Documentary Procedure Rules

Based on clause 15 (2) 7) of the Statutes of the University of Tartu and pursuant to the University of Tartu Act, Public Information Act, Language Act, Archives Act, Chapter 4 of the “Principles for managing services and governing information”, adopted by Regulation no. 88 of 25 May 2017 of the Government of the Republic, Personal Data Protection Act and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (‘General Data Protection Regulation’), I approve the Documentary Procedure Rules of the University of Tartu.

I. General provisions

1. Documentary Procedure Rules (‘rules’) regulate the documentation of the activities of the University of Tartu (‘university’) and the related organisation of work.

2. In these rules, terms are used as follows:
   2.1. data – reinterpretable representation of information suitable for transmission, processing or interpretation; data may be processed by people or by automated means;
   2.2. data subject – a person whose personal data are processed;
   2.3. register of data processing activities – a register kept at the university aiming to get an overview of the processing of personal data;
   2.4. archive – a complete collection of documents created or acquired in the course of the university’s activity;
   2.5. documentary procedure – the preparation, coordination, registration, transmission, systematisation and preservation of documents, making and implementing decisions regarding documents and making available information regarding documents;
   2.6. electronic document – a document created using an electronic device and stored on a digital storage medium;
   2.7. electronic seal – a body of data composed by a system of technical and organisational means, and used by a holder of the electronic seal certificate to verify the integrity of the electronic document and the relation of the certificate holder to the document;
   2.8. electronic certification of a document – certification of the content of the document in a document system in which the authenticity, reliability and integrity of the document are ensured and the certifier of the document can be securely identified. In the course of electronic certification, a note about the time and place of electronic certification is automatically added to the document in the document system;
   2.9. document resolution – replying to the document and/or performing the task or order set in the document;
   2.10. document’s metadata – descriptive data about the document: the document type, heading, date, number, sequence mark according to the list of documents, name and position of the signatory, access restrictions, audit trail and other document-specific data;
   2.11. registration of a document – inserting the document and the data enabling its identification in the document system. The document is registered if the data enabling its identification have been inserted in the document management system and it has been given a reference in the information system;
   2.12. document circulation – the motion of documents within the university from their preparation or acquisition to their sending out, destruction or storage in the public archive;
   2.13. document system – an electronic information system for the preparation, proceeding, management and preservation of documents;
2.14. document – information recorded on paper or a digital storage medium, the content, form and structure of which is sufficient to certify the university’s activity and facts associated with the university;
2.15. information assets – information and data together with the IT applications and technical means needed for processing them;
2.16. personal data – any information relating to an identified or identifiable natural person expressing the physical, mental, physiological, economic, cultural or social characteristics, relations and affiliations of that natural person;
2.17. draft – version of a document which is created during the preparation of the document and complies with the requirements to the document;
2.18. coordination – expressing opinions and/or making proposals regarding the draft of a legal act or another document;
2.19. sequence – a collection of documents of the university grouped according to their function, type and/or other characteristics;
2.20. structural unit – an institute, a college, a dean’s office, a non-faculty institution and a support unit;
2.21. file – a collection of documents created or acquired within one sequence in the course of documentary procedure;
2.22. list of files – a tool for document management which lists all the files created in the course of a structural unit’s documentary procedure regardless of the storage medium;
2.23. drawing up – presenting the elements of the document following the requirements of the university.

3. The head of structural unit manages and is responsible for the documentary procedure in the structural unit according to these rules and other legal acts.

4. Each structural unit has a unique four-digit code which is used in the university’s documentary procedure. The first and second digits mark the faculty or area of responsibility and the third and fourth digits mark the structural unit. The code of a structural unit is assigned by the head of Administrative Office, ensuring that the designator of the structural unit and the designator of the faculty or area of responsibility in the code have not been used earlier at the university.

5. The documentary procedure period is from 1 January to 31 December.

6. At the university, directives are issued within the limits of their authority by the rector, vice rectors, area directors, deans, heads of institutes and colleges, directors of non-faculty institutions and, in the cases provided for in legal acts, by vice deans.

7. The language of documentary procedure at the university is Estonian. The following documents are always drawn up in Estonian at the university:
   7.1. regulations and resolutions of the university’s council and senate;
   7.2. decrees issued by the rector;
   7.3. directives issued by the rector, vice rectors, area directors, deans, vice deans, heads of institutes and colleges, and directors of non-faculty institutions;
   7.4. minutes of the sessions of the university’s council and senate, and of the meetings of the councils of faculties, institutes, colleges and non-faculty institutions;
   7.5. other documents provided in legal acts.

