

Records Management Policy

Version 2.0

Contents

Introduction	3
Policy Statement	5
The Management of Records	6
Principles Governing the Creation and Capture of Electronic Records	15
Responsibilities	17
Glossary	18
Further Reading	20

Introduction

“Any freedom of information legislation is only as good as the quality of the records to which it provides a right of access. Such rights are of limited use if reliable records are not created in the first place, if they cannot be found when needed, or if the arrangements for their eventual archiving or destruction are inadequate.”¹

This is the 2nd version of this policy, which was approved by Full Council on the 18th January 2006, and extends its provisions to include guidance on the management of electronic records.

This policy supports the effective running of the Council’s services by ensuring that both paper and electronic records necessary for its business are available, accessible, and accurate to ensure corporate accountability, statutory obligations, evidential admissibility and audit requirements.

Aims

The policy provides a basic framework to apply a consistent and efficient strategy by defining the method for the management of all records created and received by the Council in the course of business.

The policy provides for the effective capture and management of electronic records.

The guidance in this policy will ensure that legal obligations, in particular those under the Data Protection, Freedom of Information, and Health and Safety at Work Acts, are observed.

The policy aims to inculcate a culture of record keeping so that all staff are aware that they are responsible within their own sphere of action for ensuring that evidence of business activity is created and captured and that records are destroyed according to the corporate retention schedules.

Purpose

The purpose of this policy is to:

- Define what Council records are and why we keep them
- Explain how effective records management can serve the Council
- Illustrate the best practices for managing records in the Council
- Define responsibilities for managing records

This policy is the first step in developing a corporate culture of good records management and consistency across departments in the Council. Having

¹ Scottish Executive, *Freedom of Information (Scotland) Act 2002 – Code of Practice on Records Management* November 2003.

accurate, relevant, and easily retrievable information is vital to the efficient management of the Council, and also in ensuring compliance with all relevant legislation. In order to achieve this, this policy will be communicated to all Council staff, who will be encouraged to manage records properly.

This policy applies to all permanent and temporary employees, contractors, consultants and anyone who has access to Council records. The scope of this policy focuses primarily on the Council's records, however it applies equally to external organisations or persons who work for the Council and generate and keep records on behalf of the Council.

Scope

This policy applies to the management of records, in all formats or media, created or received by the Council in the regular course of carrying out its business activities.

All records, whether paper or electronic, created or received by employees in the course of the Council's business are the official records of the Council.

This policy covers electronic records generated by software tools, such as MS Office, where the end user is responsible for the data integrity and ensures the preservation of those records, for example electronic mail and word-processed documents.

The policy recognises that facilities that support electronic records management must be built into the information system applications that are used to generate electronic records to ensure that each of these is capable of capturing the records themselves together with all contextual information.

This policy does not need to be applied to ephemeral material. Ephemeral information is information that could assist us in fulfilling our roles but does not form part of the long-term memory of the Council and, as such, should be destroyed after use.

Examples of which include the following:

- Personal emails
- Personal documents
- Travel timetables
- Calendars and diaries
- Outdated manuals, for example: for the telephonic system etc.

Policy Statement

The basic unit of record keeping is the paper file or the electronic folder. All decisions about records will be made about files and folders rather than individual documents within the files or folders.

Any administrative paper file will be in one of three states during its working life:

- Current *when records may be added to it*
- Semi-current *when it has been closed but is used as a reference tool for administrative purposes*
- Archival *if retained after its semi-current life and is selected for permanent retention in the Archives*

Files move from one stage to another depending on whether they are open (awaiting further work) or whether they are closed. Only records of continuing administrative value are to be filed and retained as current records; ephemeral records should not be kept and must be disposed of by staff as they see fit. Records should be destroyed according to the corporate retention schedules.

Files and Folders are to be closed on a regular basis, when there is no more work to be done, or when they have become too thick. If there is a lot of activity on a file it must be closed when it is approximately 5cm thick to avoid papers being damaged or any injuries from the file, and a new volume opened.

