The Moray Council

Retention & Disposal Schedule for documents and records [paper and electronic]

Scope and Explanation

Document Control Sheet

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1.0 Introduction

1.1 Scope of the Schedules

The Retention & Disposal Schedules have been issued as a guide to assist departments throughout the Council maintain good records management practices of all records created, used and retained by departments in whatever format, including records held in electronic form.

Developing Retention & Disposal Schedules is part of good records' management practice. The schedule complies with the Scottish Ministers' Code of Practice on the Discharge of Functions by Public Authorities under the Freedom of Information (Scotland) Act 2002. This code was laid before the Scottish Parliament on 6 September 2004, pursuant to Section 60 (5) of the Freedom of Information (Scotland) Act 2002 - Code of practice as to functions under the act. The schedules also comply with the Scottish Ministers' Code of Practice on Records Management laid before the Scottish Parliament on 10 November 2003 pursuant to Section 61(6) of the Freedom of Information (Scotland) Act 2002.

It is also a required element [Element 5] of the Public Records (Scotland) Act

The schedules have been developed with reference to:-
- The Scottish Council on Archives generic record retention schedules
- Retention Guidelines for Local Authorities, produced by the Local Government Group of the Records Management Society of Great Britain 2003
- ASLAWG (Association of Scottish Local Authority Archivists Working Group) and SOLAR (Society of Local Authority Lawyers and Administrators in Scotland) Records Retention discussion document
- in collaboration with a number of Scottish Local Authorities
- in collaboration with departments of the Moray Council

It is intended for the schedules to be used as a tool to assist in determining disposition, that is, whether a record should be preserved or destroyed once the record is no longer in active use.

The schedules reflect the legislative requirements, or best practice, as is appropriate.

The Retention & Disposal Schedules have been arranged by the functions of the Council, rather than service area or department. This means that they are independent of any future changes to the organisational structure of the Council.

1.2. Limitations of Scope

These schedules cover most Council records, but are not an exhaustive list. Please contact the Records Manager on (01343) 562633 if you find errors or omissions in the document.

These schedules do not cover ephemeral material, see point 1.8 for explanation.

1.3. Legislative Compliance

- Ensure compliance with the Public Records (Scotland) Act 2012
- Ensure compliance with the Freedom of Information (Scotland) Act 2002
- Ensure compliance with the Data Protection Act 1998
- Ensure compliance with Disclosure Scotland - The Disclosure Scotland Code of Practice issued by Scottish Ministers regarding the correct handling, usage, retention, storage and destroying

of Disclosure information provided by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for positions of trust.

1.4 Aims of the Schedules

- Assist in identifying records that should be permanently preserved and transferred to the Council's archives (Moray Local Heritage Centre).
- Discussions about how to archive electronic records are on-going with ICT.
- Prevent the premature destruction of records that should be retained according to legislation or other best practice guidance
- Ensure consistency in practices in records disposition across the Council
- Reduce the occurrence of duplicate records, and also the chance of the records being kept for different time periods
- Promote the benefits of improved and consistent Records Management practices within the Council

1.5. Benefits of Managing Records according to Retention & Disposal Schedules

Managing records according to Retention & Disposal Schedules is deemed to be "normal processing" under the Data Protection Act 1998 and Freedom of Information (Scotland) Act 2002. Provided members of staff are managing records according to agreed Retention & Disposal schedules they cannot be found guilty of unauthorised tampering with files once a freedom of information request or a subject access request has been made.

Members of staff can be confident that they are destroying information at the correct time.

Information subject to Freedom of Information and Data Protection legislation will be available when required.

Information is not being maintained and stored unnecessarily, which is costly to the Council in terms of physical storage space and server space.

The original record is the record bound by the Retention & Disposal Schedule. Copies and duplicates are normally destroyed as soon as they are finished with.

1.6. Electronic Records – Documents scanned into Electronic Document Records Management Systems

In accordance with BIP 0008 code of practice for legal admissibility and evidential weight of information stored electronically – the council needs to have in place robust scanning procedures, standard operating procedures and quality control to make sure all paper documents are scanned consistently and accurately. Procedures should ensure that the electronic documents are authentic, reliable, accessible and secure. If this is done then the electronic documents should be legally admissible.

If these procedures are in place then any paper documents which are scanned into an EDRMS system may be destroyed at an agreed date after scanning – usually 3 – 6 months, once the scanned copies have been checked and authenticated. This will be agreed in the Service Level Agreement between Customer Services and departments.

The legal status of some scanned documents remains uncertain and so original legal document and original signed documents should not be destroyed even if scanned, without further advice. Please contact the Records Manager.

1.7. Disposal of Records by Transfer to Archives or Destruction

Records may be disposed of by:-
- Transferring to the archives – permanent preservation
- Destroying – e.g. by shredding

Records selected for permanent preservation should be transferred to the archives (Moray Local Heritage Centre) – once the records are no longer of current use and are not operationally required. Prior to transfer the records must be weeded of all duplicates etc by a member of the administrative staff of a department.

