



Information Security Document

Corporate Records Management
Policy

Version 11.0

Version History			
Version	Date	Detail	Author
1.0	2007	Published	Derbyshire Record Office
2.0	26/05/2011	Reviewed and approved by Information Governance Group. Revamped from original document.	David Jenkins
3.0	30/05/2012	Reviewed by Information Governance Group.	David Jenkins
4.0	27/06/2013	Reviewed by Information Governance Group.	David Jenkins
5.0	14/07/2014	Reviewed by Information Governance Group.	David Jenkins
6.0	12/10/2015	Reviewed by Information Governance Group.	David Jenkins
7.0	07/11/2016	Reviewed by Information Governance Group.	David Jenkins.
8.0	04/12/2017	Reviewed by Information Governance Group. No changes.	Mark Smith
9.0	16/02/2018	Addition of role descriptions for Information Risk Owners and Data Protection Officer, as requested by Information Commissioner's Office. Other minor changes to wording.	Mark Smith
10.0	07/05/2019	Reviewed by Information Governance Group. No changes.	Mark Smith
11.0	16/06/2020	Reviewed by Information Governance Group. No changes.	Mark Smith
This document has been prepared using the following ISO27001:2013 standard controls as reference:			
ISO Control	Description		
A.7.2.2	Information security awareness and training		
A.8.2.1 >2	Classification of Information/ Labelling of Information		
A.8.3.2	Disposal of Media		
A 8.2.3	Handling of Assets		
A.18.1.1	Identification of applicable legislation and contractual requirements		
A.18.1.3	Protection of records		
A.18.1.4	Privacy and protection of personally identifiable information		

1 Introduction

Derbyshire County Council is dependent on its records to ensure efficient service delivery, to maintain normal business operations, and to account for its actions. This policy defines a structure within which Derbyshire County Council can ensure that records are maintained to meet these objectives and that they are managed and controlled effectively in accordance with recognised standards and commensurate with legal, operational and information governance needs.

Derbyshire County Council recognises that records are collective assets. They comprise the Council's corporate memory of its policies, services and decision-making processes and reflect its business requirements. Compliance with this records policy will ensure that the County Council can produce evidence and demonstrate accountability, in addition to providing information about the Council's decisions and activities for as long as is required for operational efficiency. In accordance with the Council's commitment to open government, adherence to this policy will allow the Council to show that it is being open and honest in its activities. Issues relating to management of records, whether in traditional paper or in electronic form, are critical to the ongoing business and legislative obligations of the County Council. Specifically, the Lord Chancellor's Code of Practice under Section 46 of the Freedom of Information Act 2000 requires evidence that comprehensive records management arrangements are in place.

This policy will help support Derbyshire County Council's aim to "improve life for local people by delivering high quality services" through the provision of an efficient and effective framework for the retrieval, management, and disposal of records and information in paper and electronic formats.

2 Policy Statement

It is the policy of Derbyshire County Council that information and records are vital assets of the Council, required to ensure the effective and efficient delivery of core services. These assets require proper management throughout their life from creation to disposal. This will be achieved by ensuring the establishment and ongoing development of an appropriate procedural framework to ensure authenticity, reliability and accessibility in respect to the management of information and records. The framework will be based on ISO 15489 (the international standard on records management) and The Lord Chancellor's Code of Practice on Records Management (issued under Section 46 of the Freedom of Information Act 2000). The framework will be reviewed to reflect other appropriate standards as they are issued or revised.

3 Scope

This policy relates to all departments, divisions, sections and services of Derbyshire County Council and all records created and received by Derbyshire County Council employees, regardless of media or format. This includes all paper-based records as well as records that exist, or will exist, solely in electronic form including audio/visual tapes, Microsoft Office documents, photographs and emails. This policy applies to temporary staff and staff in partner organisations (in situations where Derbyshire County Council is the lead partner – see Appendix B for more information).

