

SCOTTISH MINISTERS' REQUIREMENTS

SCHEDULE 5 PART 2

RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

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SCOTTISH MINISTERS' REQUIREMENTS

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RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

1. GENERAL

1.1 Records Register

- 1.1.1 The Operating Company shall prepare and maintain a detailed Records Register in electronic format identifying all Records retained at the Central Office, the Records Retention Periods and the expiry date of the Records Retention Period for each Record.

1.2 Record Referencing

- 1.2.1 Not later than 30 days prior to the Commencement of Service Date, the Operating Company shall submit its proposals for the Records referencing system for the Records contained within the Records Register for the written consent of the Director.
- 1.2.2 The referencing system for the Records shall allow the identification of Records with different Records Retention Periods.

1.3 Management System Requirements

- 1.3.1 The Operating Company shall include documented procedures to control the processes required by this Part in its Management System.

1.4 Freedom of Information

- 1.4.1 Not later than 30 days prior to the Commencement of Service Date, the Operating Company shall submit to the Director for written consent details of its policy and documented procedures to meet the requirements of:
- (i) the Freedom of Information Act (Scotland) 2002,
 - (ii) the *Scottish Public Sector Procurement and Freedom of Information Guidance* issued in December 2004 by the Scottish Procurement Directorate, and
 - (iii) the Environmental Information (Scotland) Regulations 2004, as amended.

1.5 Storage

- 1.5.1 During the Contract Period, the Operating Company shall provide and maintain storage facilities for all Records. Records required in accordance with Annex 5.2/B of this Part shall be stored in electronic format with a minimum resolution of 300 dots per inch for scans and have a defined file structure using the headings given in Annex 5.2/B of this Part. Newly created Records which do not form part of the Annex 5.2/B requirements shall also be stored in electronic format using the defined file structure, where appropriate. If newly created Records do not fit the Annex 5.2/B headings then extra headings shall be added to the file structure by the Operating Company.
- 1.5.2 Not later than 30 days prior to the Commencement of Service Date, the Operating Company shall submit details of its proposed storage facilities for electronic and hard copy Records for the written consent of the Director. The storage facilities

holding electronic and hard copy Records relating to the Unit shall be located at the Central Office.

The storage facilities shall allow ready retrieval of the Records and both the storage facilities and the Records shall be maintained in good condition and without degradation.

- 1.5.3 Where Records are created or maintained on a computer or other electronic storage device, the Operating Company shall provide backup and storage for the Records and the Records register in a secure facility which is separate from the Central Office and which shall be subject to the written consent of the Director.

1.6 Records Retention Period

- 1.6.1 The Operating Company shall retain Records for the Records Retention Period referred to in Annex 5.2/A of this Part.

- 1.6.2 Where the Records Retention Periods for certain Records are not specified in Annex 5.2/A of this Part, the retention period shall be six years unless instructed otherwise by the Director.

1.7 Access and Availability

- 1.7.1 The Operating Company shall provide an Electronic Copy of the Records Register, or any of the Records, to the Director or the Performance Audit Group within five Working Days of receiving a written request from either the Director or the Performance Audit Group.

- 1.7.2 Contemporary Records shall be provided by the Operating Company in the native electronic file format or an alternative format as agreed with or required by the Director or the Performance Audit Group.

1.8 Destruction of Records

- 1.8.1 At the end of the appropriate Records Retention Period for any particular Record, the Operating Company shall destroy the Record in a manner which ensures they can no longer be read, copied, duplicated or reproduced.

- 1.8.2 When any particular Record has been destroyed in accordance with paragraph 1.8.1 of this Part, the Records Register shall be updated to show details of its destruction. The Director will use the Records Register to check from time to time that Records are being destroyed in accordance with these requirements.

2. HISTORICAL RECORDS

2.1 General

- 2.1.1 During the Mobilisation Period, the Operating Company shall initiate and, by no later than 90 days after the end of the Mobilisation Period, shall obtain a handover of the Historical Records and associated Records Register from the previous operating company. Within 15 Working Days of receiving the Historical Records and the previous operating company's Records Register, the Operating Company shall include all such documents in its Records Register at the Central Office, including the date(s) of delivery to the Central Office.

- 2.1.2 The Operating Company shall check the adequacy of all Historical Records against the details recorded in the Records Register transferred by the previous operating company. Within one year of the Commencement of Service Date, the Operating

Company shall provide a report to the Director in a format that accords with the requirements in Annex 5.2/C of this Part.