II. Using document templates and forms

8. The university uses a general template and a letterhead. The letterhead is used for outgoing correspondence and for issuing certificates, statements and notices. The general template is used for other documents. Blank paper is used for internal letters.

9. The rector, vice rectors, area directors, deans and heads of structural units and employees appointed by the aforementioned have the right to sign documents on the university’s general template and letterhead. Instead of signing, a document can be certified electronically, unless provided differently in legal acts or decided differently by the person with the right to sign the
document, provided the document system allows to automatically add the electronic certification label to the document.

10. The head of structural unit ensures that the document forms required for the preparation of documents in their sphere are available and updated in the document management system.

III. Creation, coordination and drawing up of drafts of the university’s legal acts

11. These rules regulate the creation, coordination and drawing up of the drafts of the regulations of the university council and the senate and the rector’s decrees. The rector, vice rector or area director may decide to apply these rules to the proceeding of the drafts of other legal acts, including strategic plans and other strategy documents.

12. The rector, vice rector or area director initiates the creation and amendment of a legal act. Deans, heads of non-faculty institutions and the president of the student union can submit their proposal for the creation or amendment of a legal act to the rector, vice rector or area director.

13. The person who initiates the creation and amendment of a legal act or a person assigned by them is the chief executor. The rector as the initiator can assign the vice rector or area director as the chief executor. The vice rector and area director as the initiator can assign a head of a structural unit in their area of responsibility as the chief executor. The chief executor assigns a reasonable term for the preparation of the legal act.

14. The chief executor assigns the direct executor who organises the preparation and coordination of the draft of the legal act and involves representatives of relevant structural units in the preparation.

15. When the direct executor declares the preparation of the draft completed, he/she sends the draft to the heads of the relevant structural units for coordination. The drafts of all legal acts are sent to the head of Administrative Office for coordination.

16. Explanatory notes are added to the draft when it is submitted for coordination. The notes present reasons for adopting the legal act, explain the main standpoints of the draft and give an overview of the impact of adopting the legal act, incl. financial impact.

17. The direct executor assigns the term for coordination which must be at least five working days.

18. The coordination of a draft of a legal act means agreeing or not agreeing to the adoption of a legal act. One can agree to adoption without comments or with comments. In case of not agreeing to adoption and agreeing with comments, relevant argumentation and proposals must be submitted. The coordinating person evaluates the draft of the legal act primarily from the aspects related to their area of responsibility.

19. The direct executor decides whether the proposals submitted during coordination are taken into consideration fully or partially or not taken into consideration and prepares the table of coordination based on the submitted proposals. When a proposal is fully or partially not taken into consideration, a relevant justification must be given.

20. The direct executor submits the revised, amended and copyedited draft of the legal act and the table of coordination to the legal counsel who checks the compliance of the draft with legal acts and the rules of legislative drafting and submits the respective opinion to the direct executor.

21. The direct executor removes any discrepancies in the draft indicated by the legal counsel and submits the draft together with the table of coordination and the legal counsel’s opinion to the chief executor. The chief executor submits them to the rector.

22. Before signing the draft or sending it to the university council or senate for proceeding, the rector decides whether the draft must be discussed in the Rector’s Office. The legal counsel has the right to submit an opinion regarding the proposals of the Rector’s Office to the rector, the university council or senate. The university council and senate process the drafts of regulations and resolutions following the rules of procedure of the council and senate.
23. The regulations and resolutions of the university council and senate are drawn up and submitted for signing on the day of adopting.

24. The head of Administrative Office ensures that the guidelines for drawing up a legal act are available, up to date and accessible.

IV. Drawing up the minutes of decision-making and advisory bodies

25. The sessions and meetings of the university council, senate and Rector’s Office, the decision-making and advisory bodies of structural units, and other bodies formed in accordance with the university’s legal acts are recorded in minutes.

26. The minutes include
   26.1. the time (date, beginning and end) and place of the session or meeting, in the case of an electronic meeting, the date or time period;
   26.2. participants;
   26.3. agenda;
   26.4. the issues discussed and the proposals submitted;
   26.5. the decisions adopted;
   26.6. voting results if a matter was decided by vote;
   26.7. dissenting opinions.

