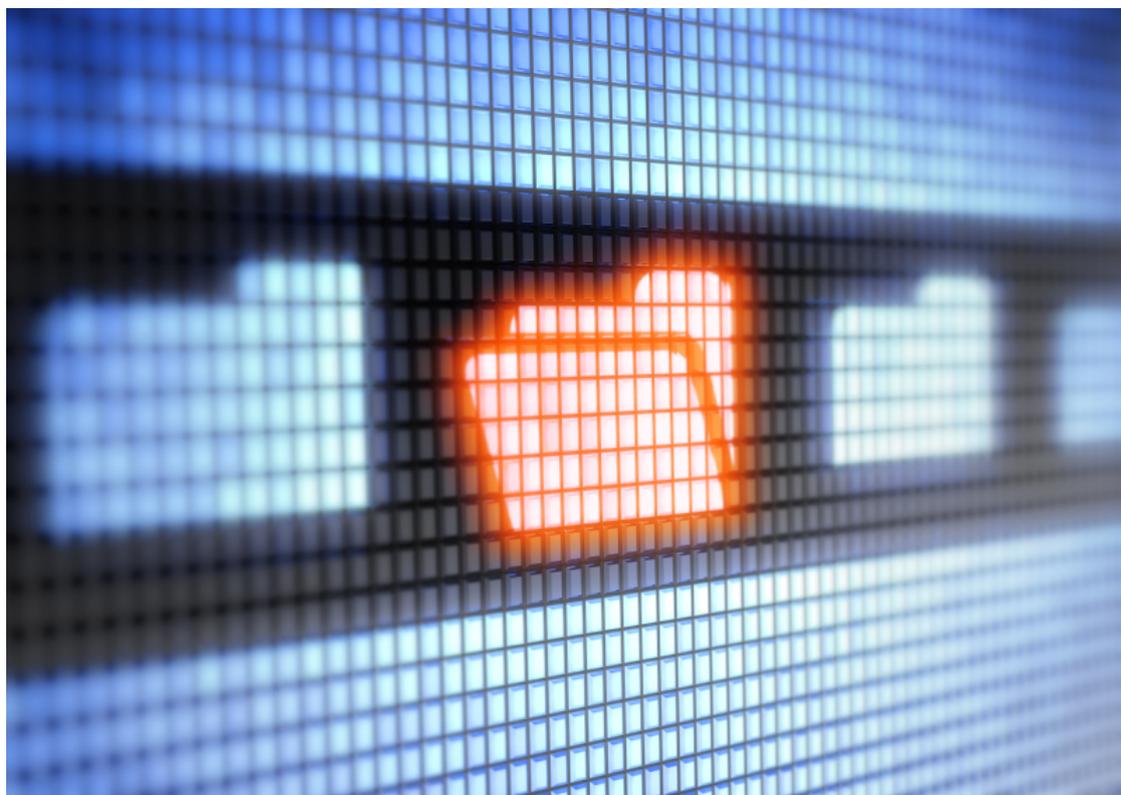Malvern Hills District Council

Records Management Policy

Organisation	Malvern Hills District Council
Title	Records Management Policy
Author	Suzanne Gill, Information Management Officer.
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Version History

Revision Date	Author	Version	Amendment History
9/2015	Author- Suzanne Gill	V1.0	Final

1. Policy Statement

Malvern Hills District Council holds records that are a vital asset, supporting on-going operations and providing valuable evidence of business activities.

The purpose of this policy is to provide the Council with a simple record management framework that will make sure that records are effectively managed throughout the organisation. It will ensure that the Council:

- Creates and maintains relevant, authentic, reliable records that meet the Council's business needs
- Produces records that can be easily understood and useable by employees and the public
- Conforms to any legal and statutory requirements relating to record-keeping, as
- Disposes of records appropriately in accordance with legal and regulatory obligations
- Maintains effective records management through regular training and awareness
- Protects vital records required for the effective function of the Council
- Develops a culture that acknowledges the benefits and value of effective records management throughout the Council

The benefits of good record management include:

- Effective use of office space resulting in reduced storage costs and increased staff productivity
- Reduced likelihood of duplicating effort as information is more easily shared where appropriate
- Ability to comply with relevant legislation, regulations and standards
- Improved image of the Council both to internal employees and members as well as externally to the Council's partners, other organisation's and its communities
- Enabling identification and appropriate procedures to be put in place for key information, ensuring that the Council is able to maintain its core functions in the event of a disaster
- Reduction in the amount of excessive and redundant information that clutters work spaces including offices, desks and e-mail inboxes

2. Scope

The policy applies to all records that are created, received, processed and maintained by Malvern Hills District Council. It applies to all records regardless of format or storage medium, and therefore applies to electronic records, including e-mail.

