

Document Retention
vs.
Document Preservation
in Construction Claims Management



A Training Guide for Smart Construction
Professionals and Decision Makers

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In today's complex construction landscape, the ability to produce clear, credible, and tamper-proof documentation is no longer a luxury – it's a necessity.

Too often, project teams are caught off guard by disputes that emerge long after completion, forced to rely on fragmented records and fading memories to rebuild the story. This not only drives up legal costs but weakens negotiating positions, erodes trust, and delays resolution.

This training guide has been developed to help construction professionals understand the difference between document retention and document preservation, and why both matter at every stage of a project lifecycle. It draws from real-world pain points – lost site diaries, missing instructions, email silos, and the chaos of unstructured archives – to present a proactive, structured approach to documentation.

Using a practical framework supported by digital best practices, we explore how to implement robust retention schedules, trigger-based preservation protocols, and modern tools like hashing, metadata, and AI-powered retrieval.

This guide also introduces the ClaimMaster.ai ecosystem as a secure, closed-loop environment for managing evidence, helping teams protect their commercial interests while dramatically reducing legal discovery costs.

If your organisation has ever found itself trying to explain what happened – without the documents to prove it – this guide is for you.

Let's replace disorganisation and doubt with confidence, clarity, and compliance.

– *Paul Njonga, Founder of ClaimMaster.ai*

1. Definitions

Document Retention

The policy or practice of keeping project documents for a defined period (e.g. 6, 12, or 15 years) in order to comply with legal, regulatory, contractual, or operational requirements.

Document Preservation

The proactive act of protecting and securing specific documents from alteration or destruction when a dispute, investigation, or risk event is anticipated or ongoing.

2. Key Differences

Aspect	Document Retention	Document Preservation
Purpose	Compliance & reference	Evidence integrity for dispute resolution
Trigger	Retention schedule or project closeout	Anticipated or active dispute
Scope	All project documents	Relevant and specific documents only
Focus	Duration and accessibility	Chain of custody, integrity, and auditability
Tools	Archive systems, DMS	Legal holds, metadata capture, secure workflows
Responsibility	Project/Information Manager, Records Officer	Project Manager, Legal Counsel, Claims Consultant

3. Common Challenges in Construction Teams

- Inconsistent or disorganised document management.
- Reliance on individuals' personal email or folders.
- No clarity on when to start preserving documents.
- Staff leaving mid-project and taking knowledge with them.
- No legal hold process or metadata capture.
- Time wasted reconstructing events after the fact.

4. Why It Matters in Construction

- Construction claims can arise years after completion.
- Poor retention can mean evidence is lost when needed most.
- Weak preservation practices lead to inadmissible evidence.
- Staff turnover often results in loss of critical project knowledge.
- Reconstructing facts from scattered records delays resolution.
- Increasing reliance on robust documentation for legal defence.

5. Best Practice Principles

- Use project-specific retention schedules.
- Establish a trigger-based preservation protocol.
- Ensure documents are timestamped and tamper-proof.
- Create clear ownership of document responsibility.
- Train teams to understand the difference between retention and preservation.
- Align practices with legal discovery standards.

6. What Should Happen in Preservation

- **Legal Hold:** Notify relevant staff to stop deleting or modifying records.
- **Audit Trail:** Record all changes, views, and approvals on files.
- **Timestamps:** Track creation and modification dates automatically.
- **Chain of Custody:** Secure, documented handling from capture to courtroom.
- **Metadata Protection:** Preserve original file info – avoid screenshots or printouts as "evidence".

7. How Current Practices Often Fail

- Disorganised file storage (emails, USBs, mobile apps, paper).
- No version control or validation of key records.
- Lack of cross-functional visibility.
- Poor staff training on document protocols.
- Delayed preservation after dispute has already escalated.
- Risk of evidence being dismissed or challenged.

8. Best Practice: Event Recording Workflow (Step-Approval)

Implement a role-based approval process to capture and lock in project events at the time they occur:

1. **Site Manager** – Logs the event or instruction (verbal or written) in the system.
2. **Planner** – Reviews impact on programme and critical path.
3. **Technical Manager** – Verifies technical implications and compliance.
4. **Quantity Surveyor** – Assesses cost and contract impact.
5. **Project Manager** – Reviews and authorises the entry for preservation.

Each step must:

- Be timestamped
- Preserve metadata
- Follow secure approval trail
- Lock records post-approval

This workflow is built into a **localised, secure, closed-loop system** that does not train AI models, ensuring total control over sensitive project data.