Electronic records of value to the Council's business must be captured into a corporate current filing structure and must be accessible to all authorised staff.

The electronic filing structure must capture all metadata needed to identify, access and retrieve the electronic record so that it is possible to establish the:

- Context of the record
- The provenance of the record (who created it)
- During which business process
- How the record is related to other records

All files that have outlived their administrative usefulness and are not of historical significance will be destroyed in a secure manner. Confidential or sensitive information must be shredded.

All records made or received by the Council in the course of its business that are of continuing value for historical or legal reasons must be transferred to the Archives. These records can be in any medium such as paper, microfilm, film, magnetic tape or disc, optical disk, video or audiotape.

The Management of Records

A record

A record is information affixed to any medium, or recorded in any format. A record is “recorded information, in any form, including data in computer systems, created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity”.² In Scotland, the term records includes, “charters, deeds, minutes, accounts and other documents, and any other records of whatever form which convey information”.³

For the purposes of the Council, a record is recorded information that has been created or received by the Council in the regular course of its business activities, or in the pursuance of legal transactions. As such all records are the property of the Council and not of the employee, agent, or contractor. This applies regardless of the physical location of the record, or whether it is held in off-site storage, in a computer or within a service provider’s system.

A Public Record

Public records are records framed by public authorities, though they may relate to private affairs, and are held in trust for the public.⁴ The authority could refer to either central or local government.

Records are created and kept as evidence of transactions, to satisfy statutory and regulatory requirements, to facilitate good business administration, to document decisions for current and future knowledge, and for accountability.

Records Management is a corporate function within the council, and brings together responsibilities for all records held by the council, from creation through to disposition.

The aims of records management in the Council are to ensure that:

- The business of the Council is adequately documented to meet operational needs, accountability and statutory requirements and community expectations through effective policies and procedures for creating, managing, and disposing records.
- Corporate records are adequately identified and described so that they can be appropriately managed, retrieved and stored throughout their life cycle; and that subsequent disposal, by archiving or destruction, should be in accordance with fully documented and approved corporate retention schedules.

² Australian Standard 4390 – Records Management

³ Local Government (Scotland) Act 1973 (c65), s200(11)(a)

⁴ Stair Memorial Encyclopaedia, The Laws of Scotland, volume 19 Public Registers and Records.

The benefits of managing records

Maintaining efficient and accurate records will help the Council to meet our statutory objectives and overall business responsibilities. Good records management will benefit the Council by:

