

Staffordshire County Council

Records Management Policy



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1. Introduction

Records management is an essential part of enabling Staffordshire County Council to achieve priority outcomes that reflect what is most important to the people and communities of Staffordshire as set out in the County Council's Strategic Plan. Records management is vital to our being able to delivery efficient and effective value for money services.

Effective records management will help to ensure that we have the:

- Right information when we need it to make the right decisions
- Evidence we need to account for our actions and decisions allowing us to be open, transparent and accountable, as well as, providing evidence of compliance
- Records required to protect the interests of the County Council, its staff, citizens and organisations who interact with the County Council

Staffordshire County Council will aim to create, receive and manage records efficiently, protect and store them securely, make them accessible where possible and dispose of them safely when they are no longer needed.

To support this policy we will:

- Provide a framework of supporting policies, standards, procedures and guidance
- Develop and implement a strategy to improve the way we manage records and information
- Provide appropriate staff training
- Regularly report on compliance

2. Policy statement

As a public body Staffordshire County Council is required by law to manage its records properly. Legislation such as the Local Government Act 1972, Data Protection Act 1998, Freedom of Information Act and other legislation sets out specific requirements in relation to the creation and management of records with which the County Council must comply.

The principles of records management are to ensure that records are managed throughout their life cycle from creation or receipt, maintenance and use to disposal.

Good records management practice relies on the following:

- Determining which records should be created or received and retained
- Determining appropriate related data (metadata¹)
- Determining corporate record systems for the storage and management of records
- Creation or receipt of required records and their capture into corporate record systems together with related metadata

¹ Metadata – information describing content, context and structure of records to allow them to be linked with the business process from which they were created

- Development of appropriate locating aids such as classification schemes and indexes to facilitate the management and retrieval of records and information
- Appropriate maintenance of records in safe secure environment(s)
- Determining why and how long records should be kept and how they should be disposed
- Retaining records only for as long as they are needed to satisfy legal, regulatory requirements and operational needs and no longer
- Routine, timely and secure disposal of records in line with Staffordshire County Council's retention and disposal policies
- Routine disposal of ephemeral documents and information (non-records)

The benefits of adhering to these principles are that records and information will be:

- Accurate, up to date and reliable
- Quickly and easily located, retrieved, identified and usable
- Protected and stored securely
- Available for as long as required and disposed of at the right time

This will help us to provide efficient, effective value for money services to meet our corporate priorities.

This policy is supported by a set of Staffordshire County Council policies, implementation strategy, standards, procedures and guidance. Together these form Staffordshire County Council's Information Governance Framework.

The documents contained within the Information Governance Framework:

- Define how Staffordshire County Council Records must be managed
- Promote best practice and improve the way we manage our records and information
- Support increased use of electronic records as a means of gaining organisational benefits without increasing risk
- Enable records management compliance to be monitored

These documents are available to all staff via the County Council's intranet site and selected documents are published on the Staffordshire County Council internet site.

Staffordshire County Council will establish a strategy setting out direction and priorities for the organisation and key deliverables with the aim of improving the way we manage records and information to ensure we can meet our obligations and deliver our commitments.

We will review this policy every 3 years to ensure it is relevant and up to date.

3. What does this policy apply to?

‘Records’ are defined by the relevant British Standard ² as ‘information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business’.

This policy, together with the associated policies, standards and guidance, applies to the management of all records in all technical, digital and physical media and formats created or received by Staffordshire County Council or on its behalf in the conduct of its business activities (including email and any other form of electronic communication used by the County Council in the conduct of its business).

This policy applies to all records owned by the Staffordshire County Council whether they are created or received and managed by the Authority or by third parties on its behalf.

The same principles should also be applied when working collaboratively and to records created or received and managed by Staffordshire County Council on behalf of other bodies.

4. Who does this policy apply to?

This policy applies to all employees of Staffordshire County Council (both permanent and temporary), contractors and consultants who have access to records. The same principles should also apply to collaborative working with partners.

This policy and the framework of supporting policies, standards and guidance aims to make all staff and third parties aware of their responsibilities and what they must do to properly manage the County Council’s records and information.

This policy requires contracts and agreements to contain appropriate requirements for records and information to be managed in line this policy and supporting standards and guidance where:

- Contractors or other bodies create or receive and hold records on behalf of the County Council
- The County Council creates or receives and holds records on behalf of other organisations
- Records are created or received and held as part of collaborative working.

Where there is a need to share records and information a formal data sharing protocol or similar agreement should be agreed prior to information being shared.

5. Why do we need to manage records?

Implementing appropriate, efficient and effective records management practices as a routine part of business processes will help us to achieve our priority

² BS ISO 15489 -1:2016 Information and documentation – Records management – Part 1: Concepts and principles 3

outcomes for delivering services, meet statutory requirements and evidence compliance, and enable us to be open and accountable.