With regards to records identified in this schedule as S - 'offer to the Records Manager to sample' - offer these records to the Records Manager who will liaise with the Local Heritage Officer. They may choose to select a sample of records for permanent preservation. The remainder of the records not chosen should be destroyed. Guidance on the appraisal of records are being developed.

Where lengthy periods have been allocated to records, staff may wish to consider converting paper records to other media to reduce physical storage space. Consideration must be given to legal admissibility and scanning procedures to ensure that any copies are faithful representations of the original paper document. Also the life span of the media chosen and the ability to migrate data should always be considered. Staff should remove duplicates etc before transferring to storage to reduce costs. Please contact the Records Manager for advice on the storage of semi current records.

Records selected for destruction may be destroyed in accordance with these schedules. Records containing confidential, personal or sensitive information must be disposed of according to the Identification of and Secure Disposal of Confidential, Personal and Sensitive Records guidance and destroyed by the company with whom the council has a contract. The current contract holder is Shred-it . Duplicate and/or backup copies stored on alternative media must also be destroyed at the same time, in order to ensure compliance with Data Protection and Freedom of Information legislation. Please contact ICT for advice on the deletion of electronic records.

Each department should maintain a list of the records that have been disposed of, which should include:

- The date of destruction
- The manner of disposal either destruction or transfer to archives
- Description of records and dates
- The name of the authorising officer

This is required under the Code of Practice on Records Management – Freedom of Information (Scotland) Act 2002. Please see Section D – Disposal of Records Authorisation Form.

An Electronic Document Records Management System (EDRMS) should also be capable of maintaining an audit trail of records held and disposed of from the system.

Records identified for destruction should not be destroyed if there is any pending litigation or a request for information under Freedom of Information or Data Protection legislation has been received relating to those records. In these cases the records should be preserved until the litigation process is completed and all appeals have been exhausted, after which time they may be destroyed.

1.8. Ephemeral Material

Ephemeral material refers to information that is of short-term value, but does not have any lasting value and as such does not form part of the long-term corporate memory of the Council. This information can

be destroyed as soon as possible by the creator or creating department and can be destroyed as soon as they reach the end of their current use.

The Retention & Disposal Schedules do not include ephemeral material as it is up to the creating department to determine when usage has finished and to decide on an appropriate method of destruction of such material. This is normally unimportant or duplicated material, and is frequently something which has a "one time only" use. Their destruction should be a routine part of office management standard operating procedures. A record of its disposal does not have to be kept.

Examples of such documents include:-

- Working documents, and notes taken to inform a later document
- Copies and duplicates where the original exists
- Trivial notes or emails
- Post-it notes
- Superseded distribution lists, address books, annual reports, manuals
- Delegates' copies of minutes. The agreed or signed set is the Record
- Compliments and message slips
- Electronic copies of records that have been printed off and filed
- Journals and catalogues
- Faxes once a copy has been filed
- Personal emails and documents – see council policy and guidance on ICT use
- Emails not related to Council business
- Travel literature
- 'with compliments' slips
- Superseded versions of order forms, templates etc

Remember to destroy emails (printed out or in electronic form) in a secure manner as they contain personal information – email addresses and names.

Please see the Identification of and Secure Disposal of Confidential, Personal and Sensitive Records guidance.

If in doubt whether specific material should be treated as ephemeral material or as a record contact the Records Manager on (01343) 562633.

1.9. Version Control and Review of Retention & Disposal Schedules

The schedules were approved in principle by the Corporate Management Team on 14 November 2005, after which time this document is no longer considered to be in draft format, and will start at version 1.0. This revision is version 15.0 October 2013.

The full retention schedule is available on the intranet under Reference/Records Management.

The Retention & Disposal Schedules will be reviewed on an ongoing basis as part of a consultation process between Records Management and the creating departments, and any other key stakeholders.

The Retention & Disposal Schedules are a work in progress, and as new file types are created, or existing file types are amended, the details of which will be added to these schedules.

Each time the schedules are amended a new version of the document will be created.

Evidence Element 5 – appendix 10

It is the responsibility of the creating departments to contact the Records Manager on (01343) 562633 when changes occur to ensure the Retention & Disposal Schedules are amended accordingly.

1.10. Contact

Records Manager
Elgin
IV30 1HS
Tel 01343 562633
Email: records@moray.gov.uk

2.0 Transfer of Records to Semi Current Storage

Once records are no longer required for current administrative purposes they may be transferred to semi current storage. Currently each department manages their own semi current storage areas and is responsible for the disposal of their records by archiving or destroying.