- 2.1.3 The Operating Company shall file, store and maintain all electronic and hard copy Historical Records in the Central Office.

3. CONTEMPORARY RECORDS

3.1 General

- 3.1.1 During each Annual Period the Operating Company shall receive, register, file, store and maintain all Contemporary Records in the Central Office.
- 3.1.2 For Contemporary Records, the Records Register shall be fully searchable, with hyperlinks included to the actual Records.

4. SUBMISSION OF RECORDS AND RECORDS REGISTER

4.1 All Annual Periods

- 4.1.1 Within five Working Days after the commencement of each Annual Period and of the end of the Final Annual Period, the Operating Company shall provide an Electronic Copy of the Records Register referred to in this Part to the Director.
- 4.1.2 Throughout each Annual Period, the Operating Company shall update the Records Register to reflect changes to the data required to be produced, registered, filed, stored and maintained in the Central Office.

4.2 Penultimate Annual Period

- 4.2.1 At any time after 31 December in the penultimate Annual Period, the Director may request the Operating Company to provide an Electronic Copy of the Records referred to in Annex 5.2/B of this Part. The Operating Company shall provide these within 25 Working Days of the Director's written request.

4.3 Final Annual Period

- 4.3.1 During the Final Annual Period, the Director shall provide the Operating Company with details of the successor organisation. At any time during the Final Annual Period the successor organisation will contact the Operating Company to obtain Records. The Operating Company shall provide suitable facilities to enable the successor organisation to carry out its contractual obligations to obtain Records without unreasonable delay. The Operating Company shall hand over the Records Register and all original Records referred to in Annex 5.2/B of this Part to the successor organisation and shall provide any other information required by the Director no later than 10 Working Days prior to the Contract Termination Date.

5. INFORMATION AND COMMUNICATION TECHNOLOGY

5.1 General

- 5.1.1 The Operating Company shall appoint an Information and Communication Technology Manager in accordance with the requirements of Schedule 5 Part 4.

5.2 Information and Communication Technology System Plan

- 5.2.1 Not later than 30 days prior to the Commencement of Service Date, the Operating Company shall submit its proposed Information and Communication Technology System Plan in writing for the written consent of the Director.
- 5.2.2 The Operating Company's Information and Communication Technology System Plan shall contain details of the systems and documented procedures and protocols which the Operating Company shall implement to comply with the requirements of the Contract. The Information and Communication Technology System Plan shall identify, as a minimum:
- (i) all electronic hardware and software used to produce Records,
 - (ii) the backup procedures (including disaster recovery and business continuity) in accordance with the requirements of this Part to ensure availability of systems and equipment and to prevent loss of Records, and
 - (iii) data formats and protocols used to communicate information.
- 5.2.3 The Information and Communication Technology System Plan shall be continuously maintained and updated throughout the Contract Period by the Operating Company.

5.3 Notification of Leavers

- 5.3.1 The Operating Company shall notify the Director and the Performance Audit Group immediately when individuals, who have been granted access to information and communication technology systems managed by the Director or the Performance Audit Group, leave the Operating Company. The Director and the Performance Audit Group shall use this information to disable access permissions to Transport Scotland's information and communication technology systems.

5.4 Computer Systems

- 5.4.1 The Operating Company shall keep its computer systems under continuous review throughout the Contract Period and shall pursue further development and upgrading to ensure that it is able to provide the required services without degradation throughout the duration of this Contract.
- 5.4.2 Transport Scotland currently uses the software shown in Table 5.4.2.A and the Operating Company's software shall be capable of producing output which is fully compatible with this.

Table 5.4.2.A

Requirement	Software Utilised
Operating Systems - Servers	Microsoft Windows
Operating Systems – Desktops & Laptops	Microsoft Windows
Email	Microsoft Office 2003
Word processing	Microsoft Word
Spreadsheets	Microsoft Excel
Computer Aided Design	AutoCAD and AutoCAD LT
Project Management	Microsoft Project

- 5.4.3 The Operating Company shall prepare, implement and continuously update a contingency and backup plan to deal with any failure of any computer system, regardless of cause.

5.5 Communication Systems

- 5.5.1 The Operating Company's communication systems shall ensure that communications links between the various parts of the Operating Company within the Unit are maintained throughout the Contract Period.