The policy applies to all employees of Malvern Hills District Council. The policy applies regardless of location of working environment, be this on council premises, at home, or elsewhere.

This policy forms part of the Council's Information Governance Framework. It is produced in accordance with the requirements outlined in the Lord Chancellor's Code of Practice on the Management of Records, (issued under section 46 of the Freedom of Information Act 2000) and the National Archives Guide 3: Records Management Policy.

3. Roles and Responsibilities

All employees who create, receive and use records have a records management responsibility depending on the role they fulfil. There are four main levels of responsibility. These are:

- Lead responsibility
- Operational responsibility
- Managers responsibility
- Staff responsibility

> **Lead responsibility - Senior Management Team**

The Senior Management Team is responsible for the Council's strategic direction in relation to Information Management and sets the tone at the top in terms of the Council's records management culture. Key responsibilities at this level include

- To ensure records management is recognised as a corporate programme and receives the necessary levels of organisational support, along with the resources required to ensure effectiveness
- To support and enforce the Records Management Policy

> **Operational responsibility – Senior Information Risk Owner/Head of Legal Services /Information Management Officer and Internal Audit**

The Head of Legal Services is also the Council's appointed Senior Information Risk Owner. The SIRO has the day-to-day responsibility for managing the overall function of records management. Key tasks at this level include:

- Develop, implement and maintain the Records Management Policy and associated codes of practice
- Work with service delivery units/teams in determining what records they should keep for their work and where and how they should keep them
- Develop, implement and maintain guidance in respect of disposal schedules

- Raise staff awareness of records management procedures and provide ad hoc advice when required
- Carry out regular reviews of all aspects of the records management programme and make recommendations for improvement
- Provide regular training to all staff to ensure they are aware of their obligations regarding Data Protection, Freedom of Information and Records Management

➢ **Manager's responsibilities - Service Manager**

Managers have the day-to-day responsibility of managing records in their own service delivery unit/team. Key tasks at this level include:

- To ensure proper provision for the implementation of the Records Management Policy is made within their service area\team
- To nominate appropriate officers to oversee the implementation of and compliance with this policy and to ensure full commitment and support is received
- To put procedures in place to ensure records are created, captured and maintained which provide evidence of the Council's functions, policies, decisions, procedures and activities
- To ensure action plans for implementation of the policy are incorporated into appropriate service plans

➢ **Staff responsibility – All Employees**

The quality and success of the Records Management Policy will depend on the contributions of all staff. The Council will not meet its legal, regulatory and accountability requirements unless we keep complete and accurate records, which adequately document our work. Key tasks at this level include:

- To ensure the capture of records that provide evidence of all functional activities, containing accurate and relevant information, which is appropriate but not excessive
- To capture records into appropriate record keeping systems that are arranged and indexed to allow easy identification and efficient access to information
- To ensure records, which no longer need to be retained, are only destroyed in compliance with the Council's Document Retention Schedule and in a manner suitable to their confidentiality
- To ensure sufficient commitment of time to manage records in accordance with this policy
- Records are created, received and used by individuals but they are the property of Malvern Hills District Council. Records must be organised and retained to meet both immediate short-term user needs and the Council's long-term corporate requirements

4. Records Creation and Record Keeping

All Council departments must have in place a record keeping system (paper or electronic) that provides quick and easy retrieval of information and complies with legal and statutory requirements. Where possible, paperless record keeping should be used in order to minimise storage space. It is the responsibility of each department to ensure records are created and kept in the following ways:

- All records are easily identifiable using a defined index system which is documented and all employees are aware of how to use it

- Records are linked with the Freedom Of Information Act Publication Scheme and are in a re-usable format that complies with the Re-use of Public Sector Information Regulations
- There is a defined procedure in place for keeping the system updated

