

Baginton Parish Council

Records Management Policy

Aim and scope

Information is an asset and the records of the Council are important sources of administrative, evidential and historical information. They are vital in its current and future operations, for the purposes of accountability, and for an awareness and understanding of its history and procedures. They form part of the memory of the organisation. Records Management can be defined as the systematic control, organisation, access to and protection of information from its creation, through its use, to its permanent retention or destruction.

There are 3 basic stages in a records lifecycle: -

1. Creation or receipt of records
2. Maintenance and use of records
3. Disposal, Retention or Archiving of records.

Importance of Records Management

Information is one of the most important resources of the Parish Council. The implementation of good Records Management practices will benefit the Parish Council in many ways, and is significant for a number of reasons: -

- It improves the conduct of business in an orderly, efficient and accountable manner.
- It helps ensure that the Parish Council is compliant with its statutory obligations.
- It supports and records the policy and decision-making process.
- It protects the interests of the Parish Council, Councillors, staff and parishioners.
- It provides evidence of Parish Council activities.
- It maintains a reliable memory for the Parish Council.

The Parish Council records management system

Baginton Parish Council will create, use, manage and destroy or archive its records, in all media and in all forms, in accordance with statutory requirements. It will ensure that correct information is: -

- captured, stored, retrieved and destroyed or archived according to need
- fully exploited to meet current and future needs, and to support change
- accessible to those who need to make use of it

Definition of a record

In this policy, a record means any documents or data which form recorded evidence of Council activity. A record is information held in any form including paper, e-mail, documents held on computer systems and information held in databases. This information is created or received, used and maintained by the Parish Council in the conduct of Parish Council activities and is kept for accountability, compliance with legislative and statutory requirements and to assist in the planning and running of future activities.

Key objectives

- Adequate records of Parish Council activities are created
- Sufficient information is readily accessible to form a reconstruction of activities or transactions that have taken place
- Appropriate access to those records is provided for authorised users
- Each record can be reasonably interpreted
- It is possible to establish the context of the record in relation to other associated records
- Records required for routine activities, accountability or cultural purposes remain useable for as long as they are needed

- Records of long term value are identified and preserved as archives
- Other records are confidentially destroyed when no longer required

Statement of responsibilities for records management

The Parish Clerk, in conjunction with the Chairman, is responsible for complying with these policy requirements as far as they affect the management of Parish Council records.

It is the responsibility of all Councillors and Council employees, past or present, to ensure that all records relating to Council activities are kept secure, managed effectively and either destroyed or archived when no longer needed. It is especially important that retiring Councillors or staff are aware of their responsibility with regards to the information and records that they may hold.

How should records be held?

Records should be held in paper based or electronic files in shared directories, databases or document management systems. The files should be organised in a structured way and have some indication as to their contents and relevance. Where there are confidentially issues, files should be held in a separate paper or electronic file in a secure storage area. Irrespective of the method chosen to keep the records, a standard set of records management principles and tools can be used to manage them.

What points should be born in mind when managing e-mails?

E-mails are as much an official communication as is a letter, memo or a fax, and may be disclosed in response to a Freedom of Information or Data Protection request and in legal cases. Electronic messages can be legally binding. Contracts can be set up via e-mail and the Parish Council may be held liable for defamatory statements in e-mails. For these reasons, nothing should be stated in an e-mail that would not be stated in other forms of written communication.

If an e-mail contains important information or an important decision, it should be added to the relevant paper or electronic file/folder. Most e-mails are about trivial matters. It is a drain on resources to store them on the records management system and to search them when responding to a subject access request. Under the Data Protection Regulations the Parish Council should keep information about people for no longer than is necessary; this includes e-mails to/from or about people. Out-of-date trivial e-mails and those that have been copied to the relevant subject file should be deleted as soon as possible so that a backlog does not accumulate as this becomes difficult to manage.

