

## **Guidelines**

**for Retaining, Sorting and Selecting, Archiving, and Destroying**

**Files and Documents**

**of RWTH Aachen University**

**Dated November 7, 2016**

**in the First Revised Version**

**Dated April 29, 2021**

**Published as a Complete Version**

Please note that the English version of this guideline is purely for your convenience and is not legally binding. Only the German version is legally binding.

On the basis of § 2 (4) of the law governing the Universities of the Federal State of North Rhine-Westphalia (Higher Education Act – HG) in the version of the announcement dated September 16, 2016 (Law and Official Gazette of the State of North Rhine-Westphalia p. 547), as last amended by Article 1 of the Act Concerning Further Measures to Address the Coronavirus Pandemic in Higher Education of December 1, 2020 (Law and Official Gazette of the State of North-Rhine-Westphalia p. 1110) in conjunction with § 11 (1, 4) of the Act on the Preservation and Use of Public Archive Material in the State of North Rhine-Westphalia (Archive Act of North-Rhine-Westphalia - ArchivG NRW) of

March 16, 2010 (Law and Official Gazette of the State of of the State of North Rhine-Westphalia p. 188), most recently amended by Art. 1 of the Act to Modify the Archive Act of North Rhine-Westphalia dated November 16, 2014 (Law and Official Gazette Of the State of North Rhine-Westphalia p. 603), RWTH Aachen University (RWTH) has issued the following guidelines:

## Contents

- § 1 General
- § 2 Scope of Application
- § 3 Retention Periods
- § 4 Sorting Out of Files
- § 5 Destruction of Files
- § 6 Entry Into Force

## § 1 General

- (1) The records created in the administrative offices, faculties and institutions of RWTH Aachen University are the property of the University. According to the Archive Law of North Rhine-Westphalia (ArchivG NRW) and the following provisions, the written material must be offered to the responsible archive, i.e. the University Archive of RWTH Aachen University, for transfer.
- (2) Documents according to §§ 1, 2 (1) ArchivG NRW are deeds, official books, files, written documents, official publications, card indexes, maps, outlines, plans, posters, seals, pictures, films, and sound documents, and all other records, including electronic records, regardless of their storage form, as well as all aids and supplementary data necessary for the preservation, comprehension and use of this information.
- (3) In order to enable long-term archiving, the technically responsible service institution must first obtain approval from the University archives if purely electronic applications are to be introduced. For already existing applications, the option of archiving must be ensured.

## § 2 Scope of Application

- (1) These guidelines apply to the Central University Administration, the administrations of the faculties (Dean's Offices, examination boards, chairs, etc.) and the central institutions where records are kept and stored.
- (2) Insofar as legal or administrative provisions regulate certain retention periods by special law, these provisions shall be followed.

## § 3 Retention Periods

- (1) The retention period of a file indicates the period for which a file must be retained by the office keeping the file, even after it has been closed, before it can be sorted out from the rest.
- (2) The retention period begins at the end of the year in which the processing of the file was completed.
- (3) In the absence of any legal or administrative provisions to the contrary, the following retention periods apply to the files listed below (not an exhaustive list) for the offices keeping the files:

Written material (alphabetical/thematic)	Retention periods (years)	Archiving Archive = A Destroy = K
Filing regulations, plans, and directories	10	A
Official Announcements	10	A
Staff instructions	10	A
Official seal (invalid)	1	A
Work agreements	10	A
Awarding of honorary titles and honorary citizenships	50	A
Decrees	10	A
Driving service		
• Driving jobs	5	K
• Logbooks	5	K

