Complying with the Records Management Code: Evaluation Workbook and Methodology

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Summary

The Freedom of Information Act was implemented fully in January 2005. The Act creates a right of access to official information and places a duty on public authorities to publish information in accordance with "publication schemes". In addition, the Act encourages all public authorities to maintain their records in accordance with the provisions of a Code of Practice issued by the Lord Chancellor under section 46 of the Act giving guidance on the practice which, in his opinion, it would be desirable for them to follow in connection with the keeping, management and destruction of records (hereafter referred to as the Records Management Code).

This evaluation workbook has been developed by The National Archives (TNA) to assist public authorities in assessing conformance of their record management systems to the Records Management Code.

The workbook focuses on the areas listed in the records management code for action. The action points are further defined in the model action plans. These are:

- Records management function
- Record Management policy statement
- Roles and responsibilities
- Training and awareness
- Records creation and record keeping
- Records maintenance
- Records disposal
- Access regimes for managing FOI requests (part of Records creation and record keeping which it has been more convenient to handle separately)

It also contains a module on

- Performance measurement

Completing the questionnaire contained in this workbook will establish the degree to which an organisation complies with the Record Management Code. It also provides a mechanism to evaluate the level of risk to the organisation by records management that does not conform to the Records Management Code and considers appropriate mitigation strategies.

This first edition of the workbook has been published following the publication of consultation draft in 2005. The comments and contributions which are here formally acknowledged have informed the revision which led to the development of this edition. As public authorities use this workbook for self assessment it is hoped that the experience gained will result in further comment and feedback to The National Archives, which will be used by us to inform further improvements. Anyone wishing to comment on this document or requiring further information

and assistance concerning the role of this workbook are requested to send all submissions or queries to The National Archives at:

rmadvisory@nationalarchives.gov.uk

Introduction

Statutory Context

1.1 The Freedom of Information Act (hereafter FOIA) was implemented fully in January 2005. It creates a right of access to official information and places a duty on public authorities to publish information in accordance with "publication schemes".

1.2 As required by section 46 of FOIA, the Lord Chancellor has issued a code of practice on records management in relevant authorities (public authorities and other bodies whose administrative and departmental records are "public records" as defined by the Public Records Act 1958). This Code is in two parts:

- Part I sets out practices which 'relevant authorities', should follow in relation to the creation, keeping, management and destruction of their records. 'Relevant authorities' are FOI public authorities and any other bodies that, although not subject to FOIA, are subject to the Public Records Act 1958 and the Public Records Act (NI) 1923

- Part II describes the arrangements, which public record bodies should follow in reviewing public records and transferring them to the Public Record Office (now known as The National Archives) or to places of deposit or to the Public Record Office of Northern Ireland (Part II of the Code).

1.3 This workbook is intended to be used to assess compliance only with Part 1 of the Code of Practice referred to above (hereafter the Code of Practice is referred to as the Records Management Code) and is relevant for all public authorities subject to the FOIA. Part II of the Code will be the subject of separate guidance. A copy of the Records Management Code is available on the website of the Department for Constitutional Affairs at:

http://www.dca.gov.uk/foi/codesprac.htm

1.4 TNA has produced, or collaborated in the production of, model action plans to help different parts of the public sector achieve conformance to the Records Management Code; they are on the TNA website at:

http://www.nationalarchives.gov.uk/policy/foi/

1.5 Section 47(1) of the Freedom of Information Act requires the Information Commissioner to promote the observance of the code of practice by public authorities and section 47(3) allows him, with the consent of an authority, to carry out assessments of whether good practice is being followed

1.6 If the Commissioner considers that an authority is not managing its records in conformance to the Records Management Code, he may issue a practice recommendation under section 48 of FOIA. A practice recommendation must be in writing and must specify the provisions of the Code which have

not been met and the steps which should, in his opinion, be taken to promote conformity.

1.7   If the Commissioner requires information to assess whether an authority's records management conforms to the Records Management Code, he may issue an 'information notice' under FOIA section 51. This requires the authority to provide specified information to a specified deadline.

1.8   The need to locate and retrieve information takes on added importance under FOI. The requirements of sections 1 and 16 of the Freedom Of Information Act 2000 and the good practice set out in the Lord Chancellor's Code of Practice under section 45 of the Act, on the Discharge of the Functions of Public Authorities under Part 1 of the Freedom of Information Act, cannot be met unless adequate record keeping systems are in place.

1.9   Furthermore, authorities failing to conform to the Records Management Code may also be failing to comply with other legislation such as the Public Records Acts 1958 and 1967, the Public Records Act (Northern Ireland) 1923, the Data Protection Act 1998, the Local Government Act 1972, and the Local Government (Access to Information) Act 1985.

1.10 Some public authorities may also be subject to other statutory or regulatory regimes or to major initiatives such as the Modernising Government programme. Local authorities and health authorities, for example, will also need to take account of the information governance regime, which is to be applied by the Social Care Information Governance Project. Effective records management will facilitate compliance with these other obligations. Additional information on relevant sector specific guidance and regulation of records and information management is provided in the last chapter at page 98.

Role of The National Archives (TNA)

1.11 FOIA section 47 provides a mechanism for the Information Commissioner to *consult with the Keeper of Public Records about the promotion by the Commissioner of the observance by public authorities of the provisions of the code of practice under section 46*. To support this process, a Memorandum of Understanding between the Keeper of Public Records and the Information Commissioner has been agreed to clarify their relationship and to establish a working framework for the development of this relationship in practice.

1.12 In respect of auditing and assessing conformance to Part 1 of the Records Management Code the Memorandum states:

- The principal method for monitoring conformity will be self-assessment by public authorities.
- The Commissioner may request the Keeper to carry out assessments of conformity with the Records Management Code on

his behalf. The detailed arrangements for such assessments may be formalised in a service level agreement.

- Selected authorities may be actively audited by the Keeper, in accordance with guidelines set out by the Commissioner for such audits.

1.13 To support public authorities in assessing their compliance with the Record Management Code The National Archives (TNA) has produced this evaluation workbook.

1.14 A separate programme to assess compliance with the Record Management Code in central government departments is being developed for implementation in the summer of 2006. This approach will focus on the risks associated with non-compliance and will take the form of a targeted assessment of specific area of records management activity which, following an initial assessment, are seen to present a real risk to the organisation. The assessment will comprise a series of interviews with departmental staff, which will be analysed and put into a report to a senior manager within the organisation. The report will take the form of a high-level risk assessment with suggested actions to mitigate the risks.

1.15 A number of tools are being developed to support the programme, namely an initial high level risk assessment questionnaire, scripts to be used during assessment interviews and a template for the final risk assessment or report. These tools may also assist public authorities outside central government to support their own compliance assessment activities and all of these other tools will be published on The National Archives (TNA) website during 2006.

Audience

1.16 This workbook is aimed at organisations subject to FOIA or one of the Public Records Acts but may also be useful to other organisations. . It is intended for use by those undertaking an assessment of conformance, who are expected to be records or information managers or internal and external auditors.

1.17 FOI public authorities include:

- central government departments, agencies and non-departmental public bodies,
- local government authorities,
- the education sector (schools, further and higher education bodies)
- the health service,
- police forces
- any other organisation which is defined as a public authority under the FOIA

- anybody that is a public record body under one of the Public Records Acts.

1.18 An up-to-date list of FOI public authorities can be found on the website of the Department for Constitutional Affairs (DCA) at:

http://www.dca.gov.uk/foi/coverage.htm

1.19 Other organisations not subject to the Act may also find the guidance useful when evaluating their own record management policies and procedures, although it should be noted that these organisations might have different needs that are not covered within this guidance.

Purpose

1.20 To support these provisions, TNA has developed an audit methodology in the form of this evaluation workbook, which can be used to assess records management practices.

1.21 The workbook focuses on the key areas of the Records Management Code, which are:

- Records management function
- Record management policy statement
- Roles and responsibilities
- Training and awareness
- Records creation and record keeping
- Records maintenance
- Records disposal
- Access regimes for managing FOI requests (part of Records creation and record keeping which it has been more convenient to handle separately)

It also contains a module on

- Performance measurement

1.22 A completed workbook will provide a statement of the extent to which records management practices conform to the Records Management Code and provide a mechanism to evaluate the level of risk to the organisation caused by records management that fails to conform to the Records Management Code. It will also enable an historical audit trail of compliance to be maintained.

1.23 The workbook is intended to be used irrespective of the size or complexity of the organisation being assessed. However, it is recognised that the relevance of some elements will depend on the role, complexity and size of a public authority. Where they are relevant it should be possible to determine the impact of the risk and the effectiveness of the contingency resource earmarked for mitigating or avoiding it.

1.24 It is also intended to be used whether records are paper-based or in digital form including those held in an electronic document and records management system (EDRMS). It is assumed, however, that organisations will increasingly rely on electronic information and the workbook has been developed to reflect the need to competently manage records in both physical and electronic form. Where an authority has implemented or is implementing an EDRMS solution the workbook should elicit the additional evidence needed to validate the use of such systems as well as the record management systems of public authorities who do not require or do not currently possess such an infrastructure.

1.25 For more information and assistance on this workbook please contact:

rmadvisory@nationalarchives.gov.uk

How to use this Workbook

2.1 In addition to the executive summary, which prefaces this workbook, the document is divided into 12 chapters. Eight of these chapters constitute specific modules within which are contained the relevant workbook questions. The structure of the document is displayed below:

Introduction

How to use this Workbook

Module 1: Records management function

Module 2: Records management policy statement

Module 3: Roles, responsibilities, training and awareness

Module 4: Active records management, record creation and record keeping

Module 5: Records maintenance

Module 6: Records disposal

Module 7: Access regimes for managing FOI requests

Module 8: Performance measurement

Risk evaluation and development of mitigation strategies

Sector specific guidance and regulation of records management

2.2 The first chapter - the Introduction is self-explanatory but it also provides an explanation of how this workbook can be used to undertake a compliance assessment. Modules 2 through to 9 each explore a facet of the *Lord Chancellor's Code of Practice on the Management of Records by Public Authorities.*

2.3 This chapter provides an explanation of how this workbook can be used to undertake a compliance assessment together with illustrative examples.

2.4 The next eight chapters contain a numbered module to enable users to assess the level of compliance with each key area identified in the Records Management Code (paragraph 1.21 in the Introduction refers) For each key area there is an introductory statement on its purpose, contextual information, references to relevant guidance and, finally, the workbook questions. The workbook questions within each of these modules forms the key part of the workbook, as these questions need to be addressed in order for users to assess the degree to which their organisation complies with the relevant key area described in the Records Management Code.

2.5 For ease of use RTF (Rich Text Format) copies have been provided on TNA's website to allow an organisation to download either the entire workbook or if more convenient a single module in order to complete its own copy in electronic form. PDF (Portable Document Format) versions have also been provided for those wishing to print and complete in hard copy

2.6 It is recommended that to gain the greatest value from the workbook the user works through each module in sequence and answer the questions in the order in which they appear in each module. This may also avoid duplication of effort as responses to questions posed in Modules 3 and 4 may for example assist in answering questions in Modules 5, 6 and 7.

2.7 Each question requires an initial response of Yes, No or Non Applicable. Below each question a Reference field has been provided to either insert an explanatory statement or a cross reference to a relevant document or policy statement which can be examined by an independent assessor for compliance.

2.8 The aim of this workbook is not merely to achieve a complete series of Yes responses as in certain circumstances that may not be relevant or applicable. However where the answer is a negative response (No), it is recommended that following completion of the module a risk assessment be undertaken to assess the level of risk and develop appropriate mitigation strategies.