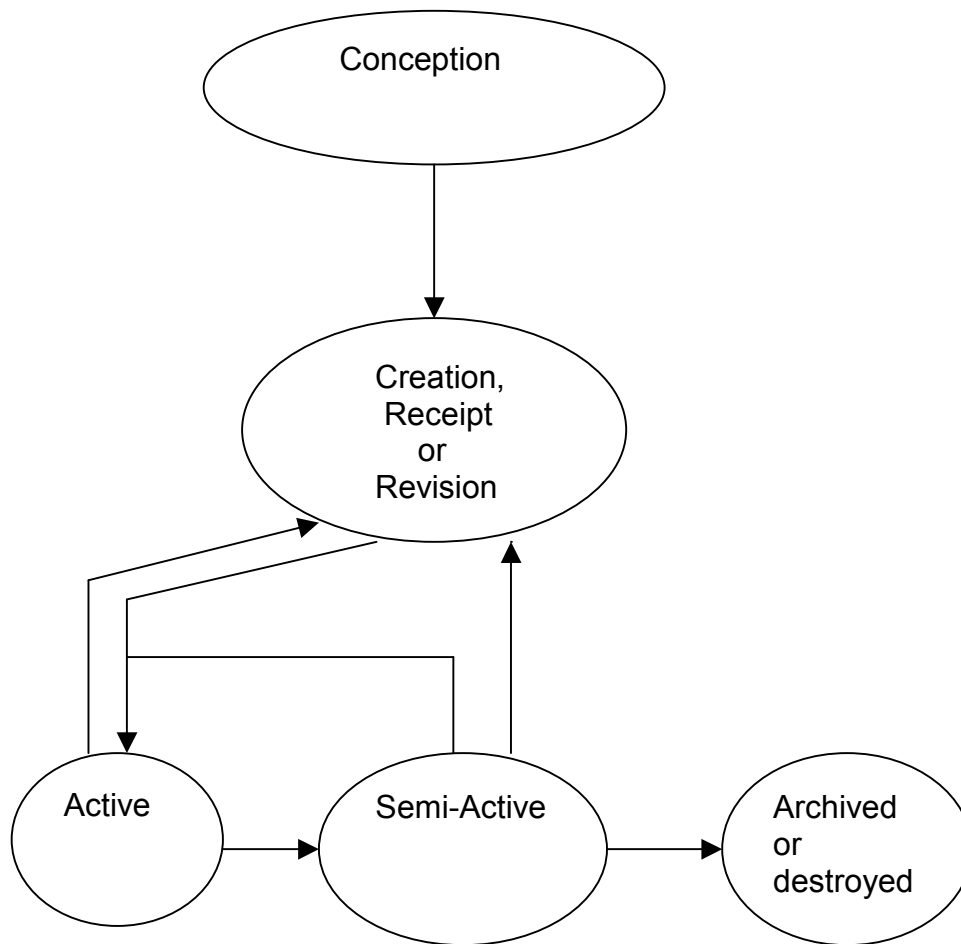
- Assisting the Council to carry out our business more efficiently, through the easy and effective retrieval of records,
- Ensuring compliance with relevant legislation, thereby reducing the risk of being issued with enforcement notices or court fines,
- Ensuring improved service delivery,
- Supporting theme work, research and development within and across departments in the council,
- Enabling all staff to make informed decisions in good time,
- Keeping track of all modifications and additions to records,
- Supporting continuity and consistency in practices across the Council,
- Protecting the rights of employees, companies with whom we do business, and the general public,
- Providing an audit trail to meet business, regulatory and legal requirements,
- Ensuring information is better protected and secured more securely,
- Ensuring we keep and preserve our records for the right amount of time, and disposing of records according to agreed retention schedules.

The path of records

Records Management is concerned with the systematic creation, capture, storage and retrieval of records throughout their lifecycle.

In today's environment records are seen as dynamic objects that can move backwards and forwards along a continuum, by moving from being active to semi-active, and sometimes by moving from being semi-active to being active again. This usually occurs when they are needed for other purposes than the purpose for which they were created, for example when responding to a request for information a semi-active record becomes active again.

The following diagram illustrates the path a record might take:



Phase	Activity Level	Comments
Creation/Receipt	High	Records are created or received and (where appropriate) captured into a record-keeping system. It is ideal at this point to set a retention period for the record, if known.
Active	High	Records are used for the business purpose for which they were created.
Semi-Current	Medium	Records are stored and maintained for legal reasons, reference

		purposes, or audit requirements.
Disposal	Very Low/Nil	Records are destroyed, or kept for permanent preservation.

Records Management procedures and practices should result in records which have:

- Authenticity
- Reliability
- Integrity
- Usability

Records must function as evidence of business activities and processes by adequately capturing and describing the actions they represent.

An authentic record

An authentic record is one that can be proven:

- to be what it claims to be,
- to be created or sent by the body or person said to have created or sent it,
- to be created or sent at the time claimed,
- not to be tampered with or altered in any way.

To ensure the authenticity of records, each department should endeavour to control the creation, receipt, maintenance and disposition of records by ensuring that paper files are locked away, computer systems are accessed by password, and that records are disposed of according to corporate retention schedules.

A reliable record

The integrity of a record refers to its being complete and unaltered. To be considered complete, a record must preserve not only content but also the context in which it was created and used. The links to other records created before and after it must be maintained.

Records must be protected against unauthorised modification or alteration. Departments must specify which additions or annotations are permissible to their records, as well as who is authorised to make them.

