

<i>Reference number</i>	<b>RM001</b>
<i>Approved by</i>	<b>Information Management and Technology Board</b>
<i>Date approved</i>	<b>February 2016</b>
<i>Version</i>	<b>1.1</b>
<i>Last revised</i>	<b>March 2018</b>
<i>Review date</i>	<b>May 2019</b>
<i>Category</i>	<b>Records Management</b>
<i>Owner</i>	<b>Information Governance Team</b>
<i>Target audience</i>	<b>All employees of Herefordshire Council</b>

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## **RECORDS MANAGEMENT POLICY**

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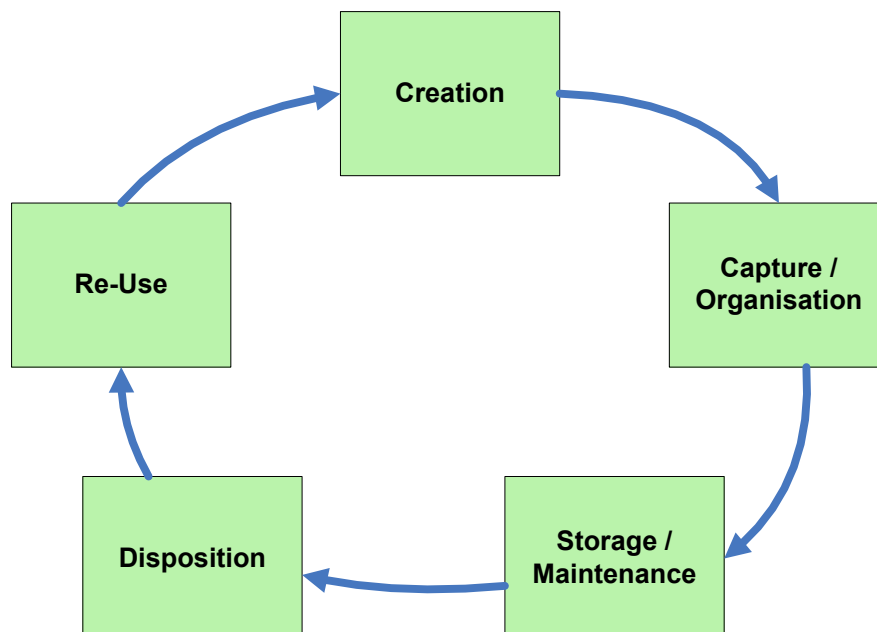
## 1. Purpose of this policy

Herefordshire Council is dependent upon the records it holds to operate efficiently and to use as evidence to account for its actions. This policy defines a structure to ensure that adequate records, in any medium, are maintained, managed and controlled effectively and at best value, commensurate with legal, operational and administrative needs. Records are a key resource for the organisation and are essential to the delivery of high quality public services.

Records management involves creating accurate, complete, reliable records, providing controlled, ready access to them, and retaining only those records necessary for the business use of the organisation, for as long as that use lasts. This approach has several benefits:

- provide compliance with information legislation (including the Data Protection Act 2018 and the Freedom of Information Act 2000).
- allow efficient use of physical and virtual space.
- allow efficient use of staff time (saving time searching for records).
- provide reliable evidence for protecting the rights and interests of the organisations.
- provide effective evidence for demonstrating performance and accountability.
- provide identification for preservation of records with lasting historical or heritage interest.
- support customer service
- support day to day business which underpins delivery of services
- support sound administrative and managerial decision making, as part of the knowledge-base for local government
- support transparency and openness of service provision
- support improvements in effectiveness through research
- assist audit functions

The lifecycle of a record reflects its' use by the organisation:



Whilst a record is being created, captured and organised, it is known as an active record. It is semi-active, or non-current, when it is being stored for audit, legal, administrative or operational reasons and no longer referred to on a regular basis. Disposition is when a record is destroyed or archived, which may result in re-use (such as when used as an historical record in Herefordshire Record Office).

## **2. Who does this policy apply to?**

This policy applies to all employees of Herefordshire Council who create and/or use records. It also applies to those acting as its agents in the course of a council activity, who will be depositing records of their work with or for the organisation. Equally, it applies to Members relating to their work on Council business.