2.9 Finally the last two chapters contain advice on how to evaluate the information gained in completing each module and to undertake risk assessments to determine appropriate mitigation strategies. The last chapter explains what guidance; policy or regulation exists in terms of records and information management, which is specific to each sector of public administration. It does not provide definitive guidance, as each sector will continue to develop its rules and regulations for best practice but it has been provided to list known reference material and relevant sources for additional guidance.

Definitions

2.10 For the purpose of this workbook, a record is a specific piece of information produced or received in the initiation, conduct or closure of an institutional or individual activity, and that provides sufficient content, context and structure to provide evidence of an activity. A managed record-keeping system exists where records can be organised and indexed, for management and retrieval in logical groups which reflect the context of creation and use – records should be categorised so they can be scheduled for disposal once they are no longer required and all management processes should be capable of audit.

Worked examples

2.11 Here are worked examples for the following four scenarios:

- Positive (Yes) responses
- Negative (No) responses
- Non-applicable (N/A) responses

- Partial compliance responses where a positive response (Yes?) is appropriate for part of the organisation

Positive (yes) responses

2.12 The reference field must be completed in all cases unless the matter is self evident. Here is a worked example – for question 1 in Module 2 to which a positive Yes response has been given

1	*Is the records management function formally recognised within the organisation as a specific corporate programme?*	Yes √ No ☐ N/A ☐

Reference This function was submitted to the Management Board on 20/07/2004 for formal endorsement ref MB paper 37/2004 and is detailed in the accompanying records management policy ref MP 101/2004

2.13 The comment inserted in the Reference field permits an independent assessor to cross check the validity of the asserted answer.

Negative (no) responses

2.14 Where a negative response is given it is still possible in some cases to provide some supporting comment, which may assist in mitigating the risk. As an illustration a worked example is provided below - the following question which appears as question 20 in Module 3 Record Management Policy Statement is answered here with a negative No response

20	*Are newly appointed personnel (including temporary staff and consultants) made formally aware of the policy?*	Yes ☐ No √ N/A ☐

It is proposed to introduce a new module to the induction-training programme for new personnel w.e.f. from 1 April 2005. Business unit managers have been required to ensure staff appointed before that date are fully briefed and provide confirmation to Human Resources that this has been completed

2.15 Here the reference comment indicates the risk is small and has been adequately addressed and an independent assessor could confirm if this statement was valid.

Non-applicable (N/A) responses

2.16 Where a non-applicable response is given this may of itself be sufficient but again wherever possible an additional comment should be provided to explain why this question is not relevant in the context of other organisation's record management. As an illustration a worked example is provided below - the following question which appears as question 130 in Module 6 Records Maintenance is answered here with a non applicable N/A response.

| 130 | *Where applicable has a policy been implemented to ensure continued access to encrypted or password-protected records?* | Yes ☐ No ☐ | N/A ☑ √ |

Reference   Current and past policy has been to disallow use of personal password protected files or encryption by reliance on the information security procedures outlined in the organisation's Information Security policy ref. IS 15/2001.

2.17 Here the reference comment explains why the response to this question has been provided and an independent assessor could confirm that the alternative arrangements mentioned exist and are adequate.

Partial compliance responses

2.18 In many instances it may not be appropriate to give a complete Yes or No response as compliance is incomplete and varies across the organisation. In such cases a qualified "Yes?" comment should be provided as illustrated below to highlight where the organisation currently complies and where it does not

| 134 | *Are there selection and disposal policies and schedules for each business unit?* | Yes √? No ☐ | N/A ☐ |

Reference   Partial compliance Finance, Purchasing, & Social Services have agreed schedules. Housing and Education have draft schedules the remaining six departments schedules will be developed and agreed by March 2006 as per project plan ref. RM 2A/2004.

2.19 Here the reference comment clarifies the extent of non-conformance and when conformance will be achieved, and will enable an independent assessor to determine the validity of the statement.

2.20 Realistically partial compliance will be the most appropriate response to some of the questions contained in this workbook but in such cases the explanatory comment needs to highlight the degree to which the organisation complies and where possible the timescale for addressing the remainder or alternatively the other measures or circumstances which mean extending compliance further is not appropriate to the organisation.

The information needs to be sufficient to enable an assessor to validate the statement.

2.21 Once the questionnaire is complete an assessment can be undertaken to confirm the validity of the accompanying reference comments - the cited policies and procedural documents plus supporting performance measures etc. Where partial or non-compliance is identified a full risk assessment should be undertaken to confirm the criticality of the risk, the relevance of any proposed mitigation strategy and to clarify the timeline for undertaking the required remedial work. The outcome of this work should be validated and approved by a senior management board or committee. This issue is explored further in the chapter entitled *Risk Evaluation and development of mitigation strategies*.

Benefits

2.22 Effective records management supports:

- efficient joint working and information exchange
- evidence-based policy making by providing reliable and authentic information for the evaluation of past actions and decisions
- administration of data protection principles and effective implementation of freedom of information and other information policy legislation, through good organisation of records
- accountability by providing reliable records of actions and decisions
- knowledge management across sectors of government by making reliable information available for sharing, extraction and summarisation
- various specific legislation or regulations, which give, rise to a requirement to demonstrate the authenticity of records to increase the evidential weight for legal admissibility purposes.

2.23 It is expected that external auditors undertaking assessments of performance will use this workbook to determine the effectiveness of an authority's record management polices and procedures. To this end it is envisaged that users of the workbook in combination with existing performance evaluation tools will be able to undertake a holistic view of the information processes occurring within their organisation, determine the degree to which their records are adequately managed and clarify the nature of required improvements.

Module 1: Records management function

General

3.1 This module deals with the need to establish records management as a strategic corporate function within an organisation and to ensure it receives the necessary levels of organisational support. It also identifies the need to have organisational links or close liaison between records management and management of freedom of information, data protection and other information management functions.

3.2 The relevant workbook questions which should be used to assess the level of compliance relating to these activities commence on page 18.

Context and objectives

3.3 The Records Management Code states that:

The records management function should be recognised as a specific corporate programme within an authority and should receive the necessary levels of organisational support to ensure effectiveness. It should bring together responsibilities for records in all formats, including electronic records, throughout their life cycle, from planning and creation through to ultimate disposal. It should have clearly defined responsibilities and objectives, and the resources to achieve them. It is desirable that the person, or persons, responsible for the records management function should also have either direct responsibility or an organisational connection with the person or persons responsible for freedom of information, data protection and other information management issues.

This text recognises that records and information are an asset that requires management on the same level as human resources, finances and property.

Relevant guidance

3.4 Public authorities often fall into discrete sectors (i.e. central government, local government, health, further education, police etc.) Each sector often has its own sector specific rules, regulations and guidance. This is especially true of the police and the health sectors and readers of this workbook should use such guidance where applicable when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA web-site. It includes:

e-Government Policy Framework for Electronic Records Management

This policy framework was developed by The National Archives' predecessor – the Public Record Office - with the Office of the e-Envoy. It identifies the management of electronic records as one of the vital underpinning elements in the government's modernisation programme, and that it was key to the government target for online service delivery in 2005. It also recognised that this function would be critical in helping organisations to meet the requirements of the Freedom of Information Act 2000 upon its implementation in January 2005. It is available on TNA's website at:

http://www.nationalarchives.gov.uk/electronicrecords/pdf/egov_framework.pdf

It should be noted that whilst the deadlines for specific Modernising Government targets may have passed the policy framework continues to be valid even after specific goals identified in the Modernising Government agenda have been achieved.

3.5   Additional advice on the strategic issues addressed by the records management function can be found in the following publication:

Guidelines for management, appraisal and preservation of electronic records: volume 1 principles

This guidance document sets out the principles of electronic records management and outlines broad strategies for translating the principles into practice. It can be accessed at the following web address:

http://www.nationalarchives.gov.uk/electronicrecords/advice/guidelines.htm

Evaluation questionnaire

3.6   Evaluation of this module should enable the following activities:

Review of the structure of the organisation to see what changes might be required to achieve the objective of establishing and supporting the record management function in an organisation.

Ensure that all information functions are part of the same command or, alternatively, working arrangements for close liaison have been established.

Ensure that adequate resources to support the records management function are in place, working with those responsible for determining the level of resources and those responsible for assigning such resources

3.7   To assess whether the required elements are in place see the questions in the table on the following page, numbered 1 to 8 in this workbook... Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies*.

1. *Is the records management function formally recognised within the organisation as a specific corporate programme?*

   Yes ☐   No ☐   N/A ☐

   Reference

   _____

2. *Does the record management function bring together responsibilities for records in all formats, including electronic records, throughout their life cycle, from planning and creation through to ultimate disposal?*

   Yes ☐   No ☐   N/A ☐

   Reference

   _____

3. *Does the records management function have clearly defined responsibilities and objectives?*

   Yes ☐   No ☐   N/A ☐

   Reference

   _____

4. *Has the structure of the organisation been reviewed to see what changes might be required to achieve these objectives?*

   Yes ☐   No ☐   N/A ☐

   Reference

   _____

5. *Is the records management function formally resourced to achieve its responsibilities and objectives?*

   (e.g. budgets(s) allocated staff etc)

   Yes ☐   No ☐   N/A ☐

   Reference

   _____

6. *Does the person responsible for the records management function have direct responsibility for, or an organisational connection with, those responsible for freedom of information, data protection and other information management issues?*

   Yes ☐   No ☐   N/A ☐

   Reference

   _____

7.   *Does the record management function bring together responsibilities for records in all formats, including electronic records, throughout their life cycle, from planning and creation through to ultimate disposal?*

Yes ☐   *No* ☐   *N/A* ☐

Reference

_____

8.   *Is there a mechanism to regularly review the records management function, together with its objectives and resources to ensure it continues to be effective?*

Yes ☐   *No* ☐   *N/A* ☐

Reference

_____

Module 2: Record Management policy statement

General

4.1　This module deals with the need to establish a records management policy supported and mandated by senior management across the whole organisation and provides the module to undertake such an assessment. The policy should be comprehensive and cover all activities falling within the records management function. There should be a mechanism for regular review of the policy's relevance.

4.2　The relevant workbook questions which should be used to assess whether an organisation's record management policy or policies comply with the Records Management Code and supporting best practice guidance commence on page 23.

Context and objectives

4.3　The Records Management Code states that:.

An authority should have in place an overall policy statement, endorsed by top management and made readily available to staff at all levels of the organisation, on how it manages its records, including electronic records.

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.

The policy statement should be reviewed at regular intervals (at least once every three years) and, if appropriate, amended to maintain its relevance

4.4　The Lord Chancellors' Code extends these principles to the management of electronic or digital records. Specifically it states that:

The principal issues for the management of electronic records are the same as those for the management of any record. They include, for example the creation of authentic records, the tracking of records and disposal arrangements. However, the means by which these issues are addressed in the electronic environment will be different.

Effective electronic record keeping requires:

- *a clear understanding of the nature of electronic records;*

- *the creation of records and metadata necessary to document business processes: this should be part of the systems which hold the records;*

- *the maintenance of a structure of folders to reflect logical groupings of records;*

- *the secure maintenance of the integrity of electronic records;*

- *the accessibility and use of electronic records for as long as required (which may include their migration across systems);*

- *the application of appropriate disposal procedures, including procedures for archiving; and*

- *the ability to cross reference electronic records to their paper counterparts in a mixed environment.*

4.5   A formally agreed records management policy is essential for directing how records will be managed in a public authority. The policy establishes how records are created, captured, maintained and disposed of in accordance with the legal, regulatory and business needs of the public authority. It informs everyone of the place of records management in the organisation, both strategically and operationally.