27. The minutes are signed by the chair of the meeting and the recording secretary. Instead of signing, the minutes can be certified electronically, unless provided differently in legal acts, provided the document system in which the minutes are registered allows to automatically add the electronic certification label to the document. The chair of the meeting is responsible for the accuracy of the content of the minutes.

28. The minutes are drawn up and registered in the document management system within five working days starting from the date of the session or meeting. The minutes of the university council are drawn up and registered in the document management system following the council’s rules of procedure and the senate’s minutes following the senate’s rules of procedure. The recording secretary is responsible for the due drawing up and registering of the minutes.

V. Registering documents

29. The head of structural unit manages and is responsible for the registration of the documents created and acquired when performing the tasks of the structural unit in the document management system.

30. The documents are registered on the day of their signing, receipt or sending out or the following working day.

31. The documents are registered following the guidelines of the document information system.

32. The head of structural unit which manages the document management system ensures that the guidelines for registering documents are available, up to date and accessible.

33. When a document signed on paper is entered in the document management system or a document created in a document system is signed on paper, the person who registers the document is responsible for the sameness of the content of the digital and paper document.

VI. Document circulation, terms of resolving documents and notification

34. Document circulation in the university is managed by the head of Administrative Office following these rules.

35. The term of resolving a document received by the university is one month unless stipulated otherwise in a legal act or the document. The term of resolving an internal document of the university is ten working days unless assigned otherwise by the person who submitted the document. The term of resolving a document must be at least three working days.
36. A document registered in the document management system is sent via the same system to all persons involved, assigning a corresponding task for each person.

VII. Document systems

37. The university’s documents are stored in at least one university document system. The university can store its documents in the state database according to a corresponding contract.

38. The list of the university’s documents is established by the director of administration. The list of documents determines

- 38.1. the document classification scheme where each sequence has information about
  - 38.1.1. the document system where the document is registered and stored;
  - 38.1.2. the term of preserving the document, and the appraisal decision of the National Archives of Estonia;
  - 38.1.3. restriction on access to the document and the bases for the restriction;
  - 38.1.4. the storage medium where the document is recorded;
- 38.2. the university’s central digital databases, workflows and environments which include the following information:
  - 38.2.1. the software used;
  - 38.2.2. the purpose of maintaining;
  - 38.2.3. a short description of the content;
  - 38.2.4. the type (rewritable data or not);
  - 38.2.5. the time limit of the data;
  - 38.2.6. the making hard copies;
  - 38.2.7. the retention period.

39. The university’s document systems and the support units managing them are as follows:

- 39.1. document management system (DHIS) – Administrative Office;
- 39.2. study information system (SIS) – Office of Academic Affairs;
- 39.3. the personnel and finance information system (PRIS) – Human Resources Office and Finance Office;
- 39.4. property management information system (VHIS) – Estates Office.

VIII. Access to documents

40. According to restriction on access, the university’s documents are divided as follows:

- 40.1. documents intended for internal use (marked AK);
- 40.2. documents with no restriction on access (no mark).

41. Documents intended for internal use include the university’s internal correspondence, drafts of legal acts before they are submitted for coordination or adoption, work-related memos and opinions, minutes of the Rector’s Office, documents containing personal data, and other documents according to legal acts.

42. All other documents have no restriction on access and they are available to the university employees and other people involved via the corresponding document system. Documents with no restriction are made available to people outside the university on the university’s website or are issued to them based on a request for information.

43. In case of restricted access, the document and its metadata are marked with AK and the term and legal basis of the restriction are noted. If access to different parts of the document is restricted on different bases, all legal bases of restriction are shown on the document and in its metadata. If the terms of the access restrictions are different, the most distant final date for restriction on access is shown as the expiry date of restriction.

44. The person who prepares the document or, in the case of a received document, the person who registers it, is responsible for establishing the restriction on access to the document based on the content of the document and the purpose of the restriction on access.
45. University employees are ensured access to documents which they require for work in the document system. The employees are ensured access to paper documents in the archive on site or by issuing a digital copy of the documents.

46. Granting access to documents marked with AK is managed by the head of the structural unit which manages the document system. Access is granted by an employee appointed by the head of the structural unit which manages the document system or the head of the structural unit where the document is registered.

IX. Processing of personal data

47. At the university, the responsibility for the processing of personal data and complying with personal data protection requirements lies with

47.1. the senior specialist for data protection, in charge of monitoring compliance with the General Data Protection Regulation, Personal Data Protection Act and other legal acts regarding the protection of personal data and raising awareness of processing of personal data;
47.2. the head of structural unit, at the structural unit processing personal data;
47.3. the employee processing personal data upon processing of personal data.