4 Objectives

The objectives of this policy are to ensure that

- Derbyshire County Council has efficient access to all relevant information and that records are kept only for as long as is necessary to comply with legal, administrative and financial requirements
- Derbyshire County Council records are managed effectively and efficiently to appropriate standards
- All records are properly titled, referenced, indexed and marked with a security classification. All records are maintained according to an agreed corporate file plan
- Time-expired records no longer needed for legal or operational reasons are disposed of to ensure best use is made of storage areas including off-site storage (both electronic and paper)
- Derbyshire County Council complies with all legislation and regulations concerning the management of information and records. This includes the Freedom of Information Act 2000, Data Protection Act 2018, General Data Protection Regulation 2016, Public Records Acts 1958 & 1967, Environmental Information Regulations etc. (see Appendix A)

5 Key Concepts

5.1 Records

For the purposes of this policy 'records' can be defined 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" (ISO 15489-1).

There are four basic types of records which will be created in the course of employees work within the Council:

- **Permanent Records** will include records such as minutes of the County Council, audited annual accounts, title deeds to Council property and much more. Although important these permanent records are the minority of the records created by the Council. In order for records to be classed as permanent records they will:
 - be needed for as long as the Council is in existence
 - be required to satisfy a permanent legal requirement
 - be part of the Council's historical archives held at the Derbyshire Record Office
- **Current Records** will record and document the functions and activities of the Council and will be used on a daily basis for the conduct of current business. These may be in the form of active client files, active correspondence (paper and email), reports etc.
- **Semi Current Records** will record and document the functions and activities of the Council and will require retention for a specific period (governed by legislation or best practice) but not used on a daily basis. These may include inactive client files for individuals who are no longer in contact with the Council, financial records, reports and policies. These records will typically be inactive and retained for compliance purposes.
- **Non Current Records** will no longer be required for the conduct of current business and not needed for compliance reasons and will typically be disposed of (note that some permanent records which are of historical importance might fall into this category)

As well as these four broad categories there will also be Transactional Information which is almost always contained within electronic systems and is information that has no beginning, middle or end state, although there is likely to be an audit trail of changes. It represents a first stage of data processing and is likely to be shown as processed information in a time-limited information flow. This in turn may be further processed and summarised as part of a time-limited or permanent record.

Many Council staff will use either notepads or diaries as an aide memoire to support their work by writing notes which are often then input onto one of the council's record keeping systems (e.g. Framework I, EDRM etc). The Council does not regard these notepads and diaries as a council record where they are input onto these other systems, in these cases the notebooks and diaries should be disposed of as soon as the book is 'closed' (i.e. the notebook is full, or at the end of the calendar year). If the notebooks/diaries do not feed into record keeping systems then they should be retained for the appropriate retention period found within the council's retention schedules. In all cases the content of these documents should be managed securely if it includes sensitive, personal or confidential information.

5.2 Records retention and disposal

In order to comply with access to information legislation (specifically the Freedom of Information Act 2000 and the Data Protection Act 2018) the Council has an obligation to comply with agreed procedures for the disposal of its records. The core principle is to dispose of records which no longer serve an operational purpose or are not required for a legislative reason. Corporate guidance on records management is available at the following link:

http://dnet/policies_and_procedures/records_management/default.asp or by emailing records.management@derbyshire.gov.uk

Each department/section should have a records retention schedule/policy in place which will outline the appropriate retention periods for records. These retention periods should be based on legislative requirements and common practice in the sector. Records retention schedules should be regularly reviewed (at a minimum every two years). Departmental retention schedules can be obtained by consulting the following link: www.derbyshire.gov.uk/retentionschedules.

5.3 Records storage:

Council records should be stored in ways which reflect the value and importance of the information they contain. Sensitive records should be stored securely and should not be stored in unsuitable conditions which might lead to the damage or loss of records. Records should not be stored in inappropriate storage conditions which might lead to the deterioration of the documents (e.g. wet conditions). Options exist for the off-site storage of records via the Council's off-site document storage contract, where appropriate.