4.6   In this context a policy may consist of one document or a series of documents which taken together provide a comprehensive records management policy. Whilst it is preferable to have one distinct policy and references to it in other linked policy documents some organisations' may have conflated records management into other policies for example information management or information security polices. A records management policy may be a records management specific policy document or it may emerge from policies for other organisational business activities, which set out rules for recordkeeping. However whatever the preferred mechanism or form for developing or incorporating the policy within an organisation records management must be directed by policy adopted at the corporate level and should be transparent to the reader.

4.7   The policy must direct that records are made, captured, maintained and disposed of in accordance with the legal, regulatory and business needs of the public authority and define the responsibilities of the personnel who manage records or carry out recordkeeping activities.

4.8   Many organisations may have a separate e-mail management policy, which augments the record management policy.

Relevant guidance

4.9 Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should reference such guidance when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA web-site. They include:

Guidelines for management, appraisal and preservation of electronic records: Volume 1 Principles

This guidance document sets out the principles of electronic records management and outlines broad strategies for translating the principles into practice. It can be accessed at the following web address:

http://www.nationalarchives.gov.uk/electronicrecords/advice/guidelines.htm

Other directly relevant publications include:

Corporate Policy on Electronic Records

Guidelines on Developing a Policy on Managing e-mail

Managing Web Resources: Management of Electronic Records on Web-Sites and Intranets: An ERM Toolkit

These are available at the TNA web-site at:

http://www.nationalarchives.gov.uk/electronicrecords/advice/

Evaluation questionnaire

4.10 The records management policy statement will provide a mandate for the performance of all records and information management functions and the final records management policy statement having secured its approval by senior management should be made available to all staff.

4.11 To assess whether the required elements are in place the questions in the table which follows, numbered 9 to 54 in this workbook, have been provided to elicit whether the information required for an appropriately compliant assessment is actually explicitly addressed in the organisation's record management policy or its equivalent where records management policy has been subsumed within other official policy documents. Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies*.

9.	Is there a policy statement on how the organisation manages its records?	Yes ☐	No ☐	N/A ☐

Reference

10.	Does the policy explicitly include records in electronic or digital form as well physical form (e.g. paper or microform)?	Yes ☐	No ☐	N/A ☐

Reference

11.	Does the policy make explicit that e-mails produced or received in the conduct of business are considered to be part of the corporate record?	Yes ☐	No ☐	N/A ☐

Reference

12.	Does the policy fully reflect the statutory and regulatory environment within which the organisation is required to operate?	Yes ☐	No ☐	N/A ☐

Reference

13.	Is the policy formally endorsed by senior management within the organisation?	Yes ☐	No ☐	N/A ☐

Reference

14.	Does the policy define roles and responsibilities to support the record management function?	Yes ☐	No ☐	N/A ☐

Reference

15.	Does the policy define the responsibility of individuals to document their actions and decisions in the organisation's records?	Yes ☐	No ☐	N/A ☐

Reference

16.	Does the policy define criteria for disposing of obsolete records?	Yes ☐	No ☐	N/A ☐

Reference

17.	Has responsibility for identifying and disposing of obsolete records in an auditable manner been assigned to a role(s)?	Yes ☐	No ☐	N/A ☐

Reference

18.	Does the policy provide a framework for supporting appropriate standards, procedures and guidelines?	Yes ☐	No ☐	N/A ☐

Reference

19.	Is the policy readily available to all staff at all levels of the organisation?	Yes ☐	No ☐	N/A ☐

Reference

20.	Are newly appointed personnel (including temporary staff and consultants) made formally aware of the policy?	Yes ☐	No ☐	N/A ☐

Reference

21.	Does the policy clearly indicate its place within the strategic and policy framework of the organisation and refer to data protection, freedom of information and information security policies?	Yes ☐	No ☐	N/A ☐

Reference

22.	*Does the policy define the requirements that must be met for the records themselves to be considered as a proper record of the activity of the organisation?*	*Yes* ☐	*No* ☐	*N/A* ☐

For example possible elements that might be identified for inclusion are:

a. *the type of information transactions or communications which should be captured by the business*

b. *the preferred physical or logical form of the record*

c. *the location to be used by each part of the business in a classification system or file-plan*

d. *key metadata attributes (e.g. author, owner, nature of the record – contract, invoice, minutes FOI enquiry etc)*

Reference

23.	*Does the policy require that all systems and processes that deal with records incorporate measures to ensure the quality and reliability of the records, which must be maintained to provide a valuable information and knowledge resource for the whole organisation?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

24.	*Does the policy provide for an implementation plan across the organisation?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

25.	*Does the policy include provision for a technical policy to establish the criteria that can be applied to new types of technologies that process electronic records?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

| 26. | Does the policy include provisions for a preservation or maintenance policy to ensure that electronic records are visibly present and maintained in an authentic state for as long as they continue to be required? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 27. | Does the policy include provision for the preservation and secure storage of physical records for as long as they continue to be required? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 28. | Does the policy establish a priority for the allocation of the resources needed to preserve the records intact for as long as they continue to be required? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 29. | Does the policy make provision for the registration of its records in conformance with BS ISO 15489 (Information and Documentation - Records Management Standard)? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 30. | In accordance with BS ISO 15489 does the policy require that electronic records should be classified into a business classification scheme or file-plan developed for the organisation to ensure an integrated information structure across the organisation? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 31. | Does the policy require that where records in physical form (i.e. paper records) are to be retained that they should be stored in physical folders, which are referenced and retrieved in accordance with references, displayed within the business classification scheme? | Yes ☐ | No ☐ | N/A ☐ |

(Note: some organisations may use formal registered files which display agreed titles and/or reference codes/numbers for this purpose)

Reference

_____

| 32. | Does the policy require that electronic records stored within a business classification scheme should each be provided with a unique title in accordance with a agreed naming policies or taxonomies adopted by the organisation to ensure accurate retrieval? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 33. | Does the policy require that audits be undertaken of the registration and classification references used by the organisation so that the system makes sense and relevant records can be found in appropriate search sequences? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

34.	Does the policy require that where relationships exist between different sets of records and different types of records (e.g. electronic and paper) these relationships are documented by the allocation of meaningful references to ensure these links are readily apparent when undertaking appropriate search sequences?	Yes ☐	No ☐	N/A ☐

Reference

35.	Does the policy reference existing information security policy and procedures?	Yes ☐	No ☐	N/A ☐

Reference

36.	Does the policy make provision for the establishment of roles or bodies within the organisation, which will be able to make an accurate judgement on the sensitivity of records to identify any restrictions and determine the groups or individuals within the organisation who should have access?	Yes ☐	No ☐	N/A ☐

Reference

| 37. | Does the policy establish how extraordinary access requests to the records by personnel within the organisation are to be authorised and managed?

(Note: this question is concerned with the access regime for all personnel where there is a need to provide additional extraordinary access rights to an individual as opposed to those access rights an individual might possess via the role they are assigned to by the employing organisation.) | Yes ☐ | No ☐ | N/A ☐ |
|---|---|---|---|---|

Reference

38.	Does the policy establish the principles by which access to the records or the information they contain may be granted in response to requests external to the organisation?	Yes ☐	No ☐	N/A ☐

Reference

| 39. | Does the policy also clarify the links between the records management policy and existing data protection and freedom of information disclosure policies maintained by the organisation? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 40. | Does the policy provide for the documentation of the reasons why records were released or withheld (including partial disclosure where information within the record or record series was masked or concealed) in response to requests for information under the Freedom of Information Act 2000; the Data Protection Act 1998 and the Environmental Information Regulations 2004(EIR)? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 41. | Does the policy require that all reasonable steps be undertaken to ensure that the electronic records and processes dealing with them are secure and that the electronic records are safeguarded from alteration, misinterpretation or loss? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 42. | Does the policy provide for the auditing of compliance with the policy and associated procedures and guidance? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 43. | Does the policy provide for the concept of a trusted custodian to hold or be responsible for the management of inactive records (for records in electronic and physical form)? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 44. | Does the policy provide for the development and implementation of disposal schedules and mechanisms to ensure records can be appropriately disposed of (including to an archives facility) in an accountable manner when they are no longer required?

(Note: in many cases disposal equates to authorised destruction as the records are no longer required but the term disposal also extends to other actions which include identifying review dates where a future destruction date can be determined and transfer and export to other designated organisations including transfer to specialist archives for permanent preservation of selected records)

Reference | Yes ☐ | No ☐ | N/A ☐ |

| 45. | Does the policy require that business continuity plans be amended to include provisions for the maintenance of records and record management processes to ensure a constant service is maintained in spite of any technical or strategic hitches that may occur?

Reference | Yes ☐ | No ☐ | N/A ☐ |

| 46. | Does the policy make provision for the creation of back-ups to a corporately agreed standard to include updates for new electronic records and metadata?

Reference | Yes ☐ | No ☐ | N/A ☐ |

| 47. | Does the policy require that a robust back-up restoration regime be established to restore back-ups should they be required? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 48. | In the event backed-up data is required to be restored onto a live system does the policy make provision for the removal from the back up copies of any records which were formally destroyed or transferred from the live system, in accordance with an authorised procedure, after the back up was created? | Yes ☐ | No ☐ | N/A ☐ |

(Note: - this is to ensure conformance with FOI and Data Protection requirements

Reference

_____

| 49. | Does the policy make provision for a disaster recovery plan in the event that electronic systems are compromised or physical records damaged? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 50. | Does the policy define the principles to identify vital and/or emergency records in the event of a catastrophic event occurring? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 51. | Does the policy require for the policy and the implementation plan to be regularly reviewed and assign responsibility for this? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

52.	Does the policy set criteria for the conduct of a review of the records management policy and its implementation?	Yes ☐	No ☐	N/A ☐

(Note: - this review should include any supporting standards, procedures and guidelines)

Reference

53.	Has the responsibility for conducting periodic reviews of the policy been clearly assigned?	Yes ☐	No ☐	N/A ☐

Reference

54.	Does the policy include provision for preparation of a periodic report to ascertain the continuing relevance and efficacy of the policy and for its submission to senior management for review?	Yes ☐	No ☐	N/A ☐

(Note periodic review of policies to confirm relevance is good practice – the organisation needs to determine the frequency for such a review to be undertaken and ideally this requirement should be incorporated within the policy)

Reference

Module 3: Roles, responsibilities, training and awareness

General

5.1 This module deals with the issue of the human resources required to undertake records management. It covers definition of roles, allocation of resources to undertake the roles, appointment of skilled records management staff and establishment of training programmes for their professional development, and making staff across the organisation aware of their contribution to effective corporate records management and giving them the training they need to follow records management procedures and guidance

5.2 The relevant workbook questions which should be used to assess the level of compliance relating to these activities commence on page 36.

Context and objectives

5.3 The Records Management Code states that:

A designated member of staff of appropriate seniority should have lead responsibility for records management within the authority. This lead role should be formally acknowledged and made known throughout the authority.

Staff responsible for records management should have the appropriate skills and knowledge needed to achieve the aims of the records management programme. Responsibility for all aspects of record keeping should be specifically defined and incorporated in the role descriptions or similar documents.

Human resource policies and practices in organisations should address the need to recruit and retain good quality staff and should accordingly support the records management function in the following areas:

- *the provision of appropriate resources to enable the records management function to be maintained across all of its activities;*

- *the establishment and maintenance of a scheme, such as a competency framework, to identify the knowledge, skills and corporate competencies required in records and information management;*

- *the regular review of selection criteria for posts with records management duties to ensure currency and compliance with best practice;*

- *the regular analysis of training needs;*

- *the establishment of a professional development programme for staff with records management duties;*
- *the inclusion in induction training programmes for all new staff of an awareness of records issues and practices.*

Role of records managers

5.4 Records management responsibilities must be clearly defined and assigned, and made known throughout the organisation.