A useable record

A useable record is one that can be located, retrieved and interpreted. Records form part of the corporate memory of the Council and are a valuable re-usable resource. The record's value as a business transaction that produced it should be apparent. Electronic records support the sharing of information by allowing multiple and simultaneous use, which benefits the Council and the public through improved service delivery.

With regards to paper or electronic records, records should be kept and arranged in a record keeping system that enables the council to obtain maximum benefit from quick and easy retrieval of information. Once a system

is obsolete all records that are to be preserved should be migrated to a medium capable of storing, retrieving and allowing them to be understood, to ensure that the record remains useable over time.

A vital record

A vital record is one that is essential to the continued operation of the Council following a disaster. The vital records in all departments must be identified and protected as much as is possible to minimise the risk of loss in the event of a disaster.

Protection of vital paper records could be in the form of secure physical storage, for example: fire resistant cabinet; or the maintenance of backup copies stored in different locations, for vital electronic records.

Version control

In certain circumstances it is necessary to keep successive drafts of a document, for example: policy development, to provide evidence of the process and as an audit trail of the input from stakeholders.

The need to keep successive versions of items should be based on the business needs of the department who creates the record, and should be documented in local procedures. It is worth noting that drafts of documents can be requested under the Freedom of Information Act 2002, and thus, if we hold the drafts then we have to review them for release.

Information and Records

Not all information created in the course of carrying out Council business will become a record. For example, personal emails, ephemeral information such as: train timetables etc do not form part of the corporate memory of the Council, are not records, and should not be kept for longer than is absolutely necessary.

Each department of the Council should have adequate arrangements in place for documenting their activities, and these should be communicated to all staff.

To decide whether something is a record, look at it in the context of:

- The regulatory environment;
- Business and accountability requirements; and
- The risk of not keeping it, i.e. would anyone need to retrieve the information again.

Capturing and Registering records

Capturing information as a record refers to placing it in a records management system. Once the documents that need to be retained as records have been identified as such, they should be captured into either a manual (paper) or electronic records management system, as is appropriate. All systems should ensure that appropriate levels of security and access are maintained.

The purpose of capturing a record is to:

- Establish why the record was created

- Link the record to other records
- Ensure that appropriate access and security settings are present
- Ensure that appropriate audit trails are maintained
- Manage the record through all stages of its life cycle
- Assign an appropriate retention and disposition schedule to each record

Once a record has been captured into a system, metadata must be allocated to the record and either embedded in, attached to, or associated with the record permanently.

Metadata is supplementary information about the record, and would typically include such fields as: author, date, file reference, title etc.

Individual departments may have further specific requirements to be included as metadata, and these should be documented in those departments.

Metadata is essential in order to be able to re-trace the status and integrity of the record at any point in time, and allows the relationships and links with other records to be maintained.

Once a record has been captured into a system it should be registered. The main purpose of which, is to provide evidence that a record has been created or captured, and aids in the retrieval of the record. It involves recording metadata about the record, and assigning a unique identifier to that record, which could be alpha numeric, for example, AB120.

Arranging records

All Council records, whether they are in a paper or electronic format should be filed or arranged according to the function of the business or department that created the record rather than by organisational structure or subject.

Arranging records in a functional filing system ensures that the business context of records is clearly identifiable. Functional filing systems will make locating files easier, reduce duplication of information, as well as making it easier to review files for retention or destruction.

An example of a functional filing structure:

Health and Safety Records

- Health and Safety
 - Policy
 - Buildings
 - Risk Assessments
 - Accidents
 - Accident Prevention
 - Fire
 - Equipment
 - Asset Management

This filing arrangement is not based on the structure of the organisation, but rather on the functions and activities carried out by the organisation.

Record Closure

Records must be closed as soon as they have ceased to be of active use, other than for reference purposes. An indication that a file of paper records or folder of electronic records has been closed should be shown on the file itself as well as noted in the index or database of the files.

Disposition of records

It is essential that the disposal of records is undertaken in accordance with clearly established policies and agreed retention schedules. All disposition decisions and actions must be documented.