Closed records can also be transferred to the corporate closed records store. For information please contact the Records Manager

Remember
a. The records should be kept securely with limited access to designated staff only
b. The records should be signed in and out if they are required from storage
c. Use standard size bankers or leaflet boxes which have lids and can be written on
d. All boxes should be labelled with the contents
e. All boxes should have the destruction/review/archive date marked on them according to the Retention & Disposal Schedule
f. Remove paper clips, elastic bands, plastic wallets, treasury tags etc from records before boxing (this allows records to be destroyed more easily once their destruction date has been reached)
g. Remove duplicates and ephemera from files before transferring to storage to reduce storage space and therefore costs
h. If material has a long retention period consider converting to another media. Remember that a copy must be a faithful representation of the original, capable of being migrated and read at a later date and faithfully reproduced and read. The records should be usable and authentic.
i. Keep a list of what has been transferred to semi current storage. This will make compiling a destruction/disposal record easier
j. When the records have reached their disposal dates get a senior officer to sign off the destruction/disposal form

3.0 Disposal/Destruction of Records Authorisation Form

The following records are due for destruction/archiving under the Moray Council Record Retention and Disposal Schedule (see intranet/Reference)

Description of Records	Period	Date retention period ends

I hereby authorise the destruction/transfer to semi-current storage/archiving* of the paper records, as detailed above:

Name

Designation

Signed

Date

* please delete

I confirm that the above paper records were

☐ transferred to Records Manager for the archives
☐ transferred to semi permanent storage area
☐ destroyed
☐

on   (DATE)

Signed   Designation

4.0 Definitions List

The Retention & Disposal Schedules have been divided into sections based on the functions of the Council. The structure used is recommended by the Records Management Society in its 'Retention Guidelines for Local Authorities' produced by the Local Government Group of the RMS of Great Britain 2003:1. The file types are arranged under the functions of activity that create/generate them. Some file types are associated with more than one function, e.g. complaints files, correspondence files and thus appear in more than one section of the schedules.

Table of Definitions

File Type	This refers to the record
Retention Period	This entry specifies the period of time the record should be kept from closure. Unless otherwise specified the numbers are in years
Fate	This entry specifies the action that will occur once the retention period is over
Notes	This entry provides information about the retention period or the method of destruction

Meaning of Symbols

A	Archive
A[E]	Records archived in electronic format
Current Year	Current year + recommended retention period
Closure	Closure of the record or file. Transfer to semi current storage
D	Destroy – use appropriate destruction method for confidential and non confidential material
DOB	Date of Birth
[E]	Records held in electronic format
P	Permanent
R	Review
S	Offer to Records Manager to Sample
T	Transfer

All time periods are in years unless otherwise stated.

5.0 Glossary

Administrative use
Refers to the time when the record is in current use for administrative and business purposes.

Archive
Records which are of enduring historical value and which must be kept indefinitely. These will form part of the council archive and should be held by the Moray Heritage Centre, Old East End School, Elgin contact 01343 569011. A receipt will be given for these documents.
Increasingly records are being archived electronically. Please seek advice from the Records Manager and ICT concerning this.

Closure
A record/file is closed when it is no longer active. After closure, no new papers may be added; instead a new record/file should be created.

Closure period
The specified period of time during which the record is subject to restrictions on provision of access to staff and/or the public, which may be determined by statutory requirements e.g. the Data Protection Act.

Common practice
The standard practice followed by local authority records managers who are members of the Records Management Society and administrators.

Copy
A "copy" of a record usually belongs to someone other than the originator.

Duplicate
A "duplicate" is the originator's copy of the original record.

Last Action
Date of most recent amendment/addition/deletion of information.

Original
The document as created by a member of staff for a particular purpose or function. Any other records created from this original will be copies or duplicates. The original document should become the record of the event it was created for. The Retention & Disposal Schedules refer to these documents and any versions created from it which are filed and kept as the 'Record' of the event being documented.

Record
The record (original) is bound by the Retention & Disposal Schedule. Copies and duplicates are normally destroyed as soon as they are finished with. An example of an original would be the signed copy of the minutes of a meeting or a signed agreement.

> **The definition of 'document' and 'record'** [1]
>
> In records management it is important to be clear about the difference between a document and a record.

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[1]   The National Archives of Scotland

A document is any piece of written information in any form, produced or received by an organisation or person. It can include databases, website, email messages, word and excel files, letters, and memos. Some of these documents will be ephemeral or of very short-term value and should never end up in a records management system (such as invitations to lunch).

Some documents will need to be kept as evidence of business transactions, routine activities or as a result of legal obligations, such as policy documents. These should be placed into an official filing system and at this point, they become official **records**.

In other words, all records start off as documents, but not all documents will ultimately become records.

Permanent/Archive

Records which are of enduring historical value and which must be kept indefinitely or permanently are called Archives and should be held by the Moray Heritage Centre, Old East End School, Elgin contact 01343 569011. A receipt will be given for these documents

The Moray Council currently has an agreement with Aberdeen City Council for the care of certain education archives. School Log books and admission registers pre 1999 when the electronic database system was introduced are currently cared for by Aberdeen City Archives, Old Aberdeen House, Aberdeen. The Moray Council Heritage Officer will arrange for such records to be transferred to Aberdeen City Archives.

Semi-Current

Records which are no longer required for day to day administrative purposes will be deemed as semi current and will be transferred to storage areas not kept in office space. They will be boxed, labelled and marked with their destruction or review dates – please see section C. Access to them should be restricted and their retrieval from storage recorded. They should not need to be referred to on a regular basis.

6.0 Updating the Schedule

The retention and disposal schedule is a working document. It will always be updated and revised.

If you create new records or have records which do not appear in the schedule please contact

The Records Manager
Elgin Library
Tel 01343 562633 (ext 2633)

Email records@moray.gov.uk