

CILYBEBYLL COMMUNITY COUNCIL

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) came into effect. For the first time in the history of local government in Wales and England a general public right of access to information was in place.
- 1.2 The legislation delivered consequences for records management which were recognised in Section 46 of the FOIA, and 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 Foreword 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 other reasons to review and refine the council’s record management practices which relate to the proper and efficient day to day management of the Council. Ready access to accurate information is a precondition of efficient

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public administration, and any delay 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 held relates to individuals and is covered by data protection legislation. 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 explicit cases, there is provision for this period to extend for decades.

2. The Nature of the Policy

- 2.1 A records management policy for the Community Council must recognise the fact that various services are provided from various locations, but that it is for the Council's administrative centre to process and collate information to be held under such a policy, and any requests or issues arising therefrom. In this context, current records management practices are being adapted and improved to promote uniformity and consistency, and an ability to respond promptly.
- 2.2 The type of records dealt with by the Council has and will continue to change. Much day to day information is kept electronically at the Council's Office, with arrangements made for back up in the cloud and on an external hard drive. Most of this information is controlled locally usually by the Clerk to the Council. In addition, information is still held on traditional paper files and consequently, the policy must be drafted so that it is equally applicable to paper and IT based systems.
- 2.3 As IT based systems evolve, there is a need to accommodate new systems and the transfer of existing information from old systems where appropriate, ensuring ongoing retention and access to records on old systems where the information is still required.
- 2.4 The Council's 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.
- 2.5 In adopting this policy, the Council must also put procedures in place that will guide the manner in which it is implemented. For this reason, detailed protocols have been defined and relate to particular areas of Council activity. These will take effect as soon as practicable, and be kept under review by the Council.

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3. Aims

3.1 On occasion, records management policies have been considered only as a means of archiving documentation, subsequently of interest only to archivists and historical researchers. However, this is not the prevailing view as proper record management is an effective and necessary tool of day to day administration. As such, the policy must provide for the management of records “from the cradle to the grave”, in terms of 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 –

- a) 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
- b) 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
- c) 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
- d) 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
- e) 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
- f) 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

4.1 Good practice will be achieved by the application of the following principles –

- a) The question of which records will be created, captured and retained shall be determined through the establishment of a retention schedule
- b) 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)
- c) Records shall be retained to satisfy legal, financial, compliance, and administrative (operational) needs

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- d) Appropriate finding aids such as classification schemes and indexes shall be developed where necessary to ensure records are easily retrievable
- e) Records shall be stored as economically as possible, be it in physical storage or in electronic filing systems, and maintained in a safe and secure environment
- f) Records produced by the Council in the course of its activities shall be retained for as long as required and no longer
- g) Timely and appropriate destruction of records shall be carried out in compliance with retention schedules, and in a safe and appropriate manner.
- h) Personal information shall be held for appropriate periods and used properly in accordance with the Data Protection principles.
- i) Records of enduring historical value shall be transferred to the local authority's Archive Services when they are no longer required for operational use.

5 Functions and Responsibilities

- 5.1 The Clerk to the Council is the designated Lead Officer for FOI and Data Protection and 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 may be sought from the Head of Legal Services and Monitoring Officer at Neath Port Talbot County Borough Council, or from One Voice Wales.
- 5.3 Advice on record management generally is available from the West Glamorgan Archive Service which provides services for the area covered by Neath Port Talbot County Borough Council and the City and County of Swansea.
- 5.4 A paper document repository is operated by the Community Council at its Offices and in Alltwn Community Centre.
- 5.5 It is the responsibility of individual members of staff and Members of Council 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.

6. Review

- 6.1 The Code of Practice requires community councils to keep records management policies under review, and it is considered good practice to conduct a review at least once in every three years.
- 6.2 A report on the review will be reported to Council and will examine the way in which the policy has been implemented and whether there are further opportunities for the policy and protocols to evolve.

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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 that we receive. It is, therefore, appropriate to introduce a mail logging system for the Community Council.
- A.2 Systems will 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 shall apply to all external paper correspondence.
- A.3 The receipt of e-mails is more difficult to record. Through a more sophisticated IT system it would be possible to import e-mails directly on to electronic files. Until this is possible, where a paper based file exists, paper copies of e-mails containing substantive information (i.e. information necessary to the work in hand) should be placed in relevant folders.
- 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, and to which 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 relevant electronic or paper file to ensure that all papers can be located.
- B.2 In order to accomplish this, the following simple rules for correspondence should be followed. Correspondence should contain a heading which matches the title of the file in which the correspondence is to be placed, 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 The Clerk to the Council will be responsible for establishing and maintaining appropriate filing systems to ensure that the Council's records are readily retrievable, properly stored and appropriately archived or destroyed. The overall

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structure of the filing system should be identified in finding aids and documented in an appropriate manner.

C.2 Filing systems should follow these general rules –

- a) 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.
- b) 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) Files relating to land or projects carried out on land should contain clear reference to the area concerned. 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.
- d) 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.
- e) Items of correspondence or entire files should be marked electronically or otherwise to identify the relevant retention period.
- f) Procedures should identify when it is appropriate or permissible to hand over files or correspondence to outside bodies and how that transmission should be recorded and receipted.
- g) 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.

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 implementation of Freedom of Information, an audit form should be completed describing the records which are held and the location of those records.

D.3 Where paper files are retained, all finding aids should be compiled using appropriate electronic forms, e.g. a simple spreadsheet will allow file lists to be interrogated alphabetically and numerically in different fields.

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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 Retention periods should be agreed after taking appropriate advice. Guidelines are available from One Voice Wales (through NALC Legal Topic Note).

E.3 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.

G. Security

An IT Security Policy and Advice Note/Information Security Management Policy is to be drafted for the Community Council, and once available, officers will be expected to follow its requirements and advice.

DRAFT September 2018

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CILYBEBYLL COMMUNITY COUNCIL –

SCHEDULE FOR RETENTION AND DESTRUCTION OF PAPERS

As outlined by the National Association of Local Council's Guidance (November 2016) which supports this Policy, outlined below is the Community 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 Council as a true representation
Scales of fees and charges	6 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	Last completed audit year	Audit
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended VAT)
VAT records	6 years generally but 20 years for VAT on rents	VAT
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)
Timesheets	Last completed audit year 3 years	Audit (requirement) Personal Injury (best practice)
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 (Sl. 2753), Management
Investments	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)

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For Community Centres, All Recreational Facilities		
Application to Hire Lettings Diaries Copies of bills to hirers Record of tickets issued	6 years	VAT
For Allotments/Land		
Register and plans	Indefinite	Audit, Management

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