Disposition refers to the process of determining whether to keep or destroy records, and is governed by Moray Council's Retention Schedules. Wherever possible information on the intended final disposition of electronic records should be included in the metadata at the time the record is created.

A disposition action can have any of the following outcomes:

- Immediate physical destruction, including overwriting and deletion from the recycle bin in a computer,
- Retention for a further period within the business unit,
- Transfer to an appropriate storage area,
- Transfer to another organisation that has assumed responsibility for the business activity,
- Transfer to the Archives (Local Heritage Service).

In order to make a decision about whether a record should be kept consider the following:

- Is the record still required for the day-to-day running of the authority?
- Is there any outstanding work?
- Is there any current or pending litigation, investigation or access request which is relying on the existence of that record?
- Does any legislation or official regulation govern how long it must be kept?
- Is it likely to be of ongoing or recurrent public interest?

Retention periods apply equally to records in all formats, for example, paper, electronic, and other media.

When a record has been selected for destruction according to a retention schedule, it must be destroyed.

It is not possible to keep all Council records indefinitely due to high storage costs for the physical storage of paper records or server space for electronic records.

Records selected for permanent preservation and which are no longer in regular use by the Council should be transferred as soon as possible to the Archives. Records which are not selected for permanent preservation and which have reached the end of their use, for administrative and reference

purposes, should be destroyed in as secure a manner as is necessary according to the level of confidentiality or security markings they bear. A record of the destruction of records, showing their reference, description, reason for destruction, and date of destruction, should be maintained.

In disposing of records, departments should ensure that:

- Records are destroyed in accordance with Retention Schedules,
- Destruction is always authorised,
- The destruction of records take place with the appropriate levels of security and supervision, and that confidentiality is preserved,
- Records are kept of what has been destroyed, called Disposal Schedules,
- All copies that are authorised for destruction, including security copies, preservation copies and backup copies of a record in all formats, paper and electronic, are destroyed at the same time.

The main reasons for permanent retention or archival of records is because the records:

- Are still essential to the Council; and
- They document the Council's policies, structures and processes so that its activities may be accountable to the present generation

Note: Deletion of an electronic document is not equivalent to destruction, as it may still be retrievable. In order to be considered destroyed the document must be deleted, and the recycle bin emptied, and an email must be deleted from the inbox, and then deleted from the deleted items.

In some circumstances it may be a criminal offence to destroy a record, for example: destroying a record after having received a request for information relating to that record.

Storage of records

Records that continue to be useful and relevant, no matter what format they are in, need appropriate storage and handling to ensure they are preserved for as long as they are needed.

Storage and handling processes should be designed to protect records from unauthorised access, loss or destruction, and from theft and disaster. Equipment used for records should provide storage which is safe from unauthorised access, and which meets fire regulations and health and safety legislation, but which allows maximum accessibility to the information commensurate with its frequency of use. When records become semi-active and are no longer required for current business, it is more economical to store them in the Council's record centre rather than in the offices.

Records should be stored on media that ensure their usability, reliability, authenticity and preservation for as long as they are needed. This may involve migration to different software or formats, when existing software become obsolete or damaged. When information has been migrated from one media to another evidence of this should be kept along with details of any variation in design and format.

Access and security of records

Records may contain personal, commercial or operationally sensitive information, and in some cases access to information in records should be restricted. Restrictions on access can be applied both within the council and to external users.

Restricted records should be identified as such, only where specifically required by a business need or a statutory requirement. Restrictions should be imposed for a stated period, and then reviewed, to ensure that the additional monitoring required for these records is not enforced for longer than is needed.

Restrictions on accessibility of records can change over time, and should be reviewed on an ongoing basis. Access restrictions do not guarantee the prevention of access to a record. The Freedom of Information (Scotland) Act 2002 allows a general right of access to information, unless an exemption applies and even then after a public interest test has been applied. The public interest test may change over time and has to be applied each time the information is requested. This means that information that was restricted previously may not be restricted as time goes on.