- 5.5.2 The communication systems shall provide communications with and between the:

- (i) Central Office, sub offices and depots,
- (ii) Core Management Team,
- (iii) Key Staff,
- (iv) Operating Company's vehicles, including direct contact with the personnel in charge of the vehicle and between:
 - (a) all vehicles involved with establishment and maintenance of traffic management,
 - (b) the Winter Service Manager's vehicle, the Winter Service Duty Officers' vehicles and all Winter Service Plant,
 - (c) Incident Support Unit vehicles,
 - (d) vehicles of supervisory and inspection personnel including those staff nominated to supervise Operations and Works Contracts, and
 - (e) other key personnel involved in the Operations including all persons nominated to be on call for emergency call out.

- 5.5.3 The Operating Company shall prepare, implement and continuously update a contingency and backup plan to deal with any failure of any communications system, regardless of cause. The contingency and backup plan shall include:

- (i) details of all communication systems, and
- (ii) the temporary communication system to be used in the event of failure of any particular communications system.

The detailed contingency and backup plan shall be included in the Operating Company's Information and Communication Technology System Plan. If the Director does not give his consent to the Operating Company's proposed contingency and backup plan, the Operating Company shall revise it and re-submit it in writing to the Director within 10 Working Days of consent being withheld.

- 5.5.4 Irrespective of the use of a temporary communications system, where any communication system or any part of it is inoperative for any reason, the Operating Company shall take all reasonable measures to effect a repair or a replacement within 24 hours of the failure.

This is Annex 5.2/A to Schedule 5 Part 2 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

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RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

ANNEX 5.2/A – Records Retention Periods

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SCHEDULE 5 PART 2

RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

ANNEX 5.2/A – Records Retention Periods

Record	Records Retention Period
Land Ownership <ul style="list-style-type: none"> - Interfaces - Boundaries 	In perpetuity In perpetuity
Drainage Outfalls	In perpetuity
Construction Design and Management Regulations Health & Safety File	In perpetuity
As Built Drawings: <ul style="list-style-type: none"> - Roads - Structures (including bar bending schedules) - Electrical - Landscaping Maintenance Manuals 	Until 2 years after deletion from inventory of designed item Until 2 years after deletion from inventory of designed item Until 2 years after deletion from inventory of designed item Until 2 years after deletion from inventory of item to be maintained
Design Calculations	Until 2 years after deletion from inventory of designed item
Inspection Records <ul style="list-style-type: none"> - Road Maintenance and Management System Safety Inspection - Road Maintenance and Management System Safety Patrols - Road Maintenance and Management System Detailed Inspections - Structures - General <ul style="list-style-type: none"> - Principal - Special - Electrical 	Until 10 years after date of inspection Until 10 years after date of inspection Until 10 years after date of inspection Until 2 years after Structure demolished Until 2 years after Structure demolished Until 2 years after Structure demolished Until 10 years after date of inspection

Record	Records Retention Period
Surveys <ul style="list-style-type: none"> - Ground - Topographical - Environmental - Traffic - CCTV 	Until 10 years after date of survey Until 10 years after date of survey Until 10 years after date of survey Until 10 years after date of survey Until 10 years after date of survey
Orders <ul style="list-style-type: none"> - Speed Limits - Waiting - Clearway - Traffic Regulations - Compulsory Purchase - Any other Traffic 	Until 10 years after Order rescinded Until 10 years after Order rescinded Until 10 years after Order rescinded Until 10 years after Order rescinded Until 10 years after Order rescinded Until 10 years after Order rescinded
Development Control	Until 10 years after adoption
Third Party Claims	Until 5 years after settlement with affected third parties
Accident Records/Reports	In perpetuity
New Roads and Streets Works Act 1991 <ul style="list-style-type: none"> - Designation - Apparatus - Notices 	Until 10 years after date of Notice Until 10 years after date of Notice Until 10 years after date of Notice
Safety Audits	Until 10 years after date of audit
Abnormal Load Movement Records	Until 10 years after date of record
Final Statements of Intent for structural maintenance schemes	Until 6 years after completion of the scheme
Contract Documentation <ul style="list-style-type: none"> - Conditions of Contract - Bills of Quantities - Specifications 	Until 5 years after financial settlement of each Contract between the Scottish Ministers and Works Contractors
Works activities (Site records)	Until 5 years after a Works Contract completion
Construction records <ul style="list-style-type: none"> - Engineer's construction reports - Material Test Results 	Until 2 years after deletion from inventory Until 2 years after deletion from inventory