5.5 The records management program has to be staffed by skilled people and access to skilled people is critical to the success of records management.

5.6 Organisations should be able to access records management skills internally through recruitment, training and development or, alternatively, externally through appropriately qualified consultants. In a medium to large organisation, this will require skilled records management position/s, in a smaller organisation; this may be a role with other responsibilities. The role should have a clear connection with related activities and obligations in respect of freedom of information and data protection compliance

5.7 Priorities for the Records Manager will be to assess the need for records management support staff and to establish a competency framework to identify the skills and knowledge required by records management staff.

5.8 Where the need for additional resources has been identified, measures should be implemented to ensure that the required records management support staff are in place. The responsibilities of each person undertaking records management roles should be set out in a performance agreement, role description or similar document, within one month of appointment.

5.9 In a large organisation where responsibilities or devolved or distributed, the organisation may require each business unit to manage its own record from within its own resources. In this environment there will still be a need to coordinate best practice across the organisation and the senior record manager charged with that responsibility will need to be empowered to set minimum standards and resource requirements which will be mandated across the organisation.

5.10 The identification of professional skills and knowledge will enable departments to recruit and train staff at a level which will ensure that the records management function acquires the appropriate professional standing.

Professional development training and competencies

5.11 Training in records management policies and procedures takes place at two levels:

- professional development for records management staff
- awareness of records issues and practices by all members of staff

5.12 The skills required will vary according to the nature and complexity of the public office. Skill levels should be appropriate to the complexity of the records management tasks for which staff are responsible. However staff undertaking records management should possess appropriate skills for their positions and responsibilities and these should be kept up to date.

5.13 All organisations will need to develop a programme of professional training for records staff. This will involve the Records Manager working with training and development staff. The programme should identify particular records management training needs in the light of the competency framework and arrange for those needs to be met, using internal and external training as appropriate.

5.14 It is also necessary to ensure that all induction training programmes, as well as FOI and other related training programmes, include awareness sessions on record keeping issues.

5.15 The professional training of records staff and the awareness by all staff of records management issues will ensure that the records management function receives the appropriate quality of support.

Relevant guidance

5.16 Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should use such guidance when establishing a record keeping or management system.

5.17 For example, central government bodies should comply with the provisions of the Public Records Act 1958 local authorities should conform to *section 224* of the *Local Government Act 1972*. Police forces will need to comply with the statutory code setting out the key principles for police information management, which is being developed in response to the recommendations made by the Bichard Inquiry. NHS trusts and health authorities need to comply with *criterion 3* of the *Controls Assurance Support Unit CASU Records Management Standard* and the *Information for Social Care* framework document published in May 2001.

5.18 Supporting guidance has been provided by The National Archives (TNA) and is available on the TNA website http://www.nationalarchives.gov.uk/ Although some of the earlier publications were written initially for a central

government audience they are broadly relevant to any public authority required to manage its records in conformance with the Records Management Code. In particular see:

Human resources of records management: skills required by records managers

Which is at:

http://www.nationalarchives.gov.uk/recordsmanagement/advice/bestpractice.htm

5.19 The international standard BS ISO 15489 *Information and Documentation – Records Management Standard* is also relevant*.*

Evaluating questionnaire

5.20 To assess whether the required elements are in place see the questions numbered 55 to 82 in this workbook, which commence in the table on the next page. These have been provided to elicit the information required for an appropriate assessment. Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies*.

55.	*Is there a designated individual with responsibility for record management throughout the organisation?*	*Yes* ☐	*No* ☐	*N/A* ☐
	Reference			
56.	*Is the individual a senior manager?*	*Yes* ☐	*No* ☐	*N/A* ☐
	Reference			
57.	*Do the terms of this appointment conform with the provisions of BS ISO 15489 Information and Documentation – Records Management Standard?*	*Yes* ☐	*No* ☐	*N/A* ☐
	Reference			

		Yes	No	N/A

58. *Is this individual conversant with the requirements of the Records Management Code?*   Yes ☐   No ☐   N/A ☐

(Note: the Records Management Code is the short title used for the Code of Practice issued by the Lord Chancellor under section 46 of the Freedom of Information Act 2000 on the management of records)

Reference

59. *Have adequate resources for the effective implementation of records management been assessed and allocated?*   Yes ☐   No ☐   N/A ☐

(Note: the point to assess here comprises two elements the first being - has the organisation accurately determined the level of resource needed to implement records management effectively and the second element is - if so has the appropriate level of resource been allocated to undertake the required work?)

Reference

60. *Has a dedicated team been established to carry out the record management roles and duties identified in the records management policy?*   Yes ☐   No ☐   N/A ☐

Reference

61. *Has senior management's role in supporting effective records management across the organisation been defined to include responsibility for providing the required resource?*   Yes ☐   No ☐   N/A ☐

(Note: in many instances this will come down to the appointment and allocation of dedicated record management staff and the allocation of sufficient time for non-dedicated staff to undertake the required work to support the record manager. In some instances it may also refer to secured budgets to pay for contractors to undertake the work and/ or acquisition of appropriate accommodation and equipment)

Reference

| 62. | Where authority for record management has been distributed or delegated across an organisation have local record managers been appointed for each area of the business? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 63. | Where local record managers have been appointed is their work and training coordinated and reviewed centrally by a senior records manager? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 64. | Where local record managers have been appointed are their job descriptions reviewed centrally to ensure they are appropriate? | Yes ☐ | No ☐ | N/A ☐ |

(Note: To clarify if the organisation's response is adequate it will be necessary to ascertain that where job descriptions are reviewed centrally mechanisms also exist to ensure, at agreed intervals, the regular review of these job descriptions to confirm they remain apposite)

Reference

_____

| 65. | Where local record managers have been appointed have communication channels been established for liaison between the record managers across the organisation? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 66. | Where applicable has responsibility been assigned for a trusted custodian for the management of inactive records (both electronic and physical)? | Yes ☐ | No ☐ | N/A ☐ |

| 67. | Has someone been assigned the responsibility of reviewing the organisation's record management policy at agreed intervals? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 68. | Have the knowledge, skills and corporate competencies required by records management staff been identified? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 69. | Has the competency framework been compared or validated against external guidance produced by recognised centres of record management expertise (e.g. Human Resources in Records Management published by The National Archives (TNA))? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 70. | Does the record management team possess the skills set out in this competency framework? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 71. | Do the job descriptions of records management staff list the duties required for records management work and the appropriate level of skill identified in the competency framework? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 72. | Are records management staff given opportunities to acquire professional qualifications or NVQs in records and information management? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 73. | Is there provision for the regular review of training needs in records and information management? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

74.	Are selection criteria for posts with records management duties reviewed regularly?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

75.	Have senior managers been provided with the appropriate level of records management training to enable them to fulfill the role allocated to them by the organisation?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

76.	Do the induction training programmes for new staff include awareness of records issues and practices?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

77.	Have existing staff across the organisation been made aware of records issues and practices?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

78.	Have job descriptions been developed listing the duties and essential attributes required for personnel assigned with records management roles?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

79.	Do job descriptions across the organisation include relevant references to record keeping duties?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

80.	Is there a mechanism to regularly review job descriptions to ensure they remain apposite and relevant?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

81. *Is there a process for the regular review of selection criteria for posts with records management duties to ensure currency and compliance with best practice?*

Yes ☐   No ☐   N/A ☐

Reference

82. *Do human resource policies and procedures address the need to recruit and retain good quality staff for the records management function?*

Yes ☐   No ☐   N/A ☐

Reference

Module 4: Active records management: records creation and record keeping

General

6.1 This module deals with the need to establish a records keeping or records management system within an organisation, which will ensure that authentic, reliable and usable records are created and maintained for as long as they are needed.

6.2 The international standard for records management - *BS ISO 15489 Information and documentation. Records management* defines reliability as one of the four key characteristics, which have to be present in order for a record to exist. It states that a reliable record is one *"whose contents can be trusted as a full and accurate representation of the transactions, activities or facts to which they attest and can be depended upon in the course of subsequent transactions or activities"*. Records should be created at the time of the transaction or incident to which they relate, or soon afterwards, by individuals who have direct knowledge of the facts or by instruments routinely used within the business to conduct the transaction.

6.3 *BS ISO 15489* further states in clarification of the characteristic reliability that *"any system deployed to manage records should be capable of continuous and regular operation in accordance with responsible procedures. A records system should*

- *routinely capture all records within the scope of the business activities it covers,*
- *organise the records in a way that reflects the business processes of the record's creator*
- *protect the records from unauthorised alteration or disposition,*
- *routinely function as the primary source of information about actions that are documented in the records, and*
- *provide ready access to all relevant records and related metadata"*

6.4 Reliability therefore will be apparent if there is evidence that the records were created and captured as part of a legitimate business process and assigned to a logical and appropriate location within the business' own classification schema or file-plan where the record will then be subject to corporate management of its disposal. The identity and where possible the specific role of everyone involved in the creation and capture of the record should be clearly apparent. The operational context or business process within which a record has been generated or managed should also be visible.

6.5 A records management system must be capable of managing all the records generated or held by the organisation irrespective of form. It should extend to the management of physical records (e.g. paper files, microfilm etc) and electronic records including, where appropriate, e-mail.

6.6 The relevant workbook questions which should be used to assess the level of compliance relating to these activities commence on page45.

Context

6.7 Section 8 of the Records Management Code lists the key features and activities required to establish the processes, rules and mechanisms required for the effective management of existing and newly created records. For record creation it states that:

Each operational/business unit of an authority should have in place an adequate system for documenting its activities. This system should take into account the legislative and regulatory environments in which the authority works.

Records of a business activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities, to

- *facilitate an audit or examination of the business by anyone so authorised,*

- *protect the legal and other rights of the authority, its clients and any other person affected by its actions, and*

- *provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.*

Records created by the authority should be arranged in a record keeping system that will enable the authority to obtain the maximum benefit from the quick and easy retrieval of information.

6.8 The Code provides the following statement in respect of record keeping or records management:

Installing and maintaining an effective records management programme depends on knowledge of what records are held, in what form they are made accessible, and their relationship to organisational functions. An information survey or record audit will meet this requirement, help to promote control over the records, and provide valuable data for developing records appraisal and disposal procedures.

Paper and electronic record keeping systems should contain metadata (descriptive and technical documentation) to enable the system and the records to be understood and to be operated efficiently, and to provide an administrative context for effective management of the records.

The record-keeping system, whether paper or electronic, should include a set of rules for referencing, titling, indexing and, if appropriate, security marking of records. These should be easily understood and should enable the efficient retrieval of information

6.9 The need to locate and retrieve information takes on added importance under FOI. The requirements of both sections 1 and 16 of the Freedom of Information Act 2000 and the *Lord Chancellor's Code of Practice on the Discharge of the Functions of Public Authorities* issued under section 45 of the Freedom of Information Act cannot be met unless adequate record keeping systems are in place.

