

WIRRAL COUNCIL

CABINET

3 SEPTEMBER 2009

REPORT OF THE DIRECTOR OF FINANCE

CORPORATE RETENTION AND DESTRUCTION POLICY AND CORPORATE RECORDS MANAGEMENT POLICY

1. EXECUTIVE SUMMARY

1.1. On 26 July 2007, Cabinet agreed two policies governing the records management procedures of the Council. In keeping with good practice, these policies have been reviewed and are presented for approval.

1.2 The policies are:

- (i) the Corporate Retention and Destruction Policy which replaces the Corporate Retention Policy, published in July 2007;
- (ii) the Corporate Records Management Policy, last published in July 2007.

2. BACKGROUND

2.1. Council records are a vital information asset and a valuable resource to both staff and the public. By revising and implementing these two policies, the Council demonstrates commitment to best practice and compliance in information governance.

2.2 The implementation of these two policies is a necessary prerequisite to ensuring that Council information can be accessed easily and efficiently, can be destroyed in a timely manner, and meets all legislative, financial and regulatory obligations. Their adoption ensures that Wirral Council remains at the forefront of innovation and best practice in this area.

2.3. The policies will be reviewed at least every two years in order to take account of any amendments in legislation and best practice.

3. CORPORATE RETENTION AND DESTRUCTION POLICY

- 3.1 The policy is attached at Appendix 1. The detailed retention schedules will be circulated to managers when the overall policy has been agreed. It acts as an operational guidance tool for the management and retention of all records produced and held by the Council. It is based on current legal, financial and regulatory requirements as well as professional best practice.
- 3.2 This policy aims to give staff who work with information the confidence to dispose of it in a timely manner, avoiding unnecessary build-up of redundant information, confusion within back-office systems, and the operational inefficiencies which result from these. Ensuring that records are managed effectively, will lead to substantial savings in both time and money.

4. CORPORATE RECORDS MANAGEMENT POLICY

- 4.1. The creation of a Records Management Policy is a legal requirement, as set out in the Lord Chancellor's Code of Practice, issued under Section 46 of the Freedom of Information Act 2000. This policy, at Appendix 2, states the Council commitment to the introduction of efficient records management practices and procedures, including the creation, use and disposal of all records. It defines specific roles and responsibilities for recordkeeping and provides a best practice framework for the management of all Council records, regardless of their format.

5. FINANCIAL AND STAFFING IMPLICATIONS

- 5.1. There are no direct financial or staffing implications that arise as a result of these two policies. It should be noted, however, that adherence to these policies will ensure efficient working practices are maintained; making best use of staffing, property and financial resources.

6. EQUAL OPPORTUNITIES IMPLICATIONS

- 6.1. There are none arising from this report.

7. HUMAN RIGHTS IMPLICATIONS

- 7.1. There are none arising from this report.

8. LOCAL AGENDA 21 IMPLICATIONS

8.1. There are none arising from this report.

9. COMMUNITY SAFETY IMPLICATIONS

9.1. There are none arising from this report.

10. PLANNING IMPLICATIONS

10.1. There are none arising from this report.

11. LOCAL MEMBER SUPPORT IMPLICATIONS

11.1. There are none arising from this report.

12. BACKGROUND PAPERS

12.1. Corporate Retention Policy - July 2007.

12.2. Corporate Records Management Policy - July 2007.

12.3. Records Management Code of Practice – Department for Constitutional Affairs.

13. RECOMMENDATION

13.1. That the Corporate Records Management Policy and Corporate Retention and Destruction Policy be agreed.

IAN COLEMAN
DIRECTOR OF FINANCE

CORPORATE RETENTION AND DESTRUCTION POLICY

Metadata

Title	Corporate Retention and Destruction Policy
Owner	Records Manager
Approved by	Cabinet
Date of Approval	3 September 2009
Version Number	3
Review Frequency	At least every two years
Next Review Date	September 2011

Scope

The Corporate Retention and Destruction Policy details recommended retention periods for records created and maintained by Wirral Council. It lists the types of records created or received by Wirral Council, and the length of time they should be retained, in line with business need, legislative, statutory and regulatory requirements. The Policy refers to all records, regardless of their format. It includes both paper and electronic records.

The Policy is based on the Local Government Classification Scheme and the Retention Guidelines for Local Authorities, both produced by the Records Management Society of Great Britain.

Many of the retention periods are laid down by statute, whilst others are guidelines following best practice. Every effort has been made to ensure that these retention periods are compliant with the requirements of the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. Furthermore, the retention periods have been agreed by a period of consultation with representatives from all departments.

The Corporate Retention and Destruction Policy should be used as a point of reference by all staff with regards to the day-to-day management of their records.

