorded.	
Debtors' records and invoices	Copies of invoices/credit notes (such as invoices paid/unpaid, registers of invoices, debtors ledgers)/Source documents/records used for rising of invoices (such as case transactions), to be destroyed seven years after information recorded.	
Debits and refunds	Records relating to unrecoverable revenue, debts and overpayments (such as register of debts written off, register of refunds), to be destroyed seven years after information recorded.	
Salary records	HR shared service. Documents kept by SG in line with their policy.	
20. Other accountable financial records		
Asset registers	Assets/equipment registers/records. SG asset register – in line with SG policy	All Finance and Accounts SOPs to record who is responsible for ensuring all finance documents are scanned, saved and destroyed in accordance with the retention and destruction policy, and who has

		responsibility for checking action is timeously taken.
Depreciation registers	Records relating to the calculation of annual depreciation. SG asset register – in line with SG policy.	
Financial statements	Statements/summaries prepared for inclusion in quarterly/annual reports, to be destroyed seven years after information recorded.	
	Periodic financial statements prepared for management on a regular basis, to be destroyed three years after information recorded,	
	Ad hoc statements, to be destroyed two years after information recorded.	