Relevant guidance

6.10 Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should reference such guidance when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA web-site. Although some of the earlier publications were written initially for a central government audience they are broadly relevant to any public authority requiring to manage its records in conformance with the Records Management Code The following publications should be used:

Framework for strategic planning and implementation

Guidance for an inventory of electronic record collections: A toolkit

Evaluating information assets: appraising the inventory of electronic records

Managing web resources: management of electronic records on websites and intranets: an ERM toolkit

Business classification scheme design

These publications can be downloaded in PDF form from the TNA website at the following web address:

http://www.nationalarchives.gov.uk/electronicrecords/advice/

6.11 Other relevant guidance on records management published by TNA can be accessed within the records management section of the TNA website at:

http://www.nationalarchives.gov.uk/recordsmanagement/advice/

6.12 The Joint Information Systems Committee (JISC) commissioned Cimtech Ltd to develop an *Electronic Records Management System Implementation Toolkit* for use within the further education and higher education sector. They envisage that this toolkit will provide institutional records managers and other information professionals with a 'one-stop shop' for impartial,

detailed and practical advice of use during all stages of a proposed or actual EDRMS implementation that is free from vendor-bias and specific to the needs of the further education and higher education sector. The toolkit can be accessed from the following web address:

http://www.jisc.ac.uk/edrmtookit.html

Evaluation questionnaire

6.13 To assess whether this element has been adequately addressed see the questions in the table on the following page, numbered 83 to 105 in this workbook... Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies.*

83.	*Is there guidance on what constitutes a record and what should be done to safeguard it and make it accessible via a record keeping system within each business unit?*	*Yes* ☐	*No* ☐	*N/A* ☐
	(Note: technically any recorded information created within an organisation constitutes a record however in practice most organisations distinguish between those communications which document activities and transactions which each part of the business must retain in order to discharge its remit and those which are purely ephemeral and which do not need to be kept and classified within a corporate file-plan.)			
	Reference			
84.	*Is there a process to check that each business unit has appropriate guidance on what constitutes a record?*	*Yes* ☐	*No* ☐	*N/A* ☐
	Reference			

85.	Has each business unit defined what records need to be kept within each unit to enable the organisation to undertake all necessary and appropriate actions?	Yes ☐	No ☐	N/A ☐

(Note: the phrase "necessary and appropriate actions" includes statutory and regulatory requirements as well as the organisation's own administrative and corporate needs for accurate information. Each business unit should consider the need to provide additional advice to its staff to ensure the appropriate records for that portion of the business are identified and retained. Where this additional advice is absent organisations need to check the guidance on what constitutes a record - referred to in question 83 above - is sufficient)

Reference

86.	Where business units have defined their requirement for records has this been independently assessed by an auditor?	Yes ☐	No ☐	N/A ☐

Reference

87.	Are there mechanisms in place to authenticate records so that they constitute credible and authoritative evidence in order to protect the rights of the organisation and any person affected by its actions?	Yes ☐	No ☐	N/A ☐

Reference

88.	Is there specific provision within the organisation's guidance for the capture, management and secure storage of electronic information (e.g. e-mails and other digital record objects) into corporately controlled storage areas where shared access permissions are applied?	Yes ☐	No ☐	N/A ☐

Reference

89.	Has the organisation undertaken an information audit or survey to identify all the sets of records (physical and electronic) it holds relating to each business function, with their covering dates and location?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

90.	Does the inventory, resulting from this audit, record the business groups responsible for the creation, use and management of each collection and, if different, the data owner?	*Yes* ☐	*No* ☐	*N/A* ☐

(note this may cover more than one business group as creators and custodians can vary and may be in addition to the "data owner")

Reference

91.	Has the organisation established a record keeping system (e.g. an electronic record management system) to manage its records?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

92.	Is the record keeping or management system used for the management of current and newly created electronic records (including e-mail) as well as physical records (e.g. paper)?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

93.	Is there a corporate business classification scheme or file-plan for the storage and retrieval of existing and new records?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

94.	Does the record keeping or record management system take into account the legislative and regulatory environments within which the organisation operates?	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

95.	*Does the record keeping or records management system provide for roles and groups with appropriate access permissions to be established to ensure that data privacy is safe-guarded?*	*Yes* ☐ *No* ☐ *N/A* ☐

Reference

_____

96.	*Does the record keeping or records management system provide for links to associated information concerning the role and purpose of a record set which is not apparent from the business function which has custody of the records?*	*Yes* ☐ *No* ☐ *N/A* ☐

(Note: electronic record management systems facilitate the creations and management of such links. It is possible to do this to some extent in a physical paper environment using indexes but it is far more labour intensive. The absence of links to associated information (where associations are known to exist) when records are being managed electronically may imply the organisation is not obtaining the full value of its investment.)

Reference

_____

97.	*Does the record keeping or records management system record the date on which a record set was opened, or, if applicable, the creation date of the earliest document/record it contains in order to determine the date range of the record set?*	*Yes* ☐ *No* ☐ *N/A* ☐

Reference

_____

98.	*Does the record keeping or records management system record the dates on which record sets were closed, or, if applicable, the latest current date of the document/record it contains in order to determine the date range of the record set?*	*Yes* ☐ *No* ☐ *N/A* ☐

Reference

_____

99.	*Where record sets are dormant (i.e. closed or inactive) is this recorded in the record keeping or records management system?*	*Yes* ☐ *No* ☐ *N/A* ☐

Reference

_____

100.	*Where applicable are cut-off dates recorded to determine the parts of a set of records due for management processing or disposal?*	Yes ☐	No ☐	N/A ☐

(e.g. .the regular date used to separate parts of a continuing record collection for management purposes (for example, the end of the financial year, annually, calendar year, quarterly, monthly, weekly)

Reference

101.	*Where a set of records are held in electronic form, have links or relationships to other sets of electronic records or databases, or to sets of physical records, been recorded to identify the source and location of these related information assets?*	Yes ☐	No ☐	N/A ☐

(Note: - this is to map links and inputs from other systems or record sets – in some instances some electronic records can only remain viable if the existing inputs from related systems are maintained. It is also to identify paper material which constitutes part of this record; and to enable identification of duplicated and/or missing material)

Reference

102.	*Where a set of records is held in physical form (e.g. paper, microform) have relationships to other physical records, or to electronic records and systems, been recorded?*	Yes ☐	No ☐	N/A ☐

Reference

103.	*Does the record keeping or record management system record the physical location of each record set?*	Yes ☐	No ☐	N/A ☐

(Note - in addition to recording the location of physical records this should also extend to where electronic or digital records are held, i.e. the computer system, data archive storage and network location and should extend to the location of back-up/security copies)

Reference

| 104. | Does the record keeping or record management system record the physical hardware and software formats or application types in which electronic record collections are created and held? | Yes ☐ | No ☐ | N/A ☐ |

(note this may be directly by an end-user or by extraction from a larger set of electronic information)

Reference

_____

| 105. | Where applicable does the record keeping or record management system record the application of protective markings to each record collection? | Yes ☐ | No ☐ | N/A ☐ |

(Note - this question is likely only to be relevant to those organisations where protective markings are used to identify records subject to national security classifications (e.g. Restricted, Confidential, Secret etc.) The purpose of the question is to determine if security protective marking applies to an entire record collection, or to identify that a security marking applies to elements of a record collection)[1]

Reference

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[1] This requirement will normally be confined to central government departments and agencies

Module 5: Records maintenance

General

7.1   This module deals with the need to establish a records maintenance regime which will sustain or preserve records, along with the means to identify and retrieve them easily, for as long as they are required. The objective should be to maintain authentic, reliable and usable records, as defined in the previous chapter, that conform to BS ISO 15489 requirement for the maintenance of record integrity.

7.2   Additional Guidance on interpreting these characteristics is provided in the TNA publication entitled *Guidance for Categorising Records to identify Sustainable Requirements*. This is available at:

http://www.nationalarchives.gov.uk/electronicrecords/pdf/generic_reqs4.pdf

7.3   Given that most current information is now generated in electronic form (e.g. databases, documents generated on office systems and e-mail) and continues to be held in digital form, the maintenance regime should deal with sustaining records held electronically and well as those in physical form.

7.4   The relevant workbook questions which should be used to assess the level of compliance relating to these activities commence on page 56.

Context

7.5   Section 8.7 of the Records Management Code describes the key criteria required to establish an appropriate maintenance regime. It states that:

The movement and location of records should be controlled to ensure that a record can be easily retrieved at any time, that any outstanding issues can be dealt with, and that there is an auditable trail of record transactions.

Storage accommodation for current records should be clean and tidy, and it should prevent damage to the records. Equipment used for current records should provide storage which is safe from unauthorised access and which meets fire regulations, but which allows maximum accessibility to the information commensurate with its frequency of use. When records are no longer required for the conduct of current business, their placement in a designated records centre rather than in offices may be a more economical and efficient way to store them. Procedures for handling records should take full account of the need to preserve important information.

A contingency or business recovery plan should be in place to provide protection for records which are vital to the continued functioning of the authority.

7.6   The record management system referred to in module 4 should include:

- adequate storage accommodation for the records

- a tracking system that controls the movement and location of records so that they can be easily retrieved

- appropriate access controls

- a business recovery plan that provides for the protection of vital records

7.7   The storage requirements for electronic records will be substantially different to those required for physical records although the same principles apply. The measures adopted must be appropriate for the format of the records.

7.8   Section 10 of the Records Management Code provides specific guidance on the management of electronic records and in respect of the records maintenance aspect it states that:

Effective electronic recordkeeping requires:

- *The secure maintenance of the integrity of electronic records*

- *The accessibility and use of electronic records for as long as required (which may include their migration across systems)*

- *The ability to cross reference electronic records to their paper counterparts in a mixed environment*

7.9   The Code goes on to require the maintenance of audit information, It states that:

Audit trails should be provided for all electronic information and documents. They should be kept securely and should be available for inspection by authorised personnel. The BSI document Principles of Good Practice for Information Management *(PD0010) recommends audits at predetermined intervals for particular aspects of electronic records management*

7.10   The international records management standard - *BS ISO 15489* states that *"the integrity of a record refers to its being complete and unaltered".* It is necessary that a record be protected against unauthorised alteration. Records management policies and procedures should specify what additions or annotations may be made to a record after it is created, under what circumstances additions or annotations may be authorized,

and who is authorized to make them. Any authorized annotation, addition or deletion to a record should be explicitly indicated and traceable.

7.11 *BS ISO 15489* provides the following clarification*: "Control measures such as access monitoring, user verification, authorised destruction and security controls should be implemented to prevent unauthorised access, destruction, alteration or removal or records. These controls may reside within a records system or be external to the specific system. For electronic records the organisation may need to provide that any system malfunction, upgrade or regular maintenance does not affect the records".*

7.12 To sustain a presumption of authenticity it is necessary to identify the procedural controls over the records that provide a circumstantial probability of their integrity. For paper records this often achieved entirely through the application of business rules and physical security measures (e.g. a secure room or cabinet). For electronic records, which are far more mutable, these procedural rules have to be supported, where appropriate, by functional systems, which will enforce and document the application of these rules. The controls that define integrity and thereby generate an effective record maintenance regime include:

- establishing access privileges over the creation,
- modification,
- annotation,
- relocation, and
- destruction of records;
- instituting procedures to prevent, discover, and correct loss or corruption of records;
- implementing measures to guarantee the continuing identity and integrity of records against media deterioration and across technological change;
- where multiple copies of records exist, formally identifying the authoritative record; and
- clearly identifying and maintaining, along with the records, all the documentation necessary to understand their statutory, administrative and technical context

7.13 The efficient maintenance of records will ensure that they receive adequate protection from fire, flood, theft, and other forms of catastrophic loss so the records irrespective of format are neither lost, corrupted or subjected to unauthorised alteration and can easily be located and retrieved when required.

