



**Information Security Document**

**Records Appraisal Procedures**

**Version 10.0**

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**This document has been prepared using the following ISO27001:2013 standard controls as reference:**

ISO Control	Description
A.8.2.1	Classification of information
A.8.2.2	Labelling of information
A.8.3.2	Disposal of media
A.11.1.4	Protecting against external and environmental threats
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:**

These procedures have been developed to support the Council's Corporate Records Management Policy and associated procedures with particular reference to the appraisal of records.

Appraisal is the process of distinguishing records of continuing value (for business purposes and for historical research purposes) from those of no further value. This allows for the latter to be disposed of appropriately.

Appraisal supports the Council's records management function because it helps to maintain the efficiency of department systems by limiting their contents to records which are of continuing value.

Appraisal also ensures that records of long-term or archival value are identified so that provisions can be made for their continued preservation. The Council has an obligation under the Local Government Act 1974 to make proper arrangement for the preservation of records of historical interest.

The presumption of public access created by access to information legislation including the Freedom of Information Act 2000 and the Data Protection Act 2018 requires the Council to be transparent in any appraisal of existing Council records. This is a particularly important consideration when the appraised records are destroyed.

Whilst the majority of Council records will be covered by existing departmental records retention schedules some older legacy records might not be. These legacy records are those which can comprise records created under old filing schemes that are no longer used, or from a period in which the Council exercised a function which it no longer performs. Legacy records will often require careful appraisal to ensure that they are only disposed of if they are not of continuing business value.

## **2. Methods of appraisal:**

Effective appraisal is dependent on good systems of record creation and retention/disposal scheduling. The appraisal process will be greatly improved by adherence to records retention schedules.

Departmental records retention schedules are themselves based on an appraisal process. These retention schedules should always be used in the first instance when making decisions over retaining or disposing of records. Retention schedules have been drawn up with reference to legislative and regulatory requirements and common practice in other public sector organisations.

Section 46 of the Freedom of Information Act states that decisions over what record should be kept or disposed of should take into account:

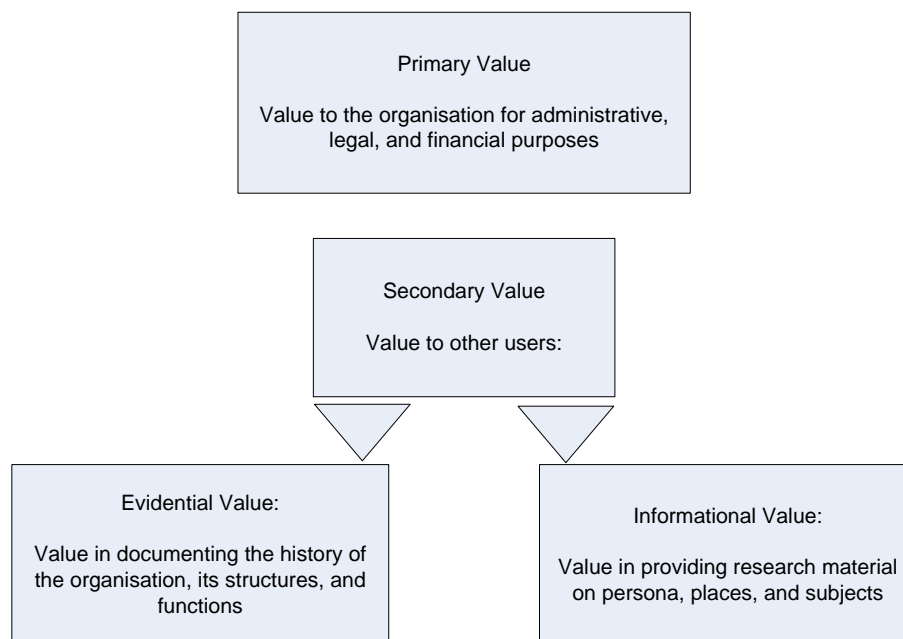
- The legislative and regulatory environment in which the Council operates
- The need to refer to authoritative information about past actions or decisions for current business purposes
- The need to protect legal or other rights of the Council
- The need to explain, and justify, past actions in the event of an audit, public inquiry or other investigation

These core considerations are of paramount importance in any appraisal process.

Appraisal can either take the form of file-by-file appraisal, or a macro-appraisal approach which looks at appraising the core functions of the council as represented within the records. Both methods have their respective merits and will be discussed in further detail below.

### 3. Appraisal based on appraisal values: Primary and Secondary:

When appraising records (either at file level or at series levels) the person appraising records will need to consider appraisal values. These will be based on a record's primary value for Council business, or their secondary value for to the wider community as a resource for historical research.



A record's primary value concerns the importance of those records to the organisation which created them. Primary value can be divided into three categories:

- administrative value used in supporting day-to-day business operations
- legal value used in protecting legal rights and establishing legal obligations
- financial value documenting the receipt and use of funds

A record's secondary value concerns a record's value to others outside the Council. The secondary value can be divided into two categories:

- Evidential value which concerns the organisation of the Council and how the Council functions. This can include evidence of the creation of the Council, its ongoing development, the core functions it performs, and the consequences of its actions and activities.
- Informational value which concerns information on people, places, and subjects which the Council deals with. This value can often be greatest in case files and the interest often lies with the content of the files rather than the context in which they were created.