## **3. Scope of the policy**

This policy relates to all operational records. Operational records are defined as information, created or received in the course of business, and captured in a readable form in any medium, providing evidence of the functions, activities and transactions of the organisation. They include:

- Administrative records (including personnel, asset and estate management, financial and accounting records, contract records, emergency planning, health and safety records, litigation and records associated with enquiry and complaint-handling)
- Service records (including planning applications, public rights of way footpath files, highways and transportation files, environmental health files)
- Case records (including Social Care, Education and Homelessness case files)
- School records (including pupil records)
- Management records (including minutes of meetings, business plans and strategies)
- Project files
- Records of the democratic process (including Elections and Committee Meetings)
- Photographs, slides, and other images
- Microform (i.e. fiche/film)
- Maps, plans and drawings
- Audio and video tapes, cassettes, CD ROM etc.
- E-mails
- Electronic records created in Microsoft Office applications (including Word documents, Excel spreadsheets, and Powerpoint presentations)
- Records in line of business applications
- Scanned records
- Text messages

They do not include copies of documents created by other organisations kept for reference and information only.

All records created in the course of the business of the organisations are corporate records. Records which are designated as public records under the terms of the Public Records Acts 1958 and 1967 are also included in the scope of this policy. Public records will need to be stored and maintained by the creating organisation until transfer to the Archives Services. Both corporate and public records include email messages and other electronic records.

#### **4. Principles of records management**

It is the policy of Herefordshire Council to ensure that:

- records are complete and accurate, the information they contain is reliable and its authenticity can be guaranteed;
- records and the information within them can be efficiently retrieved by those with a legitimate right of access, for as long as the records are held by the organisation;
- records will be secure from unauthorised or inadvertent alteration or erasure, that access and disclosure will be properly controlled and audit trails will track all use and changes;
- records will be held in a robust format which remains readable for as long as records are required;
- there are consistent and documented retention and disposal procedures that include provision for permanent preservation of archival records;
- a records management strategy is developed and maintained;;
- local record keeping procedures are developed in line with information management and information governance requirements;
- legal and regulatory requirements are met;
- records management training is made available to staff as appropriate;
- records management is appropriately addressed in staff contracts and job descriptions.

#### **5. Aims of the records management system**

The aim of the Records Management System is to ensure that:

- Records are available when they are needed
- Records can be accessed
- Records can be interpreted
- Records can be trusted
- Records can be maintained through time
- Records are secure
- Records are retained and disposed of appropriately
- Staff are trained in records management procedures

## **6. Responsibilities**

### ***The Chief Executive***

The Chief Executive has overall responsibility for records management within Herefordshire Council. As an accountable officer, the Chief Executive is responsible for ensuring that appropriate mechanisms are in place to support service delivery and continuity. Records management is key to this, as it will ensure appropriate, accurate information is available when required.

### ***Equality, Records and Information Compliance Service***

The Equality, Records and Information Compliance Service will provide general advice, training and guidance on records management. The Service is responsible for the implementation and monitoring of this policy, and for creating a strategy and associated procedures for corporately managing records.

The Service also has responsibility for the central repository for non-current paper records, the Modern Records Unit.

### ***Caldicott Guardians***

The Caldicott Guardians in Social Care are responsible for ensuring that person identifiable information is shared and used in an appropriate and secure manner and for the provision of advice on matters relating to the handling of confidential personal information.

### ***Information Management and Technology Board***

The Information Management and Technology Board is responsible for ensuring that this policy is approved and maintained and that the records management system and processes are developed, co-ordinated and monitored. The Board will also ensure that there are adequate resources to support the work outlined in this policy, and in particular that there is capacity within the Equality, Records and Information Compliance Service to support compliance.

### ***Directors / Assistant Directors / Service Managers / Team Leaders***

The responsibility for local records management is devolved to the relevant Directors, Assistant Directors, service managers and team leaders. Teams within the council have overall responsibility for the management of records generated by their activities, that is, for ensuring that records controlled within their area are managed in a way which meets the aims of the organisational records management policies and procedures.

Managers are responsible for ensuring that where required, local guidelines are developed that complement these policies and procedures. An annual review of the retention schedule for their area must also be carried out, with any updates made by the manager and notified to the Equality, Records and Information Compliance Service.