In adopting this policy we aim to ensure that records are complete, accurate, up to date, usable, reliable, ordered, and accessible when needed. Doing so will help us to:

- Carry out our business efficiently, effectively and continuously
- Make consistent properly informed decisions
- Protect the rights of the County Council, its employees, partner organisations and citizens
- Comply with legislation and regulations
- Make sure we are open, transparent and responsive
- Meet obligations for disclosing information

6. Legislative and regulatory environment

The business activities of Staffordshire County Council are governed by a comprehensive and complex legal and regulatory environment. Failure to appropriately manage records and information can lead to significant financial penalties, criminal prosecution and non-criminal enforcement action.

Key legislation and regulations governing the way the County Council manages its records and information include, but are not limited to:

Freedom of Information Act 2000

- Requires us to make information available to the public unless specific exemption(s) apply
- Obliges us to pro-actively publish what information is publicly available
- The Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Act sets out rules on how public bodies manage records and information

Data protection Act 1998

- Makes it a legal duty for us to manage personal data in a way that is lawful and fair, not excessive, kept secure and not to retain it longer than required
- Obliges us to answer requests about personal data from those whose data it is
- Requirements of the Act are further refined under the Caldicott principles and social care toolkit

Environmental Information Regulations 2005

- Sets out rights of access to information about air, atmosphere, water, land and natural sites

Local Government Act

- Sets out a requirement to manage records and information
- Gives implied authority to share certain kinds of information with partners

Re-use of Public Sector Information Regulations

- Allows the public to apply for licence to re-use information held by public sector bodies

Other requirements for the creation, holding, retention and disposal of records and information are set out in general and sector specific legislation, regulations, standards and guidance.

7. Roles and responsibilities

Staffordshire County Council has a corporate responsibility for ensuring records and information are kept, and the systems used to hold them are properly maintained and managed. Different staff have different records and information roles and responsibilities. These roles and responsibilities are detailed below:

Corporate Governance Group comprising senior level representatives from each directorate is responsible for:

- The oversight of the implementation of the County Council's Information Governance Strategy and supporting plans

The Director of Strategy, Governance & Change is responsible for:

- Leading on the maintenance of Staffordshire County Council's Information Governance Strategy which aims to improve services by effective and efficient management of information to provide best value.

The Head of Information Governance is responsible for:

- Management of the records management function
- Ensuring records management policy and standards are relevant and up to date
- Issuing guidance for implementing and complying with this policy
- Overseeing the development and maintenance, and approval of appropriate classification schemes and records retention schedules
- Ensuring records and information are disposed of or destroyed in compliance with all Staffordshire County Council's obligations
- Overseeing the auditing of compliance with this Records Management Policy and associated policies and standards to ensure statutory obligations are met
- Providing low cost off-site records storage
- Developing strategies for the long term preservation of digital records

Directors are responsible for:

- Ensuring senior officer(s) are formally designated to take responsibility for the implementation of this policy.

Designated Officers (at Wider Leadership Team and/or Operational Management levels) are responsible for:

- Articulating requirements of this policy in business plans
- Ensuring records and information management policies are implemented to ensure records and information is managed in line with required standards
- Providing and maintaining appropriate and adequate record keeping systems
- Ensuring the development and procurement of ICT systems includes consideration of records management requirements
- Identifying records essential to business continuity and the protection of legal and financial rights
- Identifying records and information related risks and mitigation measures as part of the risk management process, incorporating this in risk registers, business continuity and disaster recovery plans
- Ensuring services under their control contribute to corporate records and information initiatives and assist the records management function in its duties as required under this policy

Line Managers and Team Leaders are responsible for:

- Implementation of this policy
- Providing appropriate records and information business rules and guidance
- Ensuring staff receive appropriate training to meet their responsibilities under this policy and departmental records management procedures
- Ensuring that records are created or received as evidence of business activities for which they are responsible
- Ensuring staff capture records and related information (metadata) into appropriate information or record keeping systems
- Ensuring ephemeral material is routinely disposed of
- Contribute to the development and maintenance of records retention policies relating to records supporting the business activities for which they are responsible
- Ensuring records are kept only for as long as they required and are disposed of securely in line with appropriate retention policies
- Ensuring records due for disposal are properly reviewed, disposal authorised and ensuring disposal is only carried out by authorised staff and the disposal process is appropriately documented
- Assisting with the compliance audit programme
- Contributing to corporate and departmental records and information initiatives and assisting the records management function in its duties as required under this policy

All Staff (including temporary staff, contractors and consultants) are all responsible for:

- Documenting their work as defined in the County Council's business rules and guidance to meet legal and regulatory requirements and business needs
- Ensuring records are a complete and accurate record of actions, transactions and decisions
- Capturing records and required metadata into specified record keeping system(s)
- Not creating and keeping duplicate personal copies of records and information, and not keeping records in inaccessible private systems (including mail boxes)
- Ensuring ephemeral material is routinely disposed of

Contractors and consultants are responsible for:

- Creating, accessing, using and managing records and record keeping systems in accordance with Staffordshire County Council's records management policy and specific departmental requirements