



Procedure – Legal Hold

Purpose of the Procedure

This procedure covers how the School manages legal hold.

What is Legal Hold

Legal hold (also called litigation hold) is defined as a process that an organisation uses to preserve all forms of relevant information when litigation is reasonably anticipated¹.

When will LSE require legal hold

LSE will require legal hold in the following situations:

- When litigation has been started and we are required or likely to be required by a court to keep documentation relating to the case.
- When litigation is likely, that is, when a complaint is soon to exhaust internal remedies and there is more than a theoretical chance that litigation may happen.
- If the School's solicitors advise legal hold.

LSE may require legal hold in the following situations:

- To cover exempt material relating to a Freedom of Information request or Subject Access Request as we may be required to release by the Information Commissioner's Office.

Procedure for legal hold

¹ From https://itlaw.wikia.org/wiki/Legal_hold, accessed 20/7/2021

1. If the information is held in the Microsoft 365 environment (M365), a member of the Legal Team will inform the DTS Platforms team that legal hold is required and which documents are covered by legal hold.
 - 1.1. Where the search should be targeted should also be provided. M365 includes email, OneDrive, Teams Chat, Teams channels and SharePoint sites. Any and all of these can contain documents requiring legal hold.
2. The DTS Platforms team will then create and apply a legal hold case as set out here: [Place a Microsoft Teams user or team on legal hold - Microsoft Teams | Microsoft Docs](#)
3. If the information is not held in the M365, it will need either:
 - 3.1. For a label to be applied to the folder/documents that need to be held such as ‘- LH Do Not Delete’ by the individual(s) or team(s) holding the documents OR
 - 3.2. If the risk of accidental or deliberate deletion is too great for the documents to be left in situ, the documents will be copied or transferred to a secure folder on the Legal and Compliance SharePoint site.
4. Once the legal hold is no longer needed, it can be removed by:
 - 4.1. The DTS Platforms team in M365
 - 4.2. The individual(s) or team(s) mentioned in 3.1 who will remove the labels on instruction
 - 4.3. The Information and Records Manager who will delete the material in SharePoint mentioned in 3.2.

Review schedule

Review interval	Next review due by	Next review start
3 years	30 September 2024	

Version history

Version	Date	Approved by	Notes
1	20/9/2021	IGMB	

Links

Reference	Link

Contacts

Position	Name	Email	Notes
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Communications and Training

Will this document be publicised through Internal Communications?	TBC
Will training needs arise from this policy	TBC
If Yes, please give details	