Electronic records require the same level of care in their storage and maintenance as paper records and therefore should not be stored on individual PCs. The Council's corporate electronic document and records management system (EDRM) should be used for the storage of the vast majority of Council records (when fully rolled out across the Council). Where the EDRM is not yet available or used then a shared network drive with appropriate access controls should be used (as well as approved client management systems such as Framework I).

6 Responsibilities

6.1 Caldicott Guardian:

The role of Caldicott Guardian originated in the National Health Service after the 1997 publication of Dame Fiona Caldicott's report into the handling of patient-identifiable information, before being introduced into local authority social care in 2002. Derbyshire County Council's Caldicott Guardian is responsible for:

- acting as the conscience of the organisation, ensuring that legal and ethical considerations are taken into account in the sharing of confidential information.
- promoting appropriate organisational culture, to encourage excellence in information governance
- arbitrating in cases of disagreement about processes impacting on confidentiality

6.2 Information Risk Owners:

The Information Governance Group (IGG) co-ordinates the management of information assets through their appointed owners, otherwise described as Information Risk Owners (IROs). The IGG is chaired by the lead officer on delivering risk management and security strategy in the Council, who is designated the Senior Information Risk Owner (SIRO).

The SIRO is responsible for:

- overseeing the information security function
- overseeing incident management and risk management
- overseeing security management and reporting, including maintenance of the ISO 27001 standard

Other IROs are responsible for:

- the routine management, review and treatment of risks to the Council's information assets
- undertaking quarterly reviews of information risk assessments, in line with the requirements set out in ISO 27001.

6.3 Elected Members

Elected Members are responsible for ensuring that:

- records management is recognised as a mandatory corporate function within Derbyshire County Council
- records management receives the necessary levels of organisational support and resources required to ensure effectiveness

6.4 Department/Service/Section Heads

Department/Service/Section Heads are responsible for ensuring that:

- agreed Corporate Records Management policies, procedures and retention schedules are implemented and adhered to within their areas
- appropriate staff are designated to assist with the implementation of records management policies and procedures and liaise with the Corporate Records Manager
- staff are supported in terms of training and development to enable them to carry out records management duties largely through attendance at corporate records management training events held by the Derbyshire Record Office
- they provide authorisation for the disposal of records which is carried out in accordance with agreed policies

6.5 Data Protection Officer

The Council appoints a Data Protection Officer (DPO) in accordance with the requirements of the General Data Protection Regulation (GDPR). The DPO is accountable to the Council via the Corporate Management Team to:

- inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws
- monitor compliance with the GDPR and other data protection laws
- be the first point of contact for supervisory authorities and for individuals whose data is processed.

6.6 Archives and Local Studies Manager

The Archives and Local Studies Manager is responsible for ensuring that

- appropriate advice and guidance is given to Elected Members and Senior Officers to establish and maintain a corporate framework for the management and preservation of records in all formats across the Council
- professional standards for records management, archive management and preservation are met and compliance with records management policies and procedures are regularly reviewed
- records management strategies are developed, evaluated and revised, and advice on standards is provided
- the Corporate Records Manager is supported in their work in terms of supervision, learning and development and resources
- records identified for permanent preservation are transferred as appropriate to the Derbyshire Record Office
- Derbyshire Record Office continues to preserve and manage the historic records of Derbyshire County Council, and meets relevant national and international standards (BS4971:2017, ISO 15489 and Archive Service Accreditation)

6.7 Corporate Records Manager

The Corporate Records Manager is responsible for ensuring that:

- an effective and efficient records management programme is developed and implemented for records, regardless of their format, to enable the Council to meet its record keeping obligations
- sufficient advice and guidance is given to officers with records management responsibilities across the Council to achieve implementation of records management policies
- support and guidance is given towards the implementation and development to appropriate standards of a corporate Electronic Document and Records Management System
- records management guidance notes and procedures are developed and disseminated
- staff are trained in records management best practice and how to implement corporate records management policies and procedures
- the off-site document storage contract is coordinated effectively including the regular review of the operation of the contract
- the implementation of records management policies and procedures is monitored, evaluated and reported

6.8 Individual Employees

Individual Employees are responsible for ensuring that:

- actions and decisions taken in the course of Council business are properly documented and recorded

- The Corporate Records Management policy is followed consistently with the support of the Corporate Records Manager
- Records are identified for disposal in accordance with agreed policies and retention schedules
- Disposal procedures are implemented consistently

7 Policy Monitoring and Review

Compliance with this policy and related standards and guidance will be monitored by the Corporate Records Manager and the Archives and Local Studies Manager in consultation with the Information Implementation Group.