All directors and managers are responsible for carrying out risk assessments using the corporate risk assessment template for all aspects of records management and bringing risk issues to the attention of the Equality, Records and Information Compliance Service for logging on the information governance risk register. Risk may cover the risk of a breach of confidentiality as well as a risk to health and safety. Managers are responsible for taking actions to minimise any risk issues affecting their departments.

Directors and managers must ensure that their staff have been trained in the relevant records management procedures and are aware of what is good practice and appropriate for the function they perform.

It is a mandatory requirement for all Directors to instruct their Service Managers to annually review their paper files held at the Modern Records Unit to ensure that the records are only retained as long as there is a business need for them in line with their retention schedule.

### ***Herefordshire Archives Services staff***

The staff of Herefordshire Archives Services have responsibility for the storage and preservation of historical records of the Herefordshire Record Office, and any records identified as public records under the terms of the Public Records Acts 1958 and 1967.

### ***All employees***

All employees who create, receive and use records, have records management responsibilities. In particular all staff must ensure that they keep appropriate records of their work in the organisation and manage those records in line with this policy and any guidance subsequently produced. This responsibility is established at, and defined by, various pieces of legislation and is included in professional guidelines. For example, the Data Protection Act 2018 places a statutory restriction on the use of personal information contained in records.

Records should not be kept for longer than is necessary for the business purpose. Reference should be made to retention and disposal schedules when seeking to destroy records or transfer records to the Archives Services.

Individuals should ensure that:

- it is possible to establish who created the document, during which operational process, and how it relates to other records.
- the record can be trusted.
- the record can be maintained through time.
- it is accessible and meaningful in the right format, to those who need to use it.
- the record conforms to national guidelines on data quality.
- there is no unnecessary duplication between the paper and electronic record collections.

- records are kept secure whilst in transit and off the premises of Herefordshire Council.

Employees must familiarise themselves with all policies and procedures associated with records and information management, complete the eLearning module on records management, and attend any other relevant training courses.

Employees retrieving paper records from the Modern Records Unit must ensure that the files are promptly returned after use. If files are mislaid employees are responsible for locating them and if any files are lost, for reporting this promptly to the Information Governance Team and the Modern Records Unit.

### **Contractors, Employment Agencies and Volunteers**

All contractors, staff working for employment agencies and volunteers have the same responsibilities as Herefordshire Council. For further information on these responsibilities, please see the above section.

Where contractors or employment agencies are used, the contracts between the Council and these third parties should contain mandatory information assurance clauses to ensure that the contract staff are bound by the same code of behaviour as Council members of staff.

## **7. Access to Records**

As public authorities, the council's records are held on the basis of business need. Where records are not required for performing the business of the council they will be destroyed in line with retention and disposal schedules specified locally and nationally, unless there is a potential historical interest. Where there is historical interest in the records, they will be transferred to the Herefordshire Archives Services for long-term storage and preservation.

Staff will maintain appropriate records of their activities and ensure those records are correctly classified and can be accessed by the appropriate professionals or employees of the organisations.

The council will provide access to its records in line with the relevant laws and appropriate professional guidelines. Certain information held by the council is exempt from disclosure to the public. Examples of exemptions are included in the Freedom of Information Procedure. The council will publish or provide information to interested applicants under Access to Information legislation where the application is valid, any prescribed fee has been paid and information requested is not subject to an exemption.

## **8. Management of Records**

There are a wide variety of records in use in the council. The following paragraphs set out best practice in respect of managing these records, with further detail given in records management procedures associated with this policy.



### **Registration of Record Collections**

The council will establish and maintain mechanisms through which teams can register the records they are maintaining. This will be done ultimately through an electronic records management system. The records will be structured through a classification scheme that will form the basis of an electronic file plan.

Paper records sent to the Modern Records Unit will be listed prior to transfer, and a register of the records stored will be kept and maintained by the Unit.

### **Record Creation**

All employees will ensure that records created are complete and accurate and arranged in a record keeping system which allows quick and easy retrieval of information.

All electronic records should contain metadata ("indexing") which describes the context, content, structure and management of the record over time. This will include the title of the record, a description of content, the name of the creator and any other contributors, the name of the department to which it relates, the date of creation, and the classification. Records should be created in accordance with any corporate procedures in order that legal and professional obligations are complied with.

### **Appraisal of Records**

The council will ensure that records are appraised to determine whether they are worthy of permanent archival preservation, particularly if they have long-term historical or research value.