48. To organise the protection of personal data, the senior specialist for data protection has the right to

48.1. require the university employees to comply with personal data protection requirements;
48.2. access all personal data processed at the university and verify compliance with personal data protection requirements;
48.3. request information from persons involved and get explanations about the circumstances of non-compliance with the requirements of processing and protection of personal data.

49. The head of structural unit ensures that

49.1. at the structural unit, only authorised people have access to personal data and access rights are managed in compliance with the university’s legislation, including the IT rules and information security strategy;
49.2. all data processing activities of the structural unit are recorded in the register of data processing activities in a timely manner;
49.3. when a digital data medium containing personal data is withdrawn from use, the data is securely erased. All digital data media that do not allow erasing personal data must be physically destroyed;
49.4. employees of the structural unit make sure that the personal data processed are up to date and accurate;
49.5. incomplete personal data are completed and inaccurate data rectified without delay.

50. The processing of personal data is considered sufficient if the security of the processed personal data is ensured, taking the purpose of the processing into account, and relevant technical and organisational measures are implemented.

51. The head of structural unit informs

51.1. the head of Administrative Office and the senior specialist for data protection if the protection measures implemented in the transfer, storage, preservation and destruction of data media containing personal data are insufficient;
51.2. the head of Estates Office and the chief information security officer if the protection measures implemented in the room of processing personal data are insufficient;
51.3. the chief information security officer and the senior specialist for data protection if the protection measures implemented in an information system containing personal data are insufficient.

52. The employee processing personal data ensures that

52.1. upon the processing of personal data, no unauthorised use, copying or destruction of personal data takes place;
52.2. upon the processing of personal data based on the data subject’s consent, the written consent of the data subject has been obtained and its due storage has been arranged.
53. The senior specialist for data protection keeps the register of data processing activities (‘register’). The head of the relevant structural unit ensures the recording of the data processing activities of the unit in the register. The data in the register are reviewed by 30 November each year and updated, if necessary.

54. The following information is recorded in the register:
   54.1. purposes of the processing of personal data;
   54.2. description of the categories of data subjects and of the categories of personal data;
   54.3. legal basis of processing;
   54.4. the categories of recipients to whom personal data is disclosed;
   54.4. if personal data is transferred to a third country, the name of the country and other information about the circumstances of the transfer and about the safeguards;
   54.5. the envisaged time limits for erasure of the different categories of data;
   54.6. general description of security measures and other necessary data.

55. When non-compliance with the requirements of the processing or protection of personal data is detected, the senior specialist for data protection or the IT helpdesk of the university must be contacted immediately to eliminate the non-compliance.

56. In the case of non-compliance with the requirements of the processing or protection of personal data, the senior specialist for data protection immediately takes the necessary measures to minimise damage caused by the non-compliance.

57. In the case of non-compliance with the requirements of the processing or protection of personal data, the involved employee must
   57.1. provide written explanations about the non-compliance;
   57.2. give the senior specialist for data protection the required access and rights to investigate the circumstances of the non-compliance;
   57.3. cooperate with the senior specialist for data protection upon documenting the circumstances of the non-compliance, including in assessing the impact and suggesting corrective actions to end the non-compliance.

X. Seals and their use

58. The following seals are used at the university:
   58.1. the university seal,
   58.2. the university electronic seal,
   58.3. the faculty seal,
   58.4. the non-faculty institution seal,
   58.5. the rector’s seal of office with the text “Universitatis Tartuensis Sigillum Rectoris”.

59. The head of Administrative Office manages the ordering, registering, issuing, collecting and destroying of seals or transferring seals to the university museum. The head of Information Technology Office organises the ordering of the electronic seal.

60. The authenticity of a document may be verified with an impression of the seal only for
   60.1. a document with original signature(s);
   60.2. the transcript, copy and extract of a document with an original note of attestation;
   60.3. the full text of a legal act.

61. The electronic seal is used to attest documents in a form that can be reproduced in writing.

62. The university seal is used to attest diplomas, diploma supplements and other documents, if necessary.

63. The faculty seal can be used to attest all documents and copies, printouts, transcripts and extracts of documents issued by the faculty or its structural units. A non-faculty institution’s seal can be used to attest the documents and copies, printouts, transcripts and extracts of documents issued by this institution. The university seal can be used to attest all documents and copies, printouts, transcripts and extracts of documents prepared and signed at the university. Electronic
documents are attested using an electronic seal. Electronic copies, transcripts and extracts are attested using an electronic signature or electronic seal.