Written material (alphabetical/thematic)	Retention periods (years)	Archiving Archive = A Destroy = K
Research projects <sup>1</sup> <ul style="list-style-type: none"> <li>• Applications</li> <li>• Result reports, evaluation</li> <li>• Annual reports</li> <li>• Patents and license documents</li> <li>• Applications without progress</li> </ul>	10 10 10 6 <sup>2</sup> 3	A A A A A
Facility Management <sup>3</sup> <ul style="list-style-type: none"> <li>• Building applications</li> <li>• Structural changes</li> <li>• Construction plans</li> <li>• Development plans</li> <li>• Land acquisition and real estate</li> <li>• Lease and rental agreements</li> <li>• Security, maintenance and servicing</li> <li>• Official approval documents</li> </ul>	10 10 10 10 10 6 5 10	A A A A A A K A
Business <ul style="list-style-type: none"> <li>• Annual reports</li> <li>• Rules of procedure</li> <li>• Division of responsibilities</li> </ul>	10 10 10	A A A
Committee documents (Invitations, minutes, resolutions of the University and faculty bodies as well as their committees and commissions)	30 (electronic)	A
Reference files/briefs <ul style="list-style-type: none"> <li>• Rector, Vice-Rectors, Chancellor</li> <li>• Other employees</li> </ul>	10 5	A A
Budgetary matters <sup>4</sup> <ul style="list-style-type: none"> <li>• Documents related to the preparation of the business plan</li> <li>• Reports on finance</li> <li>• Procurement of consumables</li> <li>• Loans, guarantees</li> <li>• Budgets with annexes and budget statutes</li> <li>• Ledgers</li> <li>• Receipts</li> <li>• Invoice documents</li> <li>• Tax returns</li> <li>• Telephone bills</li> <li>• Payment orders/documents (business records)</li> </ul>	10 10 10 30 <sup>5</sup> 10 10 10 10 10 3 Months 10	K A K A A K K K K K K K
Internal Audit <ul style="list-style-type: none"> <li>• Audit reports</li> <li>• Audit documents</li> </ul>	10 10	K K

<sup>1</sup> The funding guidelines of grant programs or the special ancillary provisions of a grant may stipulate a longer retention period. There is no general source of law in this area.

<sup>2</sup> After expiration of the patent or end of the license agreement.

<sup>3</sup> Because of the general importance of the documents, the participating chairs or institutes should be given the opportunity to archive copies of these documents.

<sup>4</sup> The provisions on the storage of budgetary, cash and accounting information (Aufbewahrungsbestimmungen - AufbewBest) of the administrative regulations for § 71 Landeshaushaltsordnung (LHO) NRW, § 257 Handelsgesetzbuch (HGB) as well as the provisions of the individual funding sources (e.g. Förderhandbuch Ziel2nrw.de) must be observed.

<sup>5</sup> After expiration/repayment § 195 BGS:

Written material (alphabetical/thematic)	Retention periods (years)	Archiving Archive = A Destroy = K
Inventory books, inventory lists, inventory registers, overviews <sup>6</sup>	10	A
International Affairs <ul style="list-style-type: none"> <li>• DAAD Program <ul style="list-style-type: none"> <li>General files</li> <li>Individual case files</li> </ul> </li> <li>• Scholarship programs <ul style="list-style-type: none"> <li>General files</li> <li>Individual case files</li> </ul> </li> <li>• University partnerships</li> </ul>	10 10 10 10 10	A K A K A
Cooperation agreements Binational contracts and other cooperation agreements handled under the lead of Department 1.0	5	A
Annual reports	5	A
Public relations (press releases, media reports, material accompanying events and exhibitions, etc.)	5	A
Personnel files <ul style="list-style-type: none"> <li>• Civil servants<sup>7</sup></li> <li>• salaried employees and research assistants (WHK)<sup>8</sup></li> <li>• student assistants, tutors and research assistants (WHF)<sup>9</sup></li> </ul>	5 5 5	A A A
Supplementary personnel files (benefits, secondary employment, advances, travel and relocation allowances, etc.)	5	K
Personnel matters <ul style="list-style-type: none"> <li>• Appointment procedure</li> <li>• Application procedure</li> <li>• Internal Affairs Complaint</li> <li>• Business trip requests and settlements</li> </ul>	10 <sup>10</sup> 4 months <sup>11</sup> 5 5	A A/K A K

<sup>6</sup> § 257 of the German Commercial Code (HGB)