5. Record Maintenance

The record keeping system must be regularly maintained, with records adequately stored and protected, whilst allowing accessibility for effective retrieval. Each department must ensure:

- There is adequate storage for records
- A system to monitor the movement and location of records for easy retrieval
- Access to information is controlled
- Vital records are identified and appropriate protection is in place including a business recovery plan
- Non-current records are transferred to designated storage facilities in a controlled manner

6. Document Retention and Disposal

The aim of a Document Retention Schedule is to promote the control of records and manage storage implications by:

- Enabling prompt disposal
- Identifying transfer of custody e.g. to the County Archivist
- Ensuring minimum retention

The Council's Document Retention Schedule is annexed to this policy. It is also on the Council's intranet and website for staff and public use. Where records exist that are not listed, Service Delivery Managers are responsible for updating their departments schedule and notifying the Information Management Officer, so amendments can be made to the Council's Document Retention Schedule.

All schedules should include the following elements:

- Name of the service creating or holding the records
- Descriptions of the records
- Retention period and/or disposal action
- Any additional notes

There are three elements to disposal instructions:

- Disposal action, for which there are three possibilities:
  - Review
  - Preserve permanently
  - Destruction

- Timing of disposal – a minimum period for which the records should be retained before disposal action is taken
- Event which triggers the disposal action (legislative requirements)

The Document Retention Schedule will be monitored regularly, preferably once a year, to see that:

- Retention periods and disposal actions are still appropriate in the light of experience
- Records no longer generated are removed from schedules after disposal action of them is complete
- Newly created categories or records are added to the schedules
- Records which are on schedules as needing retention are still in existence

7. Destruction

The method of the destruction of paper records will depend on their content. Where personal or confidential information is included, the records should be kept separate from other waste. Minimum requirements are:

- Non-sensitive, i.e., in the public domain – recycling bin
- Sensitive records not normally available to the public, i.e., containing personal information- confidential waste
- Restricted, i.e., Governmental business – shredded and placed in confidential waste bags for collections by an approved disposal firm

Electronic records should be reviewed regularly and deleted only in accordance with the Council's Document Retention Schedule.

8. Business Recovery & Security

Protection of records against elements such as floods, fire, theft and loss through carelessness or equipment failure is an essential part of the records management role. Therefore, adequate measures must be taken to safeguard all of an organisation's records. The type of business recovery to be implemented will depend on the nature of the records and the risks. The process of risk assessment has three elements:

- Identification of risk – e.g., flood, fire, security, infestation, environmental pollution
- Evaluation – likelihood of the above happening and level of impact if it did happen
- Control – identify what measures can be implemented to reduce the risk

When assessing risks associated with the storage of records, the Service Manager in accordance with the Council's Risk Management Policy (available via the intranet) must carry out a risk assessment.

9. Policy Compliance

The policy will be reviewed annually to ensure compliance.

10. Associated Legislation, Standards and Council policies

Compliance with this policy will facilitate compliance with the following legislation, standards and Council policies.

Legislation

- Public Records Acts (1958 and 1967)
- Local Government (Records) Act (1962)
- Local Government (Access to Information) Act 1985
- Environmental Information Regulations (2004)
- Data Protection Act (1998)
- Freedom of Information Act (2000)
- Local Government Transparency (2015)
- Regulation of Investigatory Powers Act (2000)
- Civil Contingencies Act (2004)
- Re-use of Public Sector Information Regulations (2015)

Other record-keeping legislation that is specific to certain areas of work must also be taken into account and incorporated into the Document Retention Schedule.

Records Management standards and guidelines

- British Standards (BSI)
  - ❖ BS 7799: Code of Practice for Information Security Management
  - ❖ BS ISO 15489: British and International Standard for Records Management
  - ❖ BS ISO/IEC 27001: British and International Standard on Information Technology Security techniques, Information Security Management Systems
  - ❖ BS 10008: British Standard on Evidential weight and legal admissibility of electronic information

- Retention Guidelines for Local Authorities (Draft 2002) by the Local Government Group of the Records Management Society Great Britain

Associated Council polices include:

- Information Security Policy
- Data Protection Policy
- Risk Management Policy.