

RECORDS MANAGEMENT POLICY
SECTION ONE: CORE POLICY

1. The Need for a Policy

1.1 In January 2005 the public access provisions of the Freedom of Information Act 2000 (FOIA) come into effect. For the first time in the history of local government in Wales and England there will be a general public right of access to information.

1.2 Arguably, the direct effect of FOIA is rivalled in importance by the consequences of the legislation for records management. These consequences were recognised in Section 46 of FOIA which required the Lord Chancellor to issue a Code of Practice to relevant authorities as to the methods which would be desirable for them to follow in connection with the keeping, management and destruction of their records. The Code states that an Authority should have in place an overall policy statement endorsed at appropriate level on how it manages its records, including electronic records. At paragraph 6.2 the code sets out what the policy statement should contain:-

“This policy statement should provide a mandate for the performance of all records and information management functions. In particular, it should set out an authority’s commitment to create, keep and manage records which document its principal activities. The policy should also outline the role of records management and its relationship to the authority’s overall strategy; define roles and responsibilities including the responsibility of individuals to document their actions and decisions in the authority’s records, and to dispose of records, provide a framework for supporting standards, procedures and guidelines; and indicate the way in which compliance with the policy and its supporting standards, procedures and guidelines will be monitored.

This records management policy is intended to fulfil the requirements of the Code for such a policy statement.

1.3 A robust records management policy is a necessary underpinning for compliance with FOIA. The position is best summed up in paragraph iii of the Forward to the former Lord Chancellor’s Code of Practice:-

“Any Freedom of Information legislation is only as good as the quality of the records to which it provides access. Such rights are of little 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”.

- 1.4 There are however reasons other than FOIA which prompt the Town Council to further develop its record management practices. These reasons relate to the proper and efficient day to day management of the Council. Ready access to accurate information is a precondition of efficient public administration. Delays in finding files or other information will hamper prompt, well informed decision making. Failure to retain information for appropriate periods, or at all, will diminish the capacity of the Council to defend its legal and financial interests. On a day to day basis, loss of information, or delay in retrieving it, will hamper the provision of services in a timely fashion to members of the public. Appropriate standards of records management are also needed to facilitate proper audit and scrutiny of Council activities.
- 1.5 Also, much of the information which we hold relates to individuals and is covered by the Data Protection rules. This fact reinforces the need to ensure that information is accurate, up to date, readily recoverable and held in secure well organised facilities and robust electronic forms. Crucially, personal data must be held for appropriate periods of time; it should not be disposed of prematurely but should not be held beyond the period the Council needs it to provide a particular service. In some few cases however, such as dealings with children, this period will extend to many decades.
- 2. The Nature of the Policy**
- 2.1 There are a number of facts which any records management policy for the Town Council must recognise.
- 2.2 The Town Council has a centralised structure and therefore current records management practices are being adopted and improved to strengthen this. The fact that we provide many different functions from different locations and in varied ways means that it is difficult and, perhaps, inappropriate to impose identical detailed procedures across the Council. However, requests for information will very often run across the Council, calling on the resources of various staff and there will be an expectation of equal treatment regardless of which part of the Town Council receives the request. There must therefore be greater uniformity and consistency in records management practices across the Town Council.
- 2.3 Also, the type of records dealt with by the Town Council has and will continue to change. For many years now, much day to day information has been kept on IT systems. From the records management point of view, these systems had the virtue that they were fairly centralised in nature and IT staff tended to know what information was being collected and where it was held.

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However, we are now moving to a situation where increasing amounts of information are held on individual PCs through local databases or even the storage of e-mails. Whilst that information may be held on central servers, it is controlled locally, sometimes by an individual member of staff. Having said that, a huge amount of information is still held on traditional paper files although many finding aids or indexes are IT based. Therefore, the policy must be couched in terms of principles which are equally applicable to paper and IT based systems.

2.4 In the constant development of IT based systems, the tendency can be to solely look ahead to the purchase or development of new products. However, in the implementation of any new systems, attention should be given to the transfer of existing information from old systems to new where appropriate and arranging continuing retention and access to records on old systems where the information is still required.

2.5 It should be noted however the policy must be applied to records held other than in writing, whether paper based or electronic. The definitions contained in FOIA are very wide and include information held in the form of plans, photographs, film and all other methods of recording information.

2.6 This policy must be something more than merely a statement of principle but cannot, for the reasons indicated above, be a detailed office manual. This has informed the drafting of this Policy: Section One contains the central policy objectives and the principles which underlie them and Section 2 has detailed protocols relating to particular areas of the Council activity. Directorates may however have to refine their own procedures within the boundaries of the policy. The protocols will be implemented over the first year with the proviso that the retention schedules referred to in paragraph E.2 of Protocol E takes effect now. The FOI Group will keep the protocols under review during its continuing existence and it will also look at producing more protocols if necessary.

3. **Aims**

3.1 Often, records management policies have dealt with little more than the eventual archiving of documentation and this has fostered the belief that it is a matter of interest to archivists only. However proper record management is an effective and necessary tool of day to day administration and must provide for the management of records "from the cradle to the grave" including their:-

- creation,

- use,
- storage,
- archiving, and, where appropriate,
- destruction.