64. Document transcripts, copies, extracts and printouts can be attested by the employees performing the duties of the secretaries to the rector, vice rectors, director of administration and head of finance, the employee appointed by the head of Administrative Office, heads and secretaries of the dean’s offices of the faculties, secretaries of non-faculty institutions, secretaries of councils and secretaries of institutes, colleges and support units or other employees performing secretarial duties.

65. Copies of diplomas and diploma supplements are attested by an employee appointed by the head of the Office of Academic Affairs and they are attested with the university seal. Copies of diplomas and diploma supplements of students from colleges outside Tartu are attested by an employee appointed by the head of the dean’s office of the faculty or the employee performing the duties of the secretary of the college.

XI. Transfer of documentary procedure and documentation

66. If the employment relationship with the rector, vice rector, area director, dean, the head of a structural unit or the secretary or a person performing the secretary’s duties of a structural unit is terminated or if a structural unit is dissolved or reorganised, the documentary procedure and documentation are transferred based on an act.

67. The transfer of the documentary procedure and documentation of the rector, vice rector, area director, a dean’s office, an institute, a college, a non-faculty institution and a support unit is organised by a committee which comprises the recipient of the documentary procedure and documentation, the transferor, an employee appointed by the head of Administrative Office, and the secretary of the transferring person or structural unit or a person performing the secretary’s duties. The transfer of the documentary procedure and documentation of the secretaries of a structural unit or a person performing the secretary’s duties, also of the person in charge of keeping the list of files and arranging the archive of the structural unit as stated in clause 69, is organised by the immediate superior of the employee, and the transfer committee must include an archivist of the university.

68. The act of transfer includes
   68.1. a list of ongoing contracts in the transferor’s area of work;
   68.2. a list of documents (drafts) in coordination and in progress;
   68.3. a list of files to be transferred;
   68.4. a record and impression of the seal and the types and amount of templates;
   68.5. a list of assignments in progress;
   68.6. in case of a new head of structural unit, the list of employees and the state of the budget;
   68.7. a list of information assets for which the transferor is responsible.

XII. Organisation of documents

69. A list of files is kept about documents created in and received by the structural unit. The head of structural unit appoints a person in charge of keeping the list of files and arranging the archive in the unit.

70. Documents with a permanent and long-term retention period are organised at least every third year and paper documents are transferred to the employee appointed by the head of Administrative Office with an act. The head of Administrative Office may allow the structural to store paper documents on site in the unit, provided there are suitable conditions for that.

71. By 31 January every year, the employee appointed by the head of Administrative Office prepares a schedule for the organisational works in the archive and notifies the heads of relevant structural units.

72. Expired documents with no archival value are destroyed. Once a year the employee appointed by the head of Administrative Office prepares the report of the destruction of documents and
notifies heads of structural units. If necessary, the employee appointed by the head of Administrative Office may extend the retention period of individual documents on the proposal of the head of structural unit.

73. The employee in charge of arranging the archive, appointed by the head of structural unit, destroys the paper documents in the report of destruction within one month after the report of destruction has been registered. The destruction of electronic documents is organised by the head of Administrative Office.

74. The administrative director establishes the rules of using archival repositories and ensuring their safety.

75. The university keeps personal files of employees on paper. If a document in the personal file is electronic, a corresponding note is made in the file.

76. The employee’s personal file includes:
   76.1. employment contract(s) with annexes and supporting documents (employment contract draft, proposals, etc.) and documents related to the termination of the employment contract;
   76.2. for academic staff, the documents stated in the terms of the competition for the position;
   76.3. for academic staff, the decision of professional review;
   76.4. for support staff, CV and qualification documents;
   76.5. request and approval for competing activity;
   76.6. copies of directives of recognition of the employee;
   76.7. warning(s) issued to the employee together with supporting documents and a confirmation signed by the employee about receiving the warning and the employee’s letter of explanation if available.

77. There is only one personal file for each person. If an employee who takes up employment at the university has been employed by the university before, the file is reused and new documents are added to the file.

XII. Implementing provisions

78. I repeal the Documentary Procedure Rules approved by Decree no. 10 of 13 July 2015 and amended by Decree no. 41 of 11 April 2016, Decree no. 51 of 29 August 2016, Decree no. 62 of 30 December 2016 and Decree no. 21 of 16 July 2018.