Managers will ensure that retention schedules are reviewed at least annually to determine if any new records in their area need to be added to the schedule or if any retention periods require adjusting.

### **Record Closure**

Employees should ensure that records are closed (that is, made inactive and in the case of paper records transferred to the Modern Records Unit) as soon as they have ceased to be in active use, other than for reference purposes. An indication that a file of paper records or a folder of electronic records has been closed, together with the date of closure, should be shown on the record itself, as well as noted in any index for that file or folder.

### **Retention and Disposal Schedules**

Employees must ensure that council records are retained for the minimum period of time for legal, audit, operational, research and safety reasons. The length of time for retaining records will depend upon the type of record and its importance to the council's business functions. Retention periods are identified within the council's retention schedules for individual teams.

## **Records Tracking and Tracing**

Employees must ensure that the movement and location of records is controlled through the use of electronic or manual tracking systems to ensure that records can be easily retrieved at any time and that there is an auditable trail of record transactions.

## **Records Management Systems Audit**

The council will regularly audit its records management practices to ensure that it complies with the records management framework. This will identify areas of operation covered by council policies and identify which procedures and / or guidance should comply with those policies. It will also identify areas within the policy and procedure framework which require updating to cover missing or changed areas, and highlight areas where there is non-conformance to the procedures and policies, in order that awareness can be improved through better training.

## **9. Security of Records**

Records must always be kept in a secure environment. When a record is in constant or regular use, or is likely to be needed quickly, it makes sense to keep it within the area of use.

When records are not in frequent use they may be transferred to the Modern Records Unit.

The records management procedures accompanying this policy will detail further security methods for keeping paper and electronic records.

## **10. Transportation of Records**

It is important for employees to consider the necessity of taking records off council premises. For many employees providing services and care in the community, or working remotely, it is very necessary. Guidance on taking information off site will be provided by the Equality, Records and Information Compliance Service.

## **11. Providers**

Contracts made with partner organisations must contain clauses to ensure that there is an adequate standard of record keeping by partners in fulfilling services on the Council's behalf. Where the work is specialised and tied in with Council staff the Council will provide training for partner organisation staff to reduce the risk of poor records management.

The Council's key providers include:

- Balfour Beatty
- FCC Environment
- Halo
- Hoople

## 12. Other relevant policies / documents

This policy should be read alongside the following documents:

- Electronic Records Procedure
- Paper Records Procedure
- Procedure for the Disposal of Records
- Document Scanning Policy
- Version Control Procedure
- File Naming Procedure
- Hand Written Notes Procedure
- Taking Information Off Site Procedure
- File Audit Procedure
- Disposal of Source Records Policy
- Redaction Policy
- Information Sharing Protocol
- Modern Records Unit User Guide
- Information Security Policy
- Freedom of Information Procedures
- Data Protection Policy
- Corporate Information Model

## 13. Compliance

Various legislation and standards apply to records management, including

- Local Government (Access to Information) Act 1985
- Records Management: NHS Code of Practice
- Retention Guidelines for Local Authorities: A Guide Produced by the Local Government Group of the Records Management Society of Great Britain 2003
- Access to Medical Records Reports Act 1988
- Access to Health Records Act 1990
- Public Records Act 1958 and 1967
- The Data Protection Act 2018
- The Freedom of Information Act 2000, including the Lord Chancellor's Code of Practice on the Management of Records
- The Environmental Information Regulations 2004
- Human Rights Act 2018
- Common Law Duty of Confidentiality
- The Caldicott Report
- BS ISO 15489 International Standard for Information and Documentation – Records Management
- BSI BIP 0008 Code of Practice for Legal Admissibility and Evidential Weight of Information Stored Electronically
- ISO 27001 International Standard for Information Security Management

Failure to follow this procedure may result in non-compliance with one or more of these Acts or standards, and in the sponsoring officer facing disciplinary procedures.

#### **14. Monitoring arrangements**

The Equality, Records and Information Compliance Service will provide updates on records management risks to the Information Governance Steering Group, escalated as appropriate to the Information Management and Technology Board.

#### **16. Training and awareness requirements**

Once approved, all officers and members will be made aware of the existence of this policy through the standard organisational communications. Training on records management will also be offered via an eLearning module as part of the Council information governance training.