Record	Records Retention Period
Noise Assessment	Until 10 years after final assessment
Winter Service Records	Until 10 years after date of record
Incident Response Records	Until 10 years after date of record
Reports on Monthly Operations Undertaken by the Operating Company	Until 10 years after date of report
General Correspondence Files	Until 15 years after initiation of file

This is Annex 5.2/B to Schedule 5 Part 2 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

SCOTTISH MINISTERS' REQUIREMENTS

SCHEDULE 5 PART 2

RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

ANNEX 5.2/B – Schedule of Records to be Transferred by the Operating Company to a Successor Organisation

SCOTTISH MINISTERS' REQUIREMENTS

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RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

ANNEX 5.2/B – Schedule of Records to be Transferred by the Operating Company to a Successor Organisation

- (i) general correspondence files covering general enquires, complaints, requests for information,
- (ii) Design calculations for all major maintenance Schemes,
- (iii) all as-built records including details of drainage outfalls and road inventories,
- (iv) maintenance manuals including all policy standards but not commercial in confidence procedure of process manuals,
- (v) inspection records and certificates for routine maintenance and management function of the Integrated Roads Information System, Structures, electrical,
- (vi) street lighting maintenance records,
- (vii) roads, Structures and ancillary infrastructure inventory,
- (viii) deflectograph, sideways coefficient routine investigation machine and high-speed road monitor reports and analyses,
- (ix) surveys (ground investigation, topographical, environmental, traffic, closed circuit television,
- (x) traffic regulation orders, compulsory purchase orders and other statutory orders,
- (xi) plans,
- (xii) drawings,
- (xiii) development control records and files,
- (xiv) third party claims,
- (xv) land ownership details,
- (xvi) weather records (including records from weather stations),
- (xvii) accident records and reports,
- (xviii) *New Roads and Street Works Act 1991* data,
- (xix) road safety audits,
- (xx) *Construction Design and Management Regulations (2007)* Health & Safety files,
- (xxi) abnormal load movements,
- (xxii) final Statements of Intent for structural maintenance schemes,
- (xxiii) contract documentation used in connection with Operations within the Unit,
- (xxiv) Works (Site) activity records,

- (xxv) construction records including but not limited to:
 - (a) Engineers' reports, and
 - (b) materials test results,
- (xxvi) noise assessments records,
- (xxvii) Winter Service policy, strategy and records,
- (xxviii) Incident response policy, strategy, records,
- (xxix) Records of damage to Crown Property,
- (xxx) reports on monthly operations undertaken by the Operating Company,
- (xxxi) Scheme specific and detailed information on each Scheme identified in the future budget programmes (to facilitate development of programmes and budgets for the first Annual Period),
- (xxxii) register and Records of tourist, truckstop and special events signing, and
- (xxxiii) any other records identified by the Director and advised to the Operating Company in writing during the Contract Period.

This is Annex 5.2/C to Schedule 5 Part 2 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

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ANNEX 5.2/C – Historical Records Report

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RECORDS, INFORMATION AND COMMUNICATION TECHNOLOGY

ANNEX 5.2/C – Historical Records Report

Box No Ref	File Heading	Contract Reference	Company	Route	Project Title / Ref	Contents	Year	Retention Period	Owner	Total Page Count	Containment or File Type	Size A0- A6	B&W or Colour	Confidential Y/N	Resolution (DPI)
1	Plans	Annex 5.2/B Item (xi)	OC (Insert Name)	M8	Tender Documents	Report	2002	10 years	TS	200	Lever Arch file - Hard Copy	A4	B&W	Y	300 DPI *
2	Drawings	Annex 5.2/B Item (xii)	Glasgow Council	ALL	Scheme Management	Drawings	1957	In Perpetuity	TS	1	Plastic Pocket - Hard Copy	A1	Colour	Y	200 DPI *
3	Winter Service	Annex 5.2/B Item (xxvii)	OC (Insert Name)	ALL	Winter Service Plan	Report	2010	10 years	TS	400	Electronic PDF	A4	B&W	Y	300 DPI *
x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	X
x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	X
x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	X
x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	X

* Sample data.