AI can be used to assist retrieval and analysis without compromising data security. For example:

- Legal advisors and expert witnesses can log in and access records through search tools without the need for expensive manual discovery.
- AI assistants can help prepare claims or defences by fine-tuning against trusted APIs (e.g. OpenAI, GoogleAI) while ensuring data is anonymised and non-identifiable.

This ensures:

- A legally sound evidence trail
- Cross-functional agreement on cause/effect
- Faster and more accurate claim preparation
- Reduced reliance on memory or fragmented sources
- Lower legal discovery costs

9. Document Hashing - Guaranteeing Integrity

What is Document Hashing?

A hash is a unique digital fingerprint (e.g. SHA-256) generated from a file. Even the smallest change to a file results in a different hash, making tampering immediately obvious.

Why It's Important:

- Verifies that a document has not been altered.
- Supports tamper-evident chain of custody.
- Proves authenticity in legal or technical disputes.
- Ensures trust in archived digital records.

Use Case Examples:

Scenario	Without Hashing	With Hashing
Dispute years later	Can't prove version is original	Hash confirms document is unaltered
Edited site photo	Tampering undetectable	Hash mismatch reveals manipulation
Submitted progress report	Authenticity challenged	Timestamped hash supports defence

10. Single Source of Truth

Why You Need One:

- Prevents multiple, conflicting versions of the same record.
- Establishes the official record for all future reference.
- Reduces risk, confusion, and inefficiency.

Best Practices:

- Use a centralised, secure DMS or platform.
- Apply role-based access controls.
- Ensure version history, timestamps, and document hashing.
- Include in contractual and procedural obligations.
- Archive for 10–15+ years depending on contract.

Workflow Example:

1. **Site Manager uploads instruction** -> System timestamps and hashes.
2. **QS adds cost info** -> Saved with metadata.
3. **PM approves** -> Final version locked with hash.
4. **8 years + later** -> File hash confirms authenticity.

11. Proactive Preservation is Best Practice

Preservation should begin at the first sign of risk, not when litigation is already underway. This proactive approach protects your project, enables quicker decisions, and demonstrates compliance and professionalism.

Event	Preservation Needed?
Unexpected delay	Yes
Design clash or changes	Yes
Site instruction (verbal or written)	Yes
Quality issue or complaint	Yes
Claim or dispute formally raised	You're already late

12. ClaimMaster.ai and the Strategic Opportunity

Document retention and preservation are not just compliance obligations – they are critical for competitive advantage, risk mitigation, and claim strategy. ClaimMaster.ai is uniquely positioned to deliver this capability.

Why It's a Strategic Opportunity:

- Construction organisations face a constant battle with scattered records and weak narratives, which ultimately fuel costly disputes.
- Retention and preservation, when systemised, reduce dispute risk and claim prep effort.
- Legal and expert consultants are demanding faster, cheaper ways to access and validate evidence.
- Clients are beginning to value proof over opinion.

Strategic Value ClaimMaster.ai Brings:

- Converts scattered records into structured, searchable evidence.
- Preserves the cause-effect chain as it unfolds.
- Lowers legal discovery and claim prep costs.
- Demonstrates proactive governance to regulators and funders.
- Builds credibility and leverage in disputes.

Conclusion

Build trust into the system, not the people. Document retention, preservation, hashing, and secure AI-supported retrieval form the backbone of defensible, high-integrity construction project records.

ClaimMaster.ai turns this discipline into a scalable advantage – saving time, cutting legal costs, and winning claims with clarity.

About the Author

Paul Njonga helps construction teams reduce claims risks and capture solid records with AI tools that think like a seasoned claims expert.

Paul is a Chartered Construction Manager, forensic quantum claims expert, and founder of ClaimMaster.ai—the AI-powered platform redefining how construction professionals manage claims and preserve project documentation.

Before launching ClaimMaster.ai, Paul worked with Turner & Townsend as a consultant in cost management and assurance, where he audited project accounts of Tier 1 UK contractors such as Skanska UK, Vinci Construction, and Sir Robert McAlpine. He supported commissions for leading clients including the NHS, AstraZeneca, and various local authorities.

Today, alongside running ClaimMaster.ai, Paul serves as a client-side forensic quantum consultant, advising on strategic claim preparation and defence in adjudication, mediation, and litigation. He regularly collaborates with appointed legal teams and expert witnesses, providing deep analysis that blends commercial strategy, data forensics, and legal insight.

Paul's expertise sits at the intersection of construction science, digital intelligence, and legal clarity—solving complex problems where others see only risk.

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