

Records and retention policy

Scope

This policy outlines:

- how our paper and electronic records will be maintained
- how and when they will be destroyed, in accordance with legal and business need

Who should read this policy?

- all employees
- all contractors, consultants, agency staff and advisors
- all council records (wherever geographically placed) including electronic files, databases and paper documents

Objective

We are committed to the creation, storage, management and disposal of records in accordance with legal and business need of the council

We will ensure our records improve the quality of our data and information by being authentic, accurate, accessible, complete, consistent, compliant and controlled. We will actively manage the creation, capture, storage, retrieval and disposal of all records created or received by us in order to support our business activities and meet our statutory obligations.

Overview

Our records are a corporate asset which directly impact on our ability to operate effectively and within the law. Managing records is not glamorous but are vital to the efficient running of our council. It underpins legal and regulatory compliance, such as the Freedom of Information Act, Data Protection Act and Environmental Information Regulations. If we do not manage our records it means our performance is poor, it costs the organisation in time, money and resources and makes us vulnerable to security breach, prosecution and embarrassment. For this reason, compliance is mandatory. If you breach this policy local disciplinary action is likely to take place

Benefits

Organisational benefits will arise from improving the retention and the management of our records, including:

- complying with legislation to retain records only as long as necessary
- supporting information handling and knowledge management
- delivering consistency in the management of our records
- aiding the transfer of records between services
- improving our data quality
- improving access, retrieval and destruction procedures and processes
- adhering to standards in information assurance
- supporting decision making
- providing continuity in the event of a disaster

Review

This policy will be reviewed every two years, with the next review by February 2013, to ensure its continuing suitability, adequacy and effectiveness

Governance

- the ICT Programme Board governs this policy and the implementation of good records management
- the Corporate Information Manager develops and maintains corporate policies, standards and guidelines and works closely with senior management and departmental representatives to ensure these are implemented across the council
- the Borough Archivist will provide a borough-wide view (in conjunction with the Corporate Information Manager) as to the retention of a record for historical value, even if the retention list indicates otherwise
- senior management across all business areas will ensure their staff maintain records as an integral part of their work
- departmental representatives are responsible for implementing this policy and for ensuring adequate resources are available to deliver records management
- all managers are responsible for ensuring records and information systems in their business area conforms to this policy and breaches are dealt with locally
- all staff (whether permanent, temporary or on contract) are responsible for maintaining records in accordance with this policy

Under this policy each directorate is required to have:

- an action plan that incorporates its list of records that must be retained
- the business area representative identified by members of the ICT Programme Board will be responsible for the implementation of this policy
- regular review of training needs (especially for new staff)

In addition there will be a need for each directorate to ensure:

- records contain concise, accurate and relevant information in line with data quality and the Data Protection Act
- records are retained to comply with business area retention list to ensure compliance with statutory, regulatory, financial or administrative requirements
- staff with the responsibility for creation, capture, management and retrieval of records are clearly identified and have the necessary experience or training
- a retention schedule is agreed and approved and locally maintained (feeding into the corporate retention list and overarching policy)
- local logs are maintained of all records
- all records are stored in safe and secure locations (whether local or corporate in their storage) or scanned in a consistent manner – see Digitisation policy
- records essential for the continuity of business are managed under business continuity and disaster recovery plans

What is records management?

Records management is the creation, receipt, maintenance, use and disposal, including the processes for capturing and maintaining evidence and information about business activities and transactions. There are less wordy and even wordier definitions but this is based on internationally recognised standards of practice for records management

What is a record?

In this council's opinion, a record is a evidence of a decision and as such anything created in paper or electronic form (e-mails, websites and information captured in databases) can be considered to be a record. Records relating to financial information, insurance, contracts, pension rights, proof of ownership, legal proceedings and decisions are part of this

Record sensitivity

It is the duty of all staff to follow appropriate handling to ensure information is not inappropriately viewed by those who should not have access to it

How long do we retain records?

Bromley will retain records (for specified periods) that have permanent legal, business or research value in accordance with our retention 'schedules' produced with each business area. In regard to records of historical or exceptional value to the borough, the Archivist will have the right to retain or dispose of these. This will specifically be determined by:

- legal, business or historical requirements
- the risk of keeping or disposing of a record
- provide evidence and information about our policies and actions
- contribute to the council's legacy

Version control

Sometimes documents must be kept to provide evidence of a process, for example substantial changes to plans during a building project. All documents that are altered will be retained with one previous version, unless a business area specifically requires more or less versions. In particular, we must provide an audit trail by acknowledging the version number, creation, author, department and modification date

Capturing records

To 'capture' a record, 'metadata' (in this case, data added to a record so you can find it quickly when you 'search' on an IT system) needs to be embedded into it - whatever its format. This will be encouraged as part of future IT roll-outs

Orphan records

Where there is no clear team responsible for a record, for example work no longer undertaken by us, such 'orphan' record storage will be decided by the Corporate Information Manager

Disaster recovery

This is vital. It is about pre-planning for a disaster (in whole or in part). The main issue is for each business area to ensure they prepare a disaster recovery plan - and test it every year

Training

A range of training will be developed by the Borough Archivist in conjunction with Learning and Development to ensure business areas understand the principles and adhere to the practices in their management of records

Procedures and processes

Annex A of this policy outlines key procedures and processes that need to be endorsed as part of improving consistency in the management and retention of our records

Responsibilities

- Business area records management staff will:
 - ensure appropriate standards are applied throughout a record life cycle
 - transfer records to a single offsite archive storage facility (when storage available)
 - retain or dispose of records in accordance with business area retention 'schedule'
- Information Systems Division will:
 - review, maintain and update records management policy
 - develop training on records management for appropriate staff
 - deliver an information management strategy to ensure an integrated approach to records is in place

Key Stakeholders

- Legal division
- Borough Archivist
- Information Systems Division
- Chief Officers Executive
- IT Programme Board
- Internal Audit
- Emergency Planning/Business Continuity

Reference documents

This policy has been formulated within the context of the strategies, policies and procedural documents outlined in Annex A.