<sup>7</sup> The retention period of a personnel file is 5 years after the file is closed, both for civil servants and employees covered by collective bargaining agreements. Pursuant to Section 91 of the North Rhine-Westphalia Civil Service Act, a file is deemed closed "1. if the civil servant left the civil service without any pension entitlements, at the end of the year in which the civil servant reached the statutory retirement age, in the case of continued employment beyond the statutory retirement age, at the end of the year in which the employment relationship ended; in the cases of Section 24 of the Civil Service Act and Section 10 of the Disciplinary Act for the State of North Rhine-Westphalia, however, only if there are no longer any possible pension recipients, 2. if the civil servant died without any survivors entitled to pensions, at the end of the year of death, 3. if there are survivors entitled to pensions after the civil servant has died, at the end of the year in which the last entitlement to pensions expired." Cf. Section 91 of the Civil Service Act for the State of North Rhine-Westphalia of April 21, 2009 (Landesbeamtengesetz - LBG NRW, Law and Official Gazette of the State of North-Rhine Westphalia, p. 224) in conjunction with the circular of the Minister of the Interior and the Minister of Education and Cultural Affairs "Aufbewahrung, Aussonderung, Archivierung und Vernichtung von Personalakten" [Retention, sorting out, archiving and destruction of personnel files] of February 20, 1986, MBI NW 39. Yr. Nr. 18, page 275 Due to the gradual increase in the retirement age to up to 67 years as a result of the Pension Insurance Adjustment Act coming into force on January 1, 2012, the above-mentioned deadlines will also be postponed. In case of doubt, personnel files must be kept until the beneficiary reaches the age of 72 in order to ensure legal certainty for those entitled to a pension.

<sup>8</sup> Likewise

<sup>9</sup> The payroll accounts within the meaning of § Section 41 (1) last sentence of the Income Tax Act are kept at the State Office for Salaries and Pensions (LBV).

<sup>10</sup> After the professor has left the service of RWTH.

<sup>11</sup> after filling the position.

Written material (alphabetical/thematic)	Retention periods (years)	Archiving Archive = A Destroy = K
<ul style="list-style-type: none"> <li>• Criminal proceedings related to employment</li> <li>• Disciplinary action and proceedings<sup>12</sup></li> <li>• Vacation requests/vacation sheets</li> </ul>	5	A
Personnel statistics	5	A
Staff representation (participation procedure)	10	K
Incoming and outgoing mail books, postage books, logs	10	K
Exam files		
<ul style="list-style-type: none"> <li>• Certificates, Transcripts of Records, Diploma Supplements, Archiving Sheets</li> </ul>	50 (paper form)	A
<ul style="list-style-type: none"> <li>• Certificates of passed examinations and academic achievements, expert opinions on written examinations (e.g. theses) and the administrative processes relating to applications and objections (e.g. application, objection, documents to establish credibility, certificates as well as the associated notices and proofs of service). Furthermore, the declarations of originality, the declaration on the use of logos, applications for exam registration, declarations of withdrawal, exclusion of grades and applications for additional assessed work are part of this</li> </ul>	10 (paper form or electronic)	A
<ul style="list-style-type: none"> <li>• Final theses and examiner's reports for Bachelor's, Master's, Diploma and Magister's degree programs (exams, term papers, project papers, seminar papers and final papers, as well as examiner's reports of written exams, oral exams and presentations)</li> </ul>	10 (Originals <sup>13</sup> )	A
<ul style="list-style-type: none"> <li>• Models, drawings and artistic works (unless returned to students<sup>14</sup>)</li> </ul>	10 (Originals <sup>15</sup> )	A

<sup>12</sup> As they are part of the personnel file, the same retention periods apply. See guidelines on the external form and structure of the personnel files of civil servants in general and internal administration, RdErl. d. Innenministerium from May 23, 1995 - II A1-1.3801-3/95, NRW, unless earlier files are to be segregated or destroyed in accordance with § 89 LBG or the disciplinary regulations.

<sup>13</sup> If the final theses are submitted and corrected exclusively in electronic form, the electronically stored version is deemed to be the original.

<sup>14</sup> Returns are only permitted under the condition that an electronic version and documentation of the models, drawings and artistic works are made and archived, which ensure that the evaluation is traceable. A file note must be made of the return to the student.

<sup>15</sup> If the originals are returned to the students, the electronic version and documentation of the models, drawings and artistic works must be kept.