3.2. The application of this policy for records management in the Council aims to ensure that:-

3.2.1 Proper records are compiled i.e. that the Council creates appropriate records of information which it requires for the carrying out of its statutory functions.

3.2.2 Records are compiled in a form appropriate to their proper use i.e. that records are put together in a methodical way identifying their subject matter, creator and date of creation in order to facilitate their current and future use

3.2.3 That records are accessible i.e. that it is possible to locate and access information readily by identifying where that information is held through the use of appropriate finding aids.

3.2.4 That records can be interpreted i.e. that the technical means is available to read information retained and sufficient contextual information is also retained to make sense of the records.

3.2.5 That the status of the record can be ascertained i.e. that the record reliably represents the information that was actually used in final decision making as distinct from draft papers.

3.2.6 That records are maintained for appropriate periods i.e. that records are retained for as long as necessary and are kept accessible during that period despite changes in technology.

4 Principles and Practices

Good practice will be achieved by the application of the following principles:-

4.1 The question of which records will be created, captured and retained by each business unit shall be determined through the establishment of retention schedules.

4.2 Appropriate systems shall be established and maintained for the retention of records which ensure all appropriate records and related metadata are captured into the system. ("metadata" is data describing the context, content and structure of the records.)

4.3 Records shall be retained to satisfy legal, financial, compliance, and administrative (operational) needs.

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- 4.4 Appropriate finding aids such as classification schemes and indexes shall be developed to ensure records are easily retrievable.
- 4.5 Records shall be stored as economically as possible, be it in physical storage, on microfilm, or in electronic filing systems, and maintained in a safe and secure environment.
- 4.6 Records produced by the Council in the course of its activities shall be retained for as long as required and no longer.
- 4.7 Timely and appropriate destruction of records shall be carried out in compliance with retention schedules.
- 4.8 Personal information shall be held for appropriate periods and used properly in accordance with the Data Protection principles.
- 4.9 Records of enduring historical value are transferred to the Archive Services when they are no longer required for operational use.
- 5 Functions and Responsibilities**
- 5.1 The Town Clerk has been designated the Lead Officer for FOI and Data Protection. They will also be the designated Officer under the requirements of the Code of Practice with overall responsibility for information management subject to the proviso contained in paragraph 5.5 below.
- 5.2 Advice on law in relation to information and particularly freedom of information, data protection and the regulation of investigatory powers is available from the staff of the Head of Legal Services and Monitoring Officer at Neath Port Talbot County Borough Council.
- 5.3 Advice on record management generally is available from the West Glamorgan Archive Service which provides services for the Council jointly with the City and County of Swansea.
- 5.4 A paper document repository is operated by the Town Council at their Orchard Street Offices.
- 5.5 In addition, it must be the responsibility of individuals members of staff to ensure that records when they are compiled are accurate and reliable and that other aspects of the information management policy are properly complied with within their areas of responsibility.

6. Review

- 6.1 The Code of Practice requires Town Councils to keep records management policies under review; a review should be conducted at least once in every three years. Bearing in mind the fact that this policy is newly adopted and FOI has been implemented at the same time, it is felt appropriate that a review will be carried out after the first year.
- 6.2 This review will be reported to members and will be directed towards three things:-
- 6.2.1 an examination of the way in which the policy has been implemented in the Council.
- 6.2.2 an examination of practice in other Authorities.
- 6.2.3 suggestions as to how information management may be carried forward after the FOI group has been disbanded.

SECTION TWO: RECORD MANAGEMENT PROTOCOLS

A The Creation of Records: Mail Receipt

- A.1 In order to properly record the information which we hold it is necessary to record the information which we receive. It is therefore necessary to have mail logging systems throughout the Town Council.
- A.2 Systems must be implemented which record and ascribe the following information in relation to each item of mail received:-
1. date of receipt;
 2. identity of sender;
 3. subject of correspondence;
 4. file reference if known; and
 5. identity of the Officer to whom the mail is directed.

These rules apply to all external paper correspondence.

- A.3 The receipt of e-mails is more difficult to record. Through the development of a more corporate Town Council system it will be possible to import e-mails directly on to electronic files. Until this is possible, and in areas not served by this system where a paper file exists paper copies of e-mails containing substantive information (i.e. information necessary to the work in hand) should be placed in the relevant folders. Further guidance will be issued to cover situations where no paper file is maintained.
- A.4 Substantive information is information relating to action taken or decisions made and the reasons for those actions or decisions or the date on which important information is imparted or received.

B. The Creation of Records: Generating Correspondence

- B.1 Each item of correspondence either electronic or paper based should be easily matched against and located within the file or exchange of correspondence of which it forms a part of and to which Committee Meeting it was presented. The proper location of any item in a filing system should be readily ascertainable even if that item has become separated from the system or was never placed there. Copies of all outgoing correspondence will be kept in a central file to ensure all papers can be located.
- B.2 In order to accomplish this, the following simple rules for correspondence should be followed. Correspondence should contain the file name of the section which generated the correspondence; a heading which matches the title of the file in which the correspondence is to be placed by the section generating it; the date when the correspondence is generated; and appropriate references to any correspondence or other event such as a meeting or telephone call to which it refers.