Relevant guidance

7.14 Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should use such guidance when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA web-site. The following publications on the maintenance of electronic records should be used:

Sustainable electronic records strategies for the maintenance and preservation of electronic records and documents

This document is appears within the list of electronic toolkits and can be accessed at:

http://www.nationalarchives.gov.uk/electronicrecords/advice/

7.15 The four volumes which comprise the Generic Requirements listed below build upon the sustainable electronic records strategies toolkit mentioned previously and provide further guidance on defining the characteristics for authentic electronic records as well as providing management and technical requirements as well as advice on how to categorise electronic records when determining an appropriate maintenance strategy:

Generic requirements to sustain electronic information over time volumes 1 to 4

These requirements are at:

http://www.nationalarchives.gov.uk/electronicrecords/generic.htm

7.16 The costs of sustaining or preserving records for long periods are potentially high even if the overall storage costs appear to be low. In particular to guarantee reliable access to electronic records over time will require intervention strategies to perpetuate such access. In order to minimise costs it is therefore desirable for departments to identify those categories of their records, which continue to be needed for business purposes. Module 7 deals with the measures required for the effective appraisal and disposal of records. Once the profile of a category is established which clarifies the elements that are needed to preserve the records as a reliable, authentic and usable asset it will also be possible to identify the overall costs and resource implications of applying a particular maintenance strategy to a given category of records.

7.17 Other relevant advice, guidance and standards on the maintenance of physical records including business recovery planning can be accessed from the Records Management section of the TNA web-site at:

http://www.nationalarchives.gov.uk/recordsmanagement/advice/

Evaluation questionnaire

7.18   To assess whether these elements have been adequately addressed see the questions in the table on the following page, numbered 106 to 130 in this workbook. Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies*.

| 106. | Is there a corporate strategy to ensure records in both physical and electronic form are maintained for as long as they are needed? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 107. | Does the organisation have a record of the reasons why specific record sets are required to be maintained (i.e. what is the business requirement served by these records) and for how long? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 108. | Have mechanisms been established to prevent unauthorised modification of electronic records whilst providing for the addition of authorised annotations where required? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 109. | Does the organisation maintain an inventory of the specific formats in which the records are held (e.g. paper, video, microform) and, where electronic formats are involved, the software format and the media storage format? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 110. | Are there agreed triggers to review existing software formats to ensure usability and to avoid obsolescence or degradation? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 111. | Do the all the records (electronic & physical) possess a unique identifier or call reference? | Yes ☐ | No ☐ | N/A ☐ |

Reference

| 112. | Is there a comprehensive index or indexes to locate and retrieve records upon demand? | Yes ☐ | No ☐ | N/A ☐ |

Reference

113.	Is there an agreed process for choosing the appropriate storage method for both physical and electronic records and to review the method over time?	Yes ☐	No ☐	N/A ☐

Reference

_____

114.	Where an established process exists to determine how to choose the appropriate storage method is there a validation mechanism to confirm the chosen method continues to be appropriate?	Yes ☐	No ☐	N/A ☐

Reference

_____

115.	Does the organisation's business continuity or disaster management programme include records maintenance?	Yes ☐	No ☐	N/A ☐

Reference

_____

116.	Have the resource requirements for records maintenance been identified for disaster contingency management and recovery?	Yes ☐	No ☐	N/A ☐

Reference

_____

117.	Has there been an assessment of the risk to the organisation where the records are incomplete or have limited auditable functionality?	Yes ☐	No ☐	N/A ☐

Reference

_____

118.	*When storing or transporting records in electronic form have the appropriate environmental storage conditions and methods of carriage been adhered to?*	*Yes* ☐	*No* ☐	*N/A* ☐

(e.g. BS 4783 Storage, transportation and maintenance of media for use in data processing and information storage).

119. *Reference*

120.	*When exporting or transferring electronic records to another organisation (e.g. because of a transfer of function or to preserve the records in a specialist archive) has guidance been developed to determine what metadata has to be transferred along with the record content in order to ensure the recipient acquires records which can be considered authentic, reliable, possess integrity and are usable in accordance with BS ISO 15489*	*Yes* ☐	*No* ☐	*N/A* ☐

(Note: the quality of the metadata available will vary according to the nature of the system upon which the records are stored. If the records are held on an ERM or EDRM system which supports the e-GMS record management metadata standard the quality measure will be the ability of the system to export selected records with such metadata. For other systems the rationale will be the ability to export and associate metadata which provides all the information required to place the records in context and enable them to be usable for the purpose required by the acquiring institution)

Reference

121.	*Are there triggers to identify when migration of electronic records is needed to avoid obsolescence or degradation??*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

122.	*Are there monitoring mechanisms or other measures to assess whether electronic records are still readable? (N/B this question should be extended to include back-up copies as part of business continuity planning)*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

| 123. | *Have minimum information levels been defined within the management audit trail for each maintenance process to ensure the maintenance of reliable electronic records?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

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| 124. | *Are the storage areas allocated to hold physical records adequate to accommodate anticipated accruals?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

_____

| 125. | *Do the storage areas for physical records conform to agreed standards for the storage of records (e.g. BS 5454)* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

_____

| 126. | *Are the storage areas set aside for physical records regularly inspected?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

_____

| 127. | *Have access controls been established to provide and record authorised access to records and prevent unauthorized access?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

_____

| 128. | *Have procedures been implemented to allow for authorised changes in access permissions over time?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

_____

| 129. | *Have safeguards been implemented to prevent and where feasible record unauthorised access to electronic records?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

_____

130.   *Where applicable has a policy been implemented to ensure continued access to encrypted or password-protected records?*   *Yes* ☐   *No* ☐   *N/A* ☐

Reference

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Module 6: Records disposal

General

8.1   This module deals with the records disposal regime. It is particularly important under FOI that there are clearly defined policies and procedures for identifying how long records should be kept, for disposing of those no longer required for business purposes, (either by destruction or transfer to an archive) and for documenting the decisions and their implementation. This will provide evidence that records have not been destroyed in order to avoid providing information in response to a request for information. Authorities must therefore have in place clearly defined arrangements for the appraisal and selection of records, and for documenting such work.

8.2   The relevant workbook questions which should be used to assess whether an organisation's records disposal regime comply with the Lord Chancellor's Code and supporting best practice guidance commence on page 65.

Context

8.3   Section 9 of the Records Management Code lists the key elements and activities needed to establish the required processes, and mechanisms for effective disposal arrangements. It states that:

It is particularly important under FOI that the disposal of records - which is here defined as the point in their lifecycle when they are either transferred to an archives or destroyed - is undertaken in accordance with clearly established policies which have been formally adopted by authorities and which are enforced by properly authorised staff.

8.4   Each public authority should establish a system for documenting appraisal decisions. This should include information on records selected for permanent preservation, destroyed or retained by the authority. Disposal schedules may form part of this documentation. Disposal schedules are timetables that set out when individual/groups of records are due for review, transfer to an archives and/or destruction. They make it easy to establish whether or not a record exists if a request is received and give the public confidence that a public authority has adequate procedures for identifying the appropriate disposal action for records, together with the appropriate time-scale for its implementation.

8.5　The main benefits of robust and comprehensive records scheduling are:

- to maximise the retention and ready availability of 'smart' or highly relevant information for the conduct of effective public business, maintain the corporate memory and avoid needless repetition ;

- to comply with specific applicable legal and regulatory requirements[2] including the Freedom of Information Act 2000 and its Records Management Code, the Environmental Information Regulations, the Data Protection Act 1998 and the Public Records Act 1958;

- to support accountability through the retention of records (including the availability of archival records of genuine historical value);

- to demonstrate that the disposal of information assets has been carried out according to an agreed policy;

- to translate the aspirations of the organisational records management policy into direct consequences for categories or series of records and make the disposal decisions and execution with proper authority and auditability;

- risk management: to avoid the costs and potential liabilities of retaining information the organisation does not really need and which is likely to result in legal discovery actions and possible involvement in third party disputes; and

- to minimise the administrative overhead of storage and review to the organisation.

Relevant guidance

8.6　Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should use such guidance when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA web-site. Although some of the earlier publications were written initially for a central government audience they are broadly relevant to any public authority requiring to manage its records in conformance with the *Lord Chancellor's Code of Practice on the Management of Records issued under section 46 of the Freedom of Information Act 2000*. The following publication provides an overview to the subject and is recommended as an introduction:

Disposal Scheduling

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/sched_disposal.pdf

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[2] For example local authorities will need to ensure compliance with agreed procedures under section 224 of the Local Government Act 1972

8.7 The aim of this publication is to set out the principles behind records disposal scheduling so that records are kept for as long as they are needed, all legitimate considerations having been considered. It draws attention to existing generic schedules and gives some pointers to the development of other schedules that are not covered by the latter. The generic schedules are located at:

http://www.nationalarchives.gov.uk/recordsmanagement/advice/schedules.htm

8.8 Additional guidance is available in the form of a toolkit, which was designed for organisations to make an initial evaluation of the content of their inventories of electronic record collections. Evaluation of existing electronic records will help public authorities identify information flows and eliminate unnecessary duplication. The publication is entitled:

Evaluating information assets: appraising the inventory of electronic records

It can be accessed on the TNA website at the following location:

http://www.nationalarchives.gov.uk/electronicrecords/advice/pdf/appraisal_toolkit.pdf

8.9 This toolkit was aimed to assist in the development of three products:
- guidance for records managers on best practice in evaluating electronic record collections recorded in departmental inventories
- a schedule of electronic records listed in the inventory which should be preserved in their current location, or migrated to a formal electronic records management system
- a schedule of electronic records to which a departmental preservation strategy must be applied.

8.10 The TNA has also developed generic guidance to assist records managers to categorise records in a way that reflects how the records are used and will be able to be used as a broad measure of their different requirements. Through developing these categories it will be possible to ensure that the records of most value to the department are not compromised and will be fit for purpose. Although this guidance was developed primarily to assist in developing record maintenance strategies it is also relevant when developing record management policies and disposal schedules

Generic requirements for sustaining electronic information over time: Volume 4. Guidance for categorising records to identify sustainable requirements

http://www.nationalarchives.gov.uk/electronicrecords/pdf/generic_reqs4.pdf

8.11   The Department of Health has provided sector specific guidance in the form of a Health Service circular which provides relevant advice on this topic, which should be consulted by NHS Trusts and health authorities. This is

Health Service Circular HSC 1999/053, For the Record

This publication can be accessed at the following location

http://www.dh.gov.uk/assetRoot/04/01/20/36/04012036.pdf

8.12   The Local Government Group of the Records Management Society has published relevant guidance on retention periods for use within local government. This is:

Retention Guidelines for Local Authorities

http://www.rms-gb.org.uk/uploads/Retention%20Guidelines%20for%20Local%20Authority.pdf

8.13   Additional guidance on recommended retention periods for the different record series created and maintained by schools is also published on the Records Management Society of Great Britain website at

http://www.rms-gb.org.uk/uploads/schoolsretentionschedulefinal_v1.doc

Evaluation questionnaire

8.14   To assess whether this element has been adequately addressed see the questions in the table on the following page, numbered 131 to 148 in this workbook. Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies*.