Principles Governing the Creation and Capture of Electronic Records

It is realised that the reliance of the Council's business on electronic records can only increase. In order to move forward toward reliable retention of electronic records while they are current, semi-current and held for long-term preservation and to ensure their future legal admissibility, an electronic preservation strategy must be developed, which will:

- ◆ Determine compatibility across the Council
- ◆ Define appropriate levels of access to information
- ◆ Enable records in an electronic format to be kept for long-term retention to meet administrative, statutory and historical needs
- ◆ Prevent the loss of records caused by media deterioration and obsolescence
- ◆ Ensure that records and their contextual metadata are stored in such a way as to prevent future modification or deletion by users
- ◆ Preserve data and metadata in a format that is independent of proprietary hard and software

Creation

Electronic records judged to be of value to the Council's business activities, like their paper counterparts, must be viewed as belonging to the Council as part of its corporate information resources.

Capture

Electronic records, like all other records, have different values attached to them. Those with continuing administrative value must be captured into a structured electronic filing system. Ephemeral electronic documents of no enduring value, such as those of purely personal relevance, must not be filed but deleted from the system at the earliest opportunity.

Once identified as of continuing value to the Council electronic records must be moved out of personal workspace and into shared workspace and filed in the appropriate electronic folder.

Responsibility for the capture and maintenance of electronic records will rest with all staff who create and use them.

Isolated records are of minimal value, therefore records, including e-mails, must be saved into a structure of directories and folders. Each record will form part of a narrative and a greater insight into that particular business activity will be gained by accessing the record within its wider context. The structure of the directories, sub-directories and folders should proceed from the general to the specific, by dividing a broader theme into sub-themes.

Electronic folders must be organised by type in the same way as paper files, which will enable global decisions to be made about the fate of similar records.

In order to ensure that each electronic record is appropriately titled and linked in folders to related records clear, consistent terminology and standard naming conventions must be used for titles so that records can be identified and retrieved quickly and accurately.

The filing process must involve the identification and saving of information, which details the context as well as the content of the record. Metadata elements must be stored in a profile, which is clearly and indelibly attached to the record itself.

The folder system must use the same file titles as the paper filing system.

Modification

Once added to the electronic filing structure, the record should not be capable of change. New versions must be created by making a copy of the initial record, editing the copy, and then saving the copy as a new record.

It systems controlling the electronic records must include an audit trail and metadata, which documents significant uses of each record, including the date of the action and identification of the individual responsible.

Storage and Destruction

Folders of electronic records must be closed and reviewed for retention in the same way as records held in paper format. These folders must only be deleted off the system according to the corporate retention schedules.

Responsibilities

Responsibility for managing records rests with everyone who has access to Council records. All individuals are responsible for creating full and accurate records, and to document their actions and decisions in the Council's records. All staff must ensure they are familiar with and are adhering to this policy. Managers are responsible for ensuring that all staff are made aware of this policy and for ensuring that good records management procedures are implemented throughout their departments.

The responsibility for writing this policy rests with the Records Manager. Members of the CMT have overall executive responsibility for this policy. Management throughout the Council has responsibility for the implementation of this policy in their respective departments.

Training of staff

The Records Manager is responsible for providing support to the Council as is required to implement this policy, and providing training in records management when required.

Approval of policy

This policy will be circulated to stakeholders for comment, and then CMT for approval. Once approved by Council it will be communicated to staff through team briefings and the intranet.

Development of the policy

This policy must be reviewed, updated, approved, and disseminated annually. This will ensure that the policy remains up-to-date with legal requirements and best practice, and relevant to the Council's business needs. If it becomes apparent that an amendment is needed before the next scheduled review, the policy will be amended when required.

Compliance

Records Management will monitor the Council's compliance with this policy to ensure effective and consistent record keeping across the Council.

Where it is found that the requirements of the policy are not being met, this will be reported to the appropriate director so that remedial action can be taken.