How to Use the Policy

Although the Policy is designed functionally, it should be clear for many departments, which section they need to refer to for their records. If it is unclear, a free text search can be performed in order to locate the relevant documents.

There are generally three procedures to follow with regards to the management of your records once their administrative use has been concluded, i.e. they are no longer referred to on a regular basis by staff but need to be retained in line with their agreed retention period.

1. 'Transfer to Records Management' – you should transfer all records that need to be retained for longer than their administrative use, to the Corporate Records Management Facility, for secure storage. Once the records have reached the end of their retention period within the Facility, a review of the records will take place which will either lead to confidential destruction, extension of the review period or transfer to the Archives for permanent preservation. For information about the Records Management Facility and Service available, please contact the Records Manager.
2. 'Offer to Archivist' – all records that are of potential historical value to the Council should be offered to the Archivist once their administrative use is concluded. These records will then be appraised and possibly selected for permanent preservation within Wirral Archives Service. Please contact the Archivist for further information.
3. 'Retain in Office then arrange for recycling/confidential disposal' – if records have a short retention period applied to them or need to be retained close to hand for regular referral, there is no need to send them to the Records Management Facility for storage. Instead these records should be retained in their creating department until the end of their retention period, then recycled or confidentially disposed of, depending on their content, once they have reached the end of their retention period. If the records are held in electronic format, staff should ensure that they are deleted entirely from their systems. For further information about the Council's confidential waste procedures, please contact the Records Manager.

Important Notes for Consideration

If you only have a convenience copy of a document, and did not create or have responsibility for it, then you may destroy it as soon as you stop referring to it. You should not keep any copies longer than the full retention period stated.

If a department and/or section do not require the use of the Records Management Facility for the storage of their records, it should be noted that any destruction of records should be fully and accurately documented. The Council must comply with the obligations set out with the Data Protection Act and Freedom of Information Act and provide information regarding destruction if records are requested for access but no longer held. Contact the Records Manager for further information and guidance on documentation requirements.

If litigation is ongoing, some records may need to be retained for longer than is specified within the Policy in order to support any litigation process. For further advice, please contact the Records Manager.

Responsibilities

It is the responsibility of all Wirral Council staff to adhere to this Corporate Retention and Destruction Policy.

Review

This Policy will be reviewed regularly, at least every two years, in line with any changes in legislation and business practices.

RECORDS MANAGEMENT POLICY

Title	Records Management Policy
Owner	Records Manager (0151 606 2592)
Approved By	Cabinet
Date of Approval	3 September 2009
Version Number	2.0
Review Frequency	Every two years
Next Review Date	September 2011

Introduction

Wirral Council recognises that the effective management of its records, regardless of format, is essential in order to support its core functions, to comply with its legal and regulatory obligations and to demonstrate transparency and accountability to all its stakeholders. Records are a vital information asset and a valuable resource for the Council's decision making processes, policy creation and operations, and must be managed effectively from the point of their creation until their ultimate disposal.

What is Records Management?

Records Management can be defined as the process whereby an organisation manages its records, whether created internally or externally and in any format or media type, from their creation or receipt, through to their disposal or permanent preservation within Wirral Archives Service.

Purpose

The purpose of this Policy is to ensure that all records are created and maintained in such a way that they can be classed as authentic and reliable, in order to demonstrate evidence and accountability for all actions carried out in the course of business.

Wirral Council is committed to securely maintaining and providing access to all records that are required for continuing business purposes; identifying and protecting the Council's vital records; permanently preserving those records that are deemed of historical value to the Council and community; destroying all records in an appropriate and timely manner in line with the Corporate Retention and Destruction Policy; and meeting all legal and regulatory requirements.

Benefits

The benefits of implementing records management systems and processes include:

1. A reduction in duplication throughout the Council.
2. A simplification of procedures and processes.
3. Increased information sharing and the provision of quick and easy access to the right information at the right time.

4. Improved business efficiency and service level improvements through reduced time spent searching for information.
5. Meeting community expectations through the provision of good quality services.
6. A demonstration of transparency and accountability for all actions.
7. Risk management in terms of meeting all legislative and regulatory requirements through evidence of compliance.
8. Support for decision-making through maintenance of the corporate memory and provision of access to decisions that were made previously.
9. Creation of better working environments.
10. Cost savings on current and future records management resources and storage.

Scope

This corporate policy relates to all departments, divisions, sections and services of Wirral Council and all records created and received by its employees. It similarly relates to all staff who are mobile working, working off site and working within joint partnerships. It applies to all records regardless of format or medium, including paper, electronic, audio, visual and photographic.