131.	Is there a system to assess retention periods for each set of records identified and held in the record keeping or record management system?	Yes ☐	No ☐	N/A ☐

Reference

_____

132.	Are electronic records and databases also subject to the application of disposal/retention periods?	Yes ☐	No ☐	N/A ☐

Reference

_____

133.	Where a system to assess retention periods for each set of records identified and held in the record keeping or record management system has not been established is there a plan and a timetable for the introduction of such a system?	Yes ☐	No ☐	N/A ☐

Reference

_____

134.	Are there selection and disposal policies and schedules to address all the records created or held by each business unit?	Yes ☐	No ☐	N/A ☐

Reference

_____

135.	If disposal schedules for each business unit are not comprehensive, is there a programme to produce them, with deadlines?	Yes ☐	No ☐	N/A ☐

Reference

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136.	Are there disposal schedules for records common to several business units?	Yes ☐	No ☐	N/A ☐

(e.g. financial records, human resources, health and safety and project records. Note: it is assumed that with the advent of electronic record management that information will increasingly be shared and accessed laterally across an organisation. In such circumstances it is likely that an increasing number of disposal schedules would be common to a number of business units as opposed to the maintenance of a large number of unique disposal schedules which are specific to certain units. Adoption of this approach should ease the management of the organisation's schedules)

Reference

137.	Are disposal schedules subject to validation by the senior record manager?	Yes ☐	No ☐	N/A ☐

Reference

138.	Is there a plan to assess and evaluate records by reviewing and executing disposal schedules each year with specific targets and timescales for implementation?	Yes ☐	No ☐	N/A ☐

Reference

139.	Have criteria been established and applied to determine when records become inactive (i.e. closed) to enable disposal schedules to be applied?	Yes ☐	No ☐	N/A ☐

Reference

140.	Do the criteria for appraisal explicitly include continuing need of the information for current and future business purposes?	Yes ☐	No ☐	N/A ☐

Reference

| 141. | Do the criteria for appraisal include identification of records required to meet legal, regulatory or audit requirements? | Yes ☐ | No ☐ | N/A ☐ |
| | | | | |

Reference

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| 142. | Do the criteria for appraisal include the implications for accountability that may arise from a decision to dispose of specific record sets? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 143. | Do the criteria for appraisal include ascertaining the relationship to other sets of records or the support they provide to the interpretation and use of other sets of records? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 144. | Where records contain personal data does the criteria for continued retention include whether use of them complies with the Data Protection Act? | Yes ☐ | No ☐ | N/A ☐ |

Reference

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| 145. | Has the records disposal policy been incorporated within the organisation's risk mitigation strategy to ensure timely destruction of records when they are no longer required and continued safeguarding of those which merit continued retention? | Yes ☐ | No ☐ | N/A ☐ |

Reference

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| 146. | Where records merit permanent preservation on historic grounds are there processes to identify them as such and ensure their transfer to a permanent archival facility? | Yes ☐ | No ☐ | N/A ☐ |

Reference

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| 147. | *In the event of a disaster necessitating restoration of records from older back-up copies are there mechanisms in place to allow for the re-running of disposal schedules, which had been invoked after the backed-up copy was taken?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

(Note: - to support conformance with Freedom of Information and Data Protection requirements this is to ensure electronic records which had been previously destroyed and removed from the on-line system by an authorised auditable process are not automatically restored without the knowledge of the record manager)

Reference

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| 148. | *Is an annual report on the management and implementation of the disposal policy highlighting risks and providing recommendations for remedial action submitted to senior management for consideration and approval?* | *Yes* ☐ | *No* ☐ | *N/A* ☐ |

Reference

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Module 7: Access regimes for managing FOI requests

General

9.1   This workbook has separated the issue of Access in terms of the regime required for the management of FOI related enquiries and the attendant processes required to both identify the pertinent records and also to determine whether it is appropriate to disclose the relevant information. In the Code this is part of the Records creation and record keeping area but as it a substantial activity in its own right it is felt that users of this work-book will find it more convenient to review it separately.

9.2   This module therefore deals with the need to establish an appropriate access regime to manage requests for information under the Freedom of Information Act 2000 effectively and to document the reasons why information cannot be disclosed and which exemptions have been invoked as part of that decision making process. In short public authorities must have in place clearly defined arrangements for documenting exemption and disclosure decisions.

9.3   The relevant workbook questions which should be used to assess whether an organisation's regime for providing access to the information contained within its records complies with the Records Management Code and supports best practice commence on page 73.

Context

9.4   The Records Management Code states that:

Each operational/business unit of an authority should have in place an adequate system for documenting its activities. This system should take into account the legislative and regulatory environments in which the authority works.

9.5   The Code then goes on to say that:

Records of a business activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities, to

- *facilitate an audit or examination of the business by anyone so authorised,*
- *protect the legal and other rights of the authority, its clients and any other person affected by its actions, and*
- *provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.*

Records created by the authority should be arranged in a record keeping system that will enable the authority to obtain the maximum benefit from the quick and easy retrieval of information.

9.6   In order to ensure that access decisions are consistent and can be explained and referred to, public authorities should establish systems for recording when information has been disclosed – whether through the Publication Scheme or in response to a request - and, if disclosure has been refused, the reasons for non-disclosure.

9.7   If a request is received for information that is known to be contained within a record due for imminent destruction as part of agreed disposal procedure or schedule, there is no requirement to release the information. However, the Information Commissioner recommends the following as an example of best practice:

- Delay destruction until disclosure has taken place or complaint and appeal processes have been exhausted
- Under the duty to offer advice and assistance, identify whether another authority holds the information, and inform the applicant accordingly.
- Offer to provide similar or related information if this is appropriate.

9.8   The Act sets out strict timetables for compliance with a request, ensures that the costs of retrieving information are reasonable and asserts that all recorded information held, wherever it is located within the public authority, is potentially disclosable. If poor records management results in any of these requirements not being met, it will constitute a breach of the Act and the Information Commissioner will be able to consider using his enforcement powers.

9.9   One of the basic features of the FOI Act is that the right of access is to information not records or documents. Where a complete document cannot be made available for access, authorities should consider whether parts of records might be released if the sensitive information were blanked out or redacted.

9.10   Redaction can be defined as the separation of disclosable from non-disclosable information by blocking out individual words, sentences or paragraphs, or the removal of whole pages, prior to the release of the document. Redaction should be performed or overseen by staff that are knowledgeable about the records and can determine what material is exempt. Redaction can be carried out as part of the records review process before the records of permanent value are transferred to an archives service, (e.g. an approved place of deposit under section 4(1) of the Public Records Act 1958) so that a redacted version replaces the complete record for public access. The complete record should be

transferred to the archive[3], so that in future as the applicable exemptions fall away, it can replace the redacted version for purposes of public access. Details of redactions must be recorded to ensure that records managers are fully informed as to the nature and accessibility of the information in question and to provide a record of what was actually released in response to the request for information.

Relevant guidance

9.11 Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should reference such guidance when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA's web-site. The following publications should be used:

9.12 The Information Commissioner has published a series of guides called the Awareness Guidance series to assist public authorities in meeting their legal obligations under the Freedom of Information Act 2000 and, to provide advice to, staff who may not have access to specialist advice in thinking about some its challenges. They aim to introduce some of the key concepts in the Act and to suggest the approaches that may be taken in preparing for implementation. *Awareness Guidance No 8* takes the form of FAQs on a range of records management questions and is relevant here.

Awareness Guidance No 8: Records Management FAQs

The Awareness Guidance can be accessed on the Information Commissioner web-site at the following location

http://www.informationcommissioner.gov.uk/eventual.aspx?id=77

9.13 The Department for Constitutional Affairs has published guidance on exemptions and how and when to apply them. This can be seen at

http://www.foi.gov.uk/guidance/index.htm

It has also produced generic requirements for a tracking system, which can be seen at:

http://www.foi.gov.uk/implement.htm#part5

9.14 Public records held by other archives services, as places of deposit for public records, are held on behalf of the Lord Chancellor and are subject to FOI even if the place of deposit is not itself an FOI authority. The National Archives has developed guidance on the transfer of public

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[3] In cases where the sensitivity of the information is such that it cannot be transferred to the archive the records must be retained securely by the transferring authority. In such cases the retained information should be reviewed at least once every 10 years to ascertain if the reason for exempting the record from public access remains valid.

records to places of deposit, and on how to handle requests for information about those records. The guidance is intended to support public records bodies and places of deposit with regard to the two Codes of Practice as they relate to deposited public records.

Freedom of Information Act 2000 Procedures and Guidance Relating To Public Records Transferred to and held By Places Of Deposit

This publication can be accessed at the following location

http://www.nationalarchives.gov.uk/policy/foi/pdf/foi_guide.pdf

9.15 The National Archives has also produced a toolkit to provide guidance on redaction.

Redaction Toolkit Guidelines for the Editing of Exempt Information from Documents Prior to Release

This publication is at:

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/redactiontoolkit.pdf

9.16 The guidance covers a number of redaction methods for presentation of information in hard copy. It examines several processes, but does not recommend any overall, as it is for each authority to decide which best applies to its organisational demands and the resources it has available. It also discusses some of the issues involved in the redaction of electronic data.

9.17 The Department of Health has provided sector specific guidance in the form of a Health Service circular which provides relevant advice on this topic, which should be consulted by NHS Trusts and health authorities. This is

Health Service Circular HSC 1999/053, For the Record

This publication can be accessed at the following location

http://www.dh.gov.uk/assetRoot/04/01/20/36/04012036.pdf

Evaluation questionnaire

9.18 To assess whether this element is adequately addressed see the questions in the table on the following pages, numbered 149 to 168 in this workbook. Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies.*

149.	Does the record keeping or record management system record the access constraints, which apply to each record set?	Yes ☐	No ☐	N/A ☐

(Note: - this is to capture any restrictions on the use of the records (e.g. under data protection), access constraints on user groups, relevant FOI exemptions, etc)

Reference

150.	Has the organisation implemented procedures for handling requests for information from the public?	Yes ☐	No ☐	N/A ☐

Reference

151.	Have all relevant staff been trained in responding to FOI requests?	Yes ☐	No ☐	N/A ☐

(Note all staff should have an understanding of the organisation's obligation, and the role they personally must discharge in response to that obligation, arising from the FOI Act when processing requests for information under the Freedom of Information Act 2000

Reference

152.	Have the people charged with responding to requests for information been trained in applying exemptions?	Yes ☐	No ☐	N/A ☐

(Note: In some cases it may not be appropriate to disclose some or all of the information, which is pertinent to an FOI request. In such cases the relevant personnel need to understand which exemptions under the FOI Act 2000 may be relevant when considering whether it would be appropriate to withhold information on the basis of an existing exemption. Failure to apply the exemptions properly can either result in information being disclosed inappropriately or being withheld inappropriately. In either case the organisation could be embarrassed or disadvantaged. The issue here is the nature and quality of the training given to the staff charged with this responsibility.)

Reference

| 153. | Are FOI requests categorised, logged and registered within an auditable system? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 154. | Has the organisation published guidance on how to make an FOI request? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 155. | Is there a mechanism for applicants to lodge complaints or provide suggestions for improvements to the service? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 156. | Does the request tracking system record the progress of enquiries to ensure statutory deadlines are met? | Yes ☐ | No ☐ | N/A ☐ |

(Note: where appeals are lodged it may be necessary to demonstrate that the relevant enquiry was processed in accordance with the statutory provisions)

Reference

_____

| 157. | Does the request tracking system record where fees are charged | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

| 158. | Does the request tracking system record which information was disclosed? | Yes ☐ | No ☐ | N/A ☐ |

Reference

_____

159.	Does the request tracking system record, which information was withheld and which FOI exemption(s) applied?	Yes ☐	No ☐	N/A ☐

(Note: both to ensure and demonstrate consistency in managing enquiries about the same type of information it is highly desirable this information is captured. Where refusal notices are appealed at the Information Tribunal it may be necessary to demonstrate that the organisation has applied exemptions consistently.)

Reference

160.	Does the request tracking system record where a refusal notice has been issued on the grounds that the request has been classed as vexatious under section 14 of the FOI Act?	Yes ☐	No ☐	N/A ☐

Reference

161.	Where some information has been provided and some withheld does the request tracking system record if a redaction(s) was supplied?	Yes ☐	No ☐	N/A ☐

Reference

162.	Where information has been redacted, is a copy of the redacted version held, either within the system or elsewhere?	Yes ☐	No ☐	N/A ☐

Reference

163.	Does the request tracking system provide means to identify generic enquiries so as to ensure consistent responses?	Yes ☐	No ☐	N/A ☐

(Note one advantage of identifying generic enquiries is it may be possible to standardise responses to expedite the process but the information gained may also help an organisation determine to supplement their publication scheme with additional information to reduce the burden of managing FOI enquiries by referring such enquirers to the organisation's enhanced publication scheme.)