Feedback

All comments and suggestions relating to this policy and records management in general are welcome and should be addressed to:

Records Manager
Moray Council
Elgin Library
Cooper Park
Elgin
Moray, IV30 1HS
records@moray.gov.uk

Glossary

Access

Right, opportunity, means of finding, using or retrieving information.
ISO 15489

Accountability

Principle that individuals, organisations, and the community are responsible for their actions and may be required to explain them to others.
ISO 15489

Archives

The body of records of continuing value created by an organisation or individual.

Disposition

Refers to the decision making point in the lifecycle of records when they are either destroyed, kept, or transferred. The decision should be documented in Retention and Disposition Schedules.

Document

An item of recorded information.

Electronic Records

Records, which can be created or received, stored and retrieved, maintained and transferred in digital form. They may be in the form of databases, electronic mail, spreadsheets, word-processing files, or multi-media communications.

Indexing

Process of creating access points to facilitate retrieval of records and/or information.
ISO 15489

Folder

A folder is a group of records in a logical structure that shows the position of one records in relation to others. A folder has an identifying title or label and other characteristics, and is part of a wider structure, which reflects the business activities of the organisation.

Metadata

Is supplementary information about a record which adds value to it and aids information retrieval, records management, and records preservation. This includes information like: titles, date of creation, author etc.

Migration

Process of moving records from one system to another, while maintaining the records' authenticity, integrity, reliability and usability.

ISO 15489

Preservation

Processes and operations involved in ensuring the technical and intellectual survival of authentic records through time.

ISO 15489

Record

Recorded information in any form, created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity. They include sufficient content, context, and structure to provide evidence of that activity. Records are not ephemeral; they contain information that is worthy of preservation in the short, medium or long term.

Records Management

The effective and proper control of records from their creation, maintenance, retrieval and use, to their final disposition, for an organisation or body.

Registration

The acceptance of a record into a record keeping system, at which time it is given a unique identifier.

Retention Period

The length of time before permanent storage as an archive or destruction, which is usually based on an estimate of the frequency of use for current and future business and taking note of any long-term historical value of the record.

Retention Schedule

A systematic listing of records created by an organisation which sets out the retention periods of records from the time of their creation to their disposal. It is a continuing authority for implementing decisions on the value of records specified in this schedule.

Vital records

Those records, which are essential for an organisation to continue to operate after a disaster.

Further Reading

- Stair Memorial Encyclopaedia, The Laws of Scotland, vol. 19
- Local Government (Scotland) Act 1973
- Data Protection Act 1998
www.opsi.gov.uk/acts/acts1998/19980029.htm

Is monitored by the Office of the Information Commissioner (UK):
www.informationcommissioner.gov.uk/eventual.aspx?id=34

For guidance from the Department for Constitutional Affairs:
www.dca.gov.uk/ccpd/dpsubleg.htm
- Freedom of Information Act (Scotland) 2002
www.hmso.gov.uk/legislation/scotland/ssi2003/20030477.htm

Is monitored by the Scottish Information Commissioner:
www.itspublicknowledge.info/

For guidance from the Scottish Executive Government:
www.scotland.gov.uk/Topics/Government/FOI/18022/13383
- Environmental Information (Scotland) Regulations 2004:
www.hmso.gov.uk/legislation/scotland/ssi2004/20040520.htm

Is monitored by the Scottish Information Commissioner:
www.itspublicknowledge.info/legislation/eirs.htm

For guidance from DEFRA:
www.defra.gov.uk/environment/pubaccess/
- Human Rights Act 1998
www.opsi.gov.uk/acts/acts1998/19980042.htm
- The Disability Discrimination Act 1995
www.opsi.gov.uk/acts/acts1995/1995050.htm
- BSI's BIP 0008 – Code of Practice for Legal Admissibility and Evidential Weight of Information Stored Electronically
- BS ISO 15489-1:2001 Information and Documentation. Records Management. General
- Australian Standard AS4390-1996, Records Management
<http://www.records.nsw.gov.au/publicsector/rk/AS4390.htm>

- Modernising Government Agenda
<http://www.archive.official-documents.co.uk/document/cm43/4310/4310.htm>