C. Storage and Use of Records: Filing Systems

- C.1 Each member of staff must be responsible for establishing appropriate filing systems to ensure that its records are readily retrievable, properly stored and appropriately archived or destroyed. Ideally, responsibility for running filing systems should lie centrally within sections as far as operationally possible. The purpose of this centralisation is to ensure that duplication is avoided and information is available at appropriate management levels. The overall structure of the filing system should be identified in finding aids and documented centrally.
- C.2 Filing systems should follow these general rules:-
- C.2.1 The duplication of files on the same topic should be avoided other than in circumstances where a particular file is established to contain information which is intended to be less widely circulated or is of an especially confidential nature, such as Committee meetings.
- C.2.2 General files should be avoided since they tend to become unmanageable and are difficult to search. Topics should be subdivided in a logical fashion e.g. by geographical area so that information can be more readily found.
- C.2.3 Files relating to land or projects carried out on land should contain clear reference to the area concerned. When a corporate gazetteer becomes available, file titles should contain the appropriate reference. Where substantial amounts of personal information relating to an individual are retained, these should be kept on a separate file under the name of the individual concerned.
- C.2.4 Where a file relates to the proposed exercise of a particular discreet statutory function it can be useful to include the relevant statutory reference as part of the heading.
- C.2.5 Items of correspondence or entire files should be marked electronically or otherwise to identify the relevant retention period.
- C.2.6 Procedures should identify when it is appropriate or permissible to hand over files or correspondence to other sections or outside bodies and how that transmission should be recorded and receipted.
- C.2.7 As part of the development of a centralised filing system, the classification of records will be adopted and support the filing structure already in place.

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- C.3 When filing systems are established or altered care should be taken to ensure that the appropriate data audit form is filled in to maintain the Council's database of filing systems.

D. Storage and Use of Records: Finding Aids

- D.1 It is quite obviously of central importance that all filing systems have appropriate lists, indexes or databases which can be readily searched to identify the whereabouts of records.
- D.2 As part of the preparation for the implementation of Freedom of Information, the working group has prepared an audit form which all business units are required to complete describing the records which they hold and the location of those records.
- D.3 Even where sections retain paper files, all finding aids should be compiled using appropriate electronic forms. – Even a simple spreadsheet will allow file lists to be interrogated alphabetically and numerically in different fields.
- D.4 Steps should be taken to regularly duplicate and safeguard copies of finding aids for reasons of security. When filing systems are discontinued, finding aids relevant to those systems should be archived in an appropriate fashion.

E. Storage of Records: Retention Periods

- E.1 All record management systems must provide for the final disposal of records, i.e. determine what happens to them when they are no longer required for day to day purposes. Some records will be retained for a period of time and then destroyed; other records will be identified for longer term or permanent retention perhaps being translated to different media such as scanning into electronic form.
- E.2 Each section should adopt its own retention periods after taking appropriate advice from archive, audit or legal staff. In default of a section adopting its own retention periods, the retention periods found in the Retention Guidelines for Local Authorities (Version 2003:1) provided by the Records Management Society of Great Britain.
- E.3 It should be noted that the destruction or loss of records other than in accordance with the agreed retention schedules may give rise to personal liability for the individual who destroys or authorises the destruction of the records.

F. Storage of Records: Audit Requirements and Grant Related Papers

See Schedule attached for storage periods.



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G. Security

Officers should adhere to the Town Council's IT Security Policy and Advice Note/Information Security Management Policy. This policy is currently being drafted.

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SCHEDULE FOR RETENTION AND DESTRUCTION OF PAPERS

As outlined by the National Association of Local Council's Guidance (November 2007), which supports this Policy, outlined below is the Town Council's retention and destruction schedule to ensure Audit Regulations are met:-

Document	Minimum Retention Period	Reason
Minute books/Minutes	Indefinite	Management/Audit - Archive and Online Access
Handwritten notes of each meeting	Dispose of after approval at Full Council (monthly)	Management - Minutes signed off by Full Council as a true representation
Scales of fees and charges	5 years	Management
Receipt and payment account(s)	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank statements, including deposit/savings accounts	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	12 years/indefinite	Audit
Quotations and tenders	6 years	Statute of Limitations
Paid invoices	6 years	VAT
Paid cheques	6 years	Statute of Limitations
VAT records	6 years	VAT
Petty cash, postage and telephone books	6 years	Tax, VAT, Statute of Limitations
Timesheets	Last completed audit year	Audit
Wages books	12 years	Superannuation
Insurance policies	While valid	Management
Certificate for Insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management
Investments	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register	6 years	Tax, Statute of Limitations
For Halls, Centre, Recreation Grounds		
Application to Hire Lettings Diaries Copies of bills to hires Record of tickets issued.	6 years	VAT
For Allotments		
Register and plans	Indefinite	Audit, Management