Written material (alphabetical/thematic)	Retention periods (years)	Archiving Archive = A Destroy = K
<ul style="list-style-type: none"> <li>Examination and administrative files on doctoral and post-doctoral procedures</li> </ul>	50 (Originals)	A
Legal affairs		
<ul style="list-style-type: none"> <li>Legal proceedings and settlements</li> </ul>	10	A
<ul style="list-style-type: none"> <li>Contracts and agreements</li> </ul>	10	A
Statistics, statistical surveys	10	A
Student files		
<ul style="list-style-type: none"> <li>Enrollment documents <ul style="list-style-type: none"> <li>➤ up to and including the summer semester of 1989</li> <li>➤ from the winter semester 1989/1990 onward, applications for admission as a guest or cross-registered student, correspondence of fundamental importance</li> </ul> </li> </ul>	40	A
	5	A
<ul style="list-style-type: none"> <li>Data sets from the student database as of the winter semester 1989/90</li> </ul>	40 (electronic)	A
<ul style="list-style-type: none"> <li>Student account statements <ul style="list-style-type: none"> <li>➤ until 2014</li> <li>➤ from 2015</li> </ul> </li> </ul>	10 (paper form)	A
	10 (electronic)	A
<ul style="list-style-type: none"> <li>Requests for reimbursement of contributions</li> </ul>	10	A
<ul style="list-style-type: none"> <li>Admission and rejection notices</li> </ul>	5 (electronic)	A
<ul style="list-style-type: none"> <li>Applications for leave of absence, applications for change of subject, de-registration notices, notices and certificates of standard periods of study</li> </ul>	2 (paper form)	A
<ul style="list-style-type: none"> <li>Applications for admission to the first and higher semesters and general correspondence</li> </ul>	1 (electronic)	A
<ul style="list-style-type: none"> <li>Scholarship applications<sup>16</sup></li> </ul>	5 (paper form)	A
<ul style="list-style-type: none"> <li>Data from the award procedure (database)</li> </ul>	6 Months (electronic)	A
<ul style="list-style-type: none"> <li>BaFöG partial decree</li> </ul>	10	A
<ul style="list-style-type: none"> <li>Dean's List documents</li> </ul>	10	A
<ul style="list-style-type: none"> <li>Memberships in associations and societies</li> </ul>	5	A
Documents that provide information about the organization, development, structure, expansion, and functions of the university and its facilities (e.g., accreditation documents)	10	A
Course catalog	0	A
Election documents	10	A

<sup>16</sup> As of the last payment.



Written material (alphabetical/thematic)	Retention periods (years)	Archiving Archive = A Destroy = K
Disposable items <sup>17</sup>	1	K
Contracts for services	10	A

#### § 4 Sorting Out of Files

- (1) In order to keep the number of files to be stored as small as possible, all institutions should sort out their old files at regular intervals and offer them to the University archive.
- (2) According to § 4 (2) ArchivG NRW, documents containing personal data which must be deleted or can be deleted according to a provision of state or federal law, which are subject to professional or special official secrecy or other legal provisions on secrecy, must also be offered and handed over.
- (3) Documents with obviously unimportant content (such as brochures or invitations) that do not serve to ensure that the status of a matter is evident from the records at all times may be destroyed immediately or, as separately stored "disposable items," after one year. They do not have to be offered to the University Archives.
- (4) The submitting office may inspect the files stored in the University archive at any time as needed. In accordance with § 6 (4) sentence 2 ArchivG NRW, this does not apply to personal data that should have been blocked or deleted on the basis of a legal regulation.
- (5) Provided that examinees submit a corresponding request to the office maintaining the records before the retention periods expire, examination papers and individual examiner's reports may be made available to them after the retention periods have expired.

#### § 5 Destruction of Files

Records that the University Archives has waived storing/archiving from the outset or that have been approved for destruction by the University Archives shall be destroyed in accordance with legal requirements.

#### § 6 Entry Into Force

These regulations shall be published in the Official Announcements of RWTH Aachen University and will enter into force on the day after publication.

Issued based on the resolution of the Senate dated April 22, 2021.

It is pointed out that, in accordance with § 12 (5) NRW Higher Education Act, any claims regarding a violation of procedural or formal requirements of the regulatory or other autonomous rights of the University may no longer be asserted after one year has elapsed since the official publication of this announcement unless:

- 1) the announcement has not been properly published,
- 2) the Rectorate has objected, prior to publication, to the decision of the committee adopting the regulations,

<sup>17</sup> Documents with insignificant content that is of interest only for a shorter period of time.

- 3) the University has been previously notified about the defect of form or of procedure in a complaint, specifying the infringed legal provision and the fact which gives rise to the defect, or
- 4) the legal consequence of the exclusion of complaints was not pointed out in the public announcement.

Rector  
of RWTH  
Aachen University

Aachen,  
dated

April 29, 2021

sgd. Rüdiger

---

Univ.-Prof. Dr. rer. nat. Dr. h. c. mult. Rüdiger