Annex A - Legislation, guidance and codes of practice relating to records management

Legislation

- section 224 of the Local Government Act 1972 requires local authorities to make proper arrangements for the care of their records
- the Limitation Act 1980
- the Police and Criminal Evidence Act 1984
- the Computer Misuse Act 1990 (c. 18) establishes that it is a crime to deliberately or recklessly introduce a computer virus and identifies (1) unauthorised access to computer material eg a programme or data (2) unauthorised access to a computer system with intent to commit or facilitate a serious crime (3) unauthorised modification of computer material
- the Data Protection Act 1998 requires records and data to be accurate and up to date, stored securely and kept for no longer than necessary. We are required to identify and notify the Information Commissioner of records containing personal data and the purposes for which it is processed. We will ensure information is accessible if it is to comply with subject access requests within 40 days
- the Freedom of Information Act 2000 requires information to be made available to the public (unless it is exempt from disclosure) within 20 working days of receiving a request. The Act also places a duty on the Council to identify relevant information and assist enquirers in formulating their request
- the Regulation of Investigatory Powers Act 2000 Part 1 (Chapter 2) Section 21 (4) (b) and (c), Section 22 (2) (b) allow a local authority to access certain types of communications data for the prevention and detection of crime or preventing disorder. The Act also lays down strict rules about how and what the Council can access
- Environmental Information Regulations 2004 oblige public authorities to make environmental information available on request on a range of matters including buildings, health and safety arrangements, policies, plans, programmes and economic data used in decision-making. There are also additional guidance, policies and legislation specific to business functions and activities which affect recordkeeping

Standards

- ISO 15489 -1– 1:2001 Information and documentation – records management – part 1: general, International Standards Organisation
- ISO 15489 /TR 15489 – 2:2001 Information and documentation – records management – part 2: guidelines, International Standards Organisation

- ISO/IEC 17799 - 2005 Information technology – code of practice for information security management, International Standards Organisation
- ISO 23801 pt 1 & 2 – 2004 Information and documentation – records management process – metadata for records, International Standards Organisation. WCC Records management Policy Approved v1.0 Page 9 of 10
- e-Government Metadata Standard Version 3.1 - 2006
- BS 10008:2008 Evidential weight and legal admissibility of electronic information. Specification

Codes of practice

- the Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act (2000)
- ISO 15489 – 3:2003 Effective Records Management – part 3: Performance management
- BSI BIP 0009 Document management Legal Admissibility of Information Stored on Electronic Document Systems: Compliance Workbook
- BSI BIP 0010 The Principle of Good Practice for Information Management
- BSI BIP 0016:2001 Guide to scanning business documents
- BSI PD 0025 – 1:2002 Effective records management: a management guide to the value of BS ISO 15489 -1
- BSI PD 002 – 2:2002 Effective records management: practical implementation of BS ISO 15489-1
- BSI BS8470 – 2006 Code of Practice for the secure destruction of confidential material

Annex B – Glossary of terms

What is records management?	Records management is a process for the systematic management of all records and the information or data that they contain.
Retention	These are the periods of time, varying from a few months to permanency during which a record has to be kept. This is usually determined by statute, legal, regulatory or business need, or where these do not apply, by a best assessment of risks
DPA	This is commonly known as the DPA. It is the method for processing data on identifiable living people and governs the protection of personal data
FoI	This gives anybody the legal right to be provided with information held by a public authority.
Information management	This is the means by which organisations aim to maximise efficiency through planning, collecting, organising, using, controlling, storing and disposing of their information.
Core Records	Records, in whatever form, that are required for permanent retention
Classification	Systematic identification and arrangement of business activities and/or records into categories
Destruction	Process of eliminating or deleting records, beyond any possible reconstruction
Metadata	Data describing context, content and structure of records and their management through time
Preservation	Processes and operations involved in ensuring the technical and intellectual survival of authentic records through time
Record lifecycle	Term used to describe the life of a record in the organisation from origination through to its disposal
Retention	Bromley's retains only the records (for specified periods) that have permanent legal, business or research value in accordance with retention 'schedules' produced with each business area

Records management	Field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, retrieval, use and disposition of records. These include processes for capturing and maintaining evidence of, and information about, business activities and transactions in the form of records
Information assurance	This is the practice of managing risks related to the use, processing, storage, transmission and systems of information
ISO/IEC 27002	A code of practice to improve information security. It was created by the International Organisation for Standardisation and International Electrotechnical Commission
Security classification	This is intended to ensure those who need to know have access to particular documents. Different schemes exist. In particular, councils may use the national government's protective marking scheme, however, markings such as 'restricted' are not always effective when sharing between Bromley's diverse partnerships
Caldicott Guardian	This is a senior individual responsible for protecting the confidentiality of patient/service user information. The name arose from a report written by Dame Fiona Caldicott in 1997
Tracking	Creating, capturing and maintaining information about the movement and use of records
Vital records	Records, in whatever form, that are essential to the continued operation of the council after a disaster (business recovery).

Annex C – Contributors to policy

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