Statement

It is the policy of the Council to maintain authentic, reliable and useable records, which are capable of supporting business functions and activities for as long as they are required. This will be achieved through the establishment of effective records management policies and procedures, including:

- The running of a central Records Management Facility for the management of all semi-current paper records, including retrieval, review and disposal.
- The review and redistribution of the Corporate Retention and Destruction Policy to reflect the needs of the Council.
- The development of a business classification scheme within the corporate document management system.
- The implementation of training and awareness sessions to highlight the importance of record keeping within the Council.
- The provision of access to semi-current and historical records in order to encourage well informed decision making processes.
- The protection of vital records against accidental loss or destruction.
- The timely and appropriate destruction of records in line with the Corporate Retention and Destruction Policy.

The policy has been developed in accordance with BS ISO 15489 and the Lord Chancellor's Code of Practice on the Management of Records, issued under Section 46 of the Freedom of Information Act 2000.

Objectives

The primary objectives of this Policy are:

1. To comply with all legislative requirements for records management.
2. To protect the Council and its employees from litigation.
3. To establish a culture whereby the importance and value of effective and efficient record keeping is supported and adopted.
4. To support the long term preservation of the Council's archival records.
5. To promote efficient record keeping practices and overall business efficiency throughout the Council.
6. To maintain all records in a safe and secure environment.
7. To develop consistent naming conventions and classification schemes for the efficient retrieval of records.
8. To facilitate joined up working and a reduction in duplication through the amalgamation of records throughout the Council.
9. To encourage information sharing throughout the Council and ensure the right information is available to the right people at the right time.
10. To track the use of records throughout their retention and ensure timely and appropriate disposal of records, in line with the Corporate Retention and Destruction Policy.

Roles and Responsibilities

All staff creating, receiving and using records have specific records management responsibilities:

All Senior Management Teams are responsible for:

- Approving a corporate approach to the management of records as defined within this Policy.
- Promoting a culture of excellent recordkeeping principles and practices in order to improve business efficiency.
- Supporting records management through commitment and the provision of resources.
- Recognising the importance of preserving the corporate memory.

Departmental Contacts:

- Offering advice and guidance regarding records management to all staff within their department.
- Ensuring that all records management practices and procedures are being adhered to within the department.
- Liaising with the Records Manager regarding the storage, retrieval, review and disposal of all records relating to their department, held within the Records Management Facility.
- Highlighting any records management issues or concerns within the department, with the Records Manager.
- Transferring all records of historical value to the Wirral Archives Service for permanent preservation.

- Ensuring the regular transfer of semi-current records to the Records Management Facility.

Individual Wirral Council Employees are responsible for:

- Suitably managing paper records so that they can be easily retrieved.
- Retaining all records in line with the Corporate Retention and Destruction Policy.
- Regularly transferring their semi-current records to the Records Management Facility for storage.
- Ensuring that all actions and decisions are properly recorded.
- Information stored on various media is transferred to Documentum to ensure long term access and retrieval.
- Ensuring that this Policy is adhered to.

The Records Manager is responsible for:

- Ensuring that records management practices and procedures are established in line with all legal obligations and professional standards.
- Managing all records, regardless of their format.
- Issuing advice and guidance to all staff throughout the Council.
- Running the Records Management and Archives Facility and ensuring it meets the needs of all users.
- Creating and reviewing the Corporate Records Management Policy.
- Creating and reviewing the Corporate Retention and Destruction Policy.
- Establishing and liaising with departmental contacts in each department and section throughout the Council.

Legislative Framework

Compliance with this policy will facilitate compliance with following legislation and standards:

- Public Records Acts (1958 and 1967)
- Local Government Act (1972)
- Environmental Information Regulations (1992)
- Data Protection Act (1998)
- Freedom of Information Act (2000)
- Regulation of Investigatory Powers Act (2000)
- Environmental Information Regulations (2004)
- The Children Act (2004)
- Civil Contingencies Act (2004)
- Re-use of Public Sector Information Regulations (2005)
- BS ISO 15489 Standard for Records Management
- BS ISO 27001 Information Security Management - Specification With Guidance for Use
- BIP 0008 Code of Practice for Legal Admissibility and Evidential Weight of Information Stored Electronically

In addition, compliance with the policy will also facilitate compliance with other statutory and regulatory recordkeeping obligations that are specific to certain Council functions or departments.

Relationship to Existing Policies

This policy forms part of Wirral Council's overall policy framework but specifically relates to the following existing policies:

- Data Protection Policy
- ICT Security Policy

Training

A training programme will be established to ensure that all staff are aware of their obligations relating to Data Protection, Freedom of Information and Records Management. This will include an introduction to best practice in recordkeeping at all Corporate Inductions. All staff must feel confident in the level of training they have received with regards to records management, and should contact the Records Manager if they have any concerns in this regard.