Electronic information and records

Electronic records have unique attributes that must be considered in any electronic management system. These include: -

- Electronic files are held on devices that may be stolen
- Electronic files are held on devices that may be damaged or broken
- Electronic files may be accidentally deleted
- Electronic files may become corrupt
- Changes in software may make some electronic files unreadable or inaccessible
- Password protection of files may accidentally limit access
- Electronic equipment has a finite lifetime

The Parish Council will operate a back-up system with two external storage devices, one held by the Parish Clerk and the other by a second Councillor. The Parish Council computer hard drives must be backed-up to the external storage device in the possession of the Parish Clerk immediately prior to Parish Council Meetings. All updated files must be overwritten by the back-up so that only the latest file version is retained. The external hard drive should be stored safely as far away from the computer as possible. The Parish Clerk and a second Councillor shall swop external storage devices during Parish Council meetings, so that no more than one month's work is uniquely stored on the Parish Clerk's premises. This process

will achieve requirements for vital records protection and emergency planning, as far as it is reasonably possible to do so.

The Parish Council website should be used for saving and making available as much non-sensitive information as possible for reference purposes.

Recommended records retention periods

The list below sets out the minimum periods for which Parish Council records should be retained to meet operational needs and to comply with legal and other requirements and are then disposed of securely. It provides guidance on retention of records, but is not intended to be either prescriptive or exhaustive.

- Parish Council Minutes Permanent archive
- Committee Minutes Permanent archive
- Correspondence details 6 years
- Planning applications 6 years
- Payments lists 6 years
- Audited accounts Permanent archive
- Paid invoices and receipt records 6 years
- General correspondence 6 years
- Personnel records 6 years

Citations are given for key Acts of Parliament, Statutory Instruments and regulations, which are relevant to determining Statutory retention periods for specific groups of records. These should be regarded as minimum retention periods. It may be advisable to retain some records for longer than these statutory retention periods. The stated retention periods are recommended minimum periods, based on assessments of common needs and potential legal liabilities.

Destruction of records and data

Destruction has to be carried out in such a way as to ensure that data from which individuals can be identified cannot fall into the wrong hands. The Data Protection Regulations specifically states that in deciding how far to go with this, the level of technology available should be considered, together with the cost of using it, and the effect it would have on the data subject if the information was misused as a result of it falling into the wrong hands. Any data containing personal information must be destroyed under secure conditions. Putting information in a bin and hoping that it will be appropriately destroyed at a later date is not enough. An individual who suffers damage because of a contravention by the data controller is entitled to compensation for that damage. Contravention of the Data Protection Regulations is a criminal offence carrying a maximum £500,000 fine.

Destruction of any record, including confidential records, should only be carried out where authorised as there may be legal, administrative or archival retention requirements. Provision of lists of categories of records destroyed and the authority under which they were destroyed is a legal requirement under the Freedom of Information Act. These requirements **do not**, however, apply to material routinely discarded in the course of an administrative activity i.e. duplicates, information material, rough drafts etc.

Destruction of records: confidential material

Only a small proportion of Parish Council records will be confidential. Any record produced by the Parish Council that is not in the public domain and that contains information on identifiable individuals should, however, be treated as confidential. Most confidential material is subject to the Data Protection Regulations and the **individual** handling or processing confidential personal data is **personally responsible** for the proper disposal of such data. This may be the Clerk, Councillors or individuals who, through legitimate reasons, are given access to such data.

Confidential records include: -

- Correspondence or other documents which reveal the contact details or financial details of a named living person, unless permission has been given to circulate the details.
- Correspondence or other documents which reveal personal details or pass comments on a named living person.
- Any information gathered under a guarantee of confidentiality
- Staff personnel records
- Discipline records
- Job applications
- Interview notes
- Sick pay records
- Maternity pay records
- Income tax and National Insurance returns
- Wages and salary records
- Accident books and records
- Health records
- Medical records

Confidential records do **NOT** include: -

- Any information released under the approved publication scheme
- Information where disclosure permission has been granted by the individual
- Mission Statement
- Policy documents
- Constitutions
- Regulations
- Published directories
- Internet websites
- Published minutes
- Published reports
- Press releases
- Publicity material
- Anonymised data
- Published surveys
- Magazines
- Published circulars