A review of this policy will take place at least every two years to take account of any new or changed legislation, regulations or business practices.

This document is owned by the Information Governance Group and forms part of the Council's ISMS Policy and as such, must be fully complied with.

Appendix A

Related Legislation, Standards and Policies

Legislation

Some of the main pieces of legislation which have records management implications include:

- Freedom of Information Act 2000 (specifically Section 46: The Lord Chancellor's Code of Practice on the Management of Records)
- Data Protection Act 2018
- Environmental Information Regulations 2004
- General Data Protection Regulation 2016
- Local Government (Access to Information) Act 1985
- Local Government Act 1972 and 2000
- Public Records Act 1958 & 1967
- Human Rights Act 1998
- Police and Criminal Evidence Act 1984
- Regulation of Investigatory Powers Act 2000
- Disability Discrimination Act 1995
- Equality Act 2010
- Re-use of Public Sector Information Regulations 2015
- Adoption Agencies Regulations 2005 (No. 389)
- Arrangement for Placement of Children (General) Regulations 1991
- Audit Commission Act 1998
- Children Act 1989
- Limitations Act 1980
- Foster Placement (Children) Regulations 1991
- Highways Act 1980

Professional Standards

- ISO 15489 standard on best practice in records management
- ISO 27001 standard on Information security management
- BS 10008:2008 Code of practice for legal admissibility and evidential weight of information stored electronically
- BS 4971:2017 standard on care of archive and library collections

Internal Policy

- Corporate Information Management Strategy
- Corporate Records Disposal Policy and Procedures
- Other Information Security Management System Policies or Procedures

Professional Guidance

- The National Archives' Framework of Standards
- Retention Guidelines for Records of Local Authorities issued by the Information and Records Management Society of Great Britain 2002
- Local Government Classification Scheme v.2 issued by the Information and Records Management Society of Great Britain

Appendix B

Partnership working

Derbyshire County Council carries out many projects and services in conjunction with partners. Derbyshire County Council therefore has a responsibility to ensure that the records of these partnership initiatives are properly managed.

This policy is intended to eliminate unnecessary duplication of records across stakeholders, but not at the expense of operational efficiency. Information sharing amongst partners and stakeholders is a key issue for effective delivery of services. Appropriate protocols and procedures for record creation and management must be developed which demonstrate compliance with central government advice, as well as with local policies and priorities.

Core records which need to be kept permanently should be identified and one partner made responsible for management and long-term preservation.

General Principles

Where Derbyshire County Council is the lead partner:

- The core records will be retained and managed by the Council.
- Retention schedules for the records will be drawn up and applied to records created.
- The Council's Corporate Records Management policy and procedures will apply.

Where another organisation is the lead partner

- The core records will be retained by the lead organisation.
- Derbyshire County Council should identify and manage the records relating to its role in the partnership. Many of these records will be operational and will therefore only need to be kept for a time-limited period.

Where no single organisation is the lead partner

- Derbyshire County Council should ensure that provisions are made for one partner, whether this is the Council or another partner, to be responsible for management of the core records.
- If Derbyshire County Council is nominated to manage the partnership's records, then the Council's Corporate Records Management policy and procedures will apply.

Those operational records created during the partnership which facilitate the service/function of the partnership in respect of individual partners should be managed by each partner and have retention periods applied that reflect each partner's specific requirements.

Derbyshire County Council should, in all instances, recommend to its partners that an appropriate file plan is put in place and that consistent metadata standards, version control and file titling procedures are implemented to ensure that the records can be managed effectively and to agreed standards across the partnership.