#### **4. Appraisal based on functions (Macro Appraisal):**

Appraisal based on the functions that the records represent is known as macro appraisal. This approach is widely recommended as it avoids the need for file-level appraisal which is increasingly impractical in the electronic age and can often be an extremely time consuming process. Macro appraisal shifts the focus of appraisal onto the context in which records were created rather than the content of those records (i.e. the function of managing the support of children who are looked after by the Council, rather than John Smith's case file).

When considering records appraisal the following questions should be asked:

- How, why and by whom are the records created?
- How are they used by their creators?
- What functions and processes do they support?
- What should be documented?

These questions are designed to establish a top-down approach to appraisal where decisions on appraisal (whether records are retained or destroyed) will be based on the importance of the function which the record represents, rather than the content of the records itself.

When following a macro-appraisal approach staff undertaking appraisal will need base their decisions around clearly defined appraisal criteria. This criteria looks at the needs of the users in terms of the potential uses of the records and the characteristics which users seek in them.

The core uses of records can be divided into:

- Business purposes: records support administration, regulation, a public/professional service, economic activity, and dealings between individuals and the Council.
- Accountability purposes: records are used to support accountability where there is a need to provide proof that the Council has complied with legal and regulatory requirements.
- Cultural purposes: records are used to acquire an understanding of the Council or as an aspect of the society in general.

In addition to these three core purposes it is also important to consider the characteristics of records are evidence, as information sources, and even as artefacts:

- Evidence: records provide evidence of activities in which they were created, and are used for proof if required for a particular activity.
- Information: records are sources of information used when users seek facts or knowledge
- Artefact: records are a physical artefact because of their aesthetic qualities

The matrix below compares the perceived Council users' interests in the values of records with their purpose of creation. The areas with the darker shading represent heavy demands demonstrating that business and accountability needs are of paramount importance while cultural use will be of less concern.

		Purpose of Use		
		Business Use	Accountability	Cultural Use
Values Sought	Evidence			
	Information			
	Artefact			

## 5. How to determine how long to retain records you are appraising:

Business use:

Step 1: Assess how long the activity supported by the record may continue

Step 2: Assess any period for which records may be needed for business purposes after the completion of the original activities to which they relate

Accountability use:

This will include considering:

- Compliance with the law and internal/external regulations
- Auditing requirements
- Response to challenge (legal challenges, grievances etc)

Determining how long to retain records based on their accountability use will often require knowledge of the particular laws or codes of practice mandated by central government. Where retention periods are not immediately apparent the Corporate Records Manager should be contacted for specialist advice.

Cultural use:

Although cultural use will not be the primary concern when using records, some records may be retained as historical records. In these cases records that provide evidence or information about strategic decision making, key business activities, policies and procedures, or developments over time should be considered for retention.

In the majority of cases records of perceived cultural uses should be transferred to Derbyshire Record Office as part of the Council's historical archives. Specialist advice is available from Record Office staff.

## **6. Common things to avoid when making appraisal decisions:**

- Don't make appraisal decisions in isolation. Consult departmental records retention schedules to aid your decision making, these will often provide a retention period for you. If you do need further assistance ask colleagues, and consult the Corporate Records Manager.
- Don't ignore the longer term purposes that records serve beyond the initial business use. Often accountability requirements mean that records need to be retained for a number of years after their operational use has ended. An example of this is a pupil's school records which is retained for a period of 25 years from the pupil's date of birth (despite the fact that most pupils will have left the school 18 years from their date of birth)
- Don't just view records as only relating to your operational context. There may be a number of records which were created for one purpose, but which support another function.
- Don't ignore the value that records can possess as artefacts. They can often have good PR uses to show how long the Council has been exercising certain functions.

## **7. Responsibilities in the appraisal process:**

Various staff are likely to be involved in the appraisal of records. Typically these will be administrative staff who have nominal responsibility for managing records within their section. Throughout the appraisal process staff should engage with key stakeholders including professional staff within their service area, legal, audit, and the Corporate Records Manager.

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 department/service/section
- appropriate staff are designated to assist with the implementation appraisal decisions and liaise with the Corporate Records Manager
- they provide authorisation for the disposal of records as part of the appraisal process.

Individual Employees are responsible for ensuring that:

- when appraising records they do so with reference to existing records retention schedules and using guidance on appraisal values for records
- that the process of disposing of records not referred to in a record retention schedule is adequately documented in line with the Council's Records Disposal Policy
- any disposal procedures involving the appraisal of records are implemented consistently.

Derbyshire Record Office is responsible for ensuring that:

- records which have been appraised as being of long term historical value will be added to the existing archival collections of Council records at Derbyshire Record Office
- professional expertise is provided when necessary.

Corporate Records Manager is responsible for ensuring that:

- guidance on appraisal is made available to Council staff in the form of advice, training, and procedures
- on-site advice on appraising records is provided in the event of complex or extensive series of records which are being appraised.

***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.***