Reference

164.	*Is there a mechanism to trigger additions of requested information to the authority's publication scheme?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

_____

165.	*Where an organisation has implemented an electronic record management system (ERMS) is this used to record disclosures under the FOI Act and provide links to the disclosed records?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

_____

166.	*Where the organisation transfers records to a permanent archive is there a procedure to transfer appropriate finding aids to ensure identification and retrieval in response to subsequent requests for information?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

_____

167.	*Where the organisation transfers records to an archives service is there a procedure for it to prepare a schedule specifying information which it considers ought not to be made immediately available to the public, citing the relevant exemptions, explaining why they apply and for how long?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

_____

168.	*Where the organisation transfers records to an archives service, has it provided a contact point for consultation on the access decision?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

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Module 8: Performance measurement

General

10.1   Many of the questions in the earlier modules have identified a number of measures for assessing the effectiveness of an authority's records management system. This module deals with the establishment of performance measures to ensure the records management system established by the authority is being used and managed effectively by the end users. Note that the Records Management Code makes no mention of performance measurement.

10.2   In particular there is a need to ensure end users are capturing or filing relevant records, locating them within appropriate files or, in the case of electronic records, associating them with relevant folders in the business classification scheme. Appropriate performance measures based on these activities performed by end users are critical if the organisation is going to ensure that the record management system developed for the authority is actually working in accordance with the design criteria approved by senior management. A further crucial consideration is that accurate retrieval is actually possible in response to searches undertaken in response to requests for information contained in the records. The measures specified in the following table of questions are intended to elicit key information against the performance measures and they provide indicators of appropriate custom and practice. Organisations will also need to develop additional measures according to circumstance.

10.3   The relevant workbook questions which should be used to assess whether an organisation's performance measures for monitoring whether the record management system and processes complies with the Lord Chancellor's Code and supports best practice commence on page83.

Context

10.4   The Records Management Code states that:

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. Consequently, all public authorities are strongly encouraged to pay heed to the guidance in the Code..........

.......Records created by the authority should be arranged in a record keeping system that will enable the authority to obtain the maximum benefit from the quick and easy retrieval of information......

......The record-keeping system, whether paper or electronic, should include a set of rules for referencing, titling, indexing and, if appropriate, security marking of records. These should be easily understood and should enable the efficient retrieval of information......

...... Audit trails should be provided for all electronic information and documents. They should be kept securely and should be available for inspection by authorised personnel. The BSI document Principles of Good Practice for Information Management (PD0010) recommends audits at predetermined intervals for particular aspects of electronic records management.

10.5   Performance measurement is therefore necessary to relate records activities to needs, to assess the efficiency or effectiveness of records activities, and to demonstrate value and accountability

10.6   Each public authority should ensure it has in place a scheme that will monitor the performance of its records management system. The model action plans which The National Archives has produced, or collaborated in the production of, to help different parts of the public sector achieve compliance with the Records Management Code note that the following performance indicators should be included:

- quantity of records created (for example, in linear metres or megabytes);
- quantity of records inspected;
- response times in providing information from the records or retrieving the records themselves;
- quantity of records appraised, selected and destroyed or transferred to an archive;
- user satisfaction.

10.7   However there are other significant benefits from sharing and re-using records corporately which can be assessed. These include:

- immediate access to documents as soon as they are filed;
- reduction in filing delays and bottlenecks, which can make recently used documents hard to find;
- ability to share documents easily with colleagues anywhere on the estate;
- promoting knowledge-sharing;
- sharing of information about files, their subjects and controllers across an organisation, again supporting better information sharing;
- promotion of organisational learning and understanding;
- swifter and more effective and comprehensive evidence-based decision making;

- availability of effective records to ensure that new staff can 'hit the ground running';

- improved retention of knowledge when staff retire, leave or move posts;

- being able to deal with emergencies, especially when colleagues are out in the field;

- senior managers able to access file material out-of-hours and when support staff are unavailable, helping them to respond more effectively to urgent business requirements;

- improved access to working information will help staff in all areas to extract better value from the infrastructure;

- the ease with which documents can be captured for the record should encourage staff to be diligent in their record keeping;

- will allow staff to search for an electronic document by keywords, or by author – a dramatic improvement in convenience for users of current records, and should make those records more and better used;

- improved staff productivity by enhancing the use of documents and records as a corporate information source;

- better management information on documents and records created, searched and retrieved, aiding the planning process;

- avoiding the 're-inventing of wheels'.

10.8   The general move within all organisations from an assumption that their paper documents and print-out are the true indicators of evidential records to an increasing dependence upon the creation and receipt of electronic records which continue to be held in a digital form presents an opportunity and a challenge.

10.9   In theory access and retrieval of electronic information should be far easier and the system access controls for sensitive information can be very robust. Against this can be set a wide perception that much information is "personal" and is therefore held in private locations on networks (e.g. e-mail held in personal mailboxes or documents held on personal drives) where the "owner" can delete at will and where they are invisible to other authorised users who may need to access them in the conduct of business. Managers have to grasp the information management challenge to educate and motivate personnel to identify what records and communications are pertinent to the business and to locate them into the record management systems established by the authority. There is some evidence that many end users in most organisations are unclear on this point especially where e-mail communications are involved and high level strategic guidance does not usually provide the detailed guidance the end users need.

10.10 The following is therefore recommended especially where organisations are implementing electronic record management solutions (ERMS):

- Users in each business unit need clear unambiguous guidance of what information is critical to that business activity and this should extend to the type and nature of communication that should be captured or filed;

- The file-plan or business classification system for each business activity needs to be usable and easily understood by the personnel who are to store and retrieve records located within that portion of the file-plan. The design has to serve the business activity as well as wider corporate needs;

- Where something new or unusual needs to be captured guidance has to be provided for end users on whom to approach to advice or resolve the matter;

- When filing electronic records it is critical that the descriptive title actually reflects the subject so it is readily apparent to other users what that record represents (N/B e-mail is especially problematic as the original subject lines are often ambiguous if not meaningless);

- Each business unit should establish clearly understood rules where it is important to limit access to certain records or cases on grounds of privacy or sensitivity. An access model needs to be defined to prevent unauthorised access but simplify the initial capture.

Relevant guidance

10.11 Each sector may have its own sector specific rules, regulations and guidance and readers of this workbook should use such guidance when establishing a record keeping or management system. Additional guidance on this subject has been provided by The National Archives (TNA) and is available on the TNA web-site. Although some of the earlier publications were written initially for a central government audience they are broadly relevant to any public authority requiring to manage its records in conformance with the *Records Management Code* The following publication should be referenced:

Guidelines on the Realisation of benefits from Electronic Records Management

http://www.nationalarchives.gov.uk/electronicrecords/advice/pdf/benefits_realisation.pdf

Additional guidance is provided by the Joint Information Systems Committee (JISC) in the following publication:

Electronic Document and Records Management System Implementation Toolkit

Stage 9 *Measuring the Results* is relevant here and can be accessed on the JISC InfoNet at the location given below:

10.12 Some examples of measurements which might be used for an electronic record management system (ERMS) are suggested here:

- number of individuals trained and given access to the system; i.e. a KPI of how widespread is the availability of ERMS facilities;

- percentage of users/teams capturing records into the system (70% of users has sometimes been used as an initial target, although clearly the ultimate target is 100%);

- percentage of users capturing records at: roughly the rate expected; far fewer than expected; far more than expected;

- total volumes of electronic filing in the ERMS and in network drives;

- percentage of records in the system which are viewable by anyone in the organisation (as opposed to being confidential to certain teams/roles);

- a Key Performance Indicator (KPI) of how much information is capable of being shared;

- percentage of users regularly accessing records from the system (however this is also affected by the volume of records captured if insufficient records relating to an activity are captured this will have an adverse impact on this metric);

- percentage of users regularly carrying out searches in the system;

- percentage of known records found by searches.

The last bullet point above relating to the percentage of known records found by searches actually can be used to elicit three further metrics. These are:

- The effectiveness of the search engine itself;

- How well the records are titled and filed

- How effective users are at composing potentially complex searches

The ability of users to retrieve records easily is almost certainly in inverse proportion to their ability to create complex search criteria. Many users are reluctant to use advanced search screens and this can have an impact on their perception of the usability and viability of the system.

Evaluation questionnaire

10.13 The model action plans published by The National Archives to help different parts of the public sector achieve compliance with the Lord Chancellor's Code of Practice on the Management of Records provide the following key objective:

To identify whether information is being managed effectively through monitoring of compliance with records management policies and procedures

10.14 To assess whether this element is adequately addressed see the questions in the table on the following page, numbered 169 to 185 in this workbook. These questions are intended to be used by all organisations including those which have yet to establish a record keeping system but which are developing the knowledge required for one and those public authorities who have already made that transition to full records management including establishing an ERMS. Guidance on how to analyse the responses to these questions is provided in the chapter entitled *Risk evaluation and development of mitigation strategies*.

169.	*Do end users have easy access to the guidance provided in each business unit explaining the type and nature of the communications created or received which should routinely be captured or filed into the record management system?*	Yes ☐ No ☐ N/A ☐

(Note: it is assumed here that guidance has been developed as per earlier questions in other modules. The point here is to confirm the guidance both exists and is readily available to all users. If the guidance is prominently available on-line it is not unreasonable to assume that users can access it provided its existence is drawn to their attention periodically. If the guidance is held in a manual in a cupboard it is unlikely it is ever referenced).

Reference

170.	*Where guidance has been provided as per the question above have the business manager's evidence that this is brought to the attention of all personnel in their business unit periodically?*	Yes ☐ No ☐ N/A ☐

Reference

171.	Are spot checks undertaken within each business unit to confirm if recently filed records are an adequate reflection of what has been created or received and are sufficient for business purposes?	Yes ☐	No ☐	N/A ☐

(Note: what is being established here relates to the overall quality of the corporate record. If an organisation has stipulated that certain types of information transactions should be captured there needs to be periodic assessment that the volume of material captured accords with what would be expected to exist given the nature and tempo of the business and the requirement of the organisation to capture certain forms of communication)

Reference

172.	Are statistics generated regularly to allow managers to identify if certain users are not using the system appropriately?	Yes ☐	No ☐	N/A ☐

(Note: the issue here is to identify if any user is evading using the system for creation of folders or filing records. Low usage statistics will help identify non-compliant users and focus supplementary training efforts. High usage statistics can also identify if a user is capturing large volumes of data not required by the organisation. Another aspect is filing patterns. In some instances a user might only file into their personal area as opposed to the corporate file plan or only into one or two folders. This might imply a lack of confidence or knowledge of the file-plan, which can be addressed by further training.)

Reference

173.	Where evidence of non-compliance is identified is the guidance and training offered to end users adequate to ensure appropriate records are filed?	Yes ☐	No ☐	N/A ☐

(Note it may be necessary to survey the users to ascertain the effectiveness and relevance of the training provided fro this purpose)

Reference

174.	Has the organisation's business classification scheme or file-plan for each business activity been validated by end users within that activity?	Yes ☐	No ☐	N/A ☐

(Note users may need to be surveyed to clarify this. If users are holding material on other drives outside of the system or storing the records on personal spaces or in general folders because there are no appropriate locations for storing some of the records this could be an indication that file-plan requires further development. Similarly if areas of the file-plan are unused that may indicate these areas are redundant and should be closed but again such assumptions have to be validated).

Reference

175.	Is there a mechanism for end users and managers to lodge suggestions for improvement to the file-plan?	Yes ☐	No ☐	N/A ☐

Reference

176.	Where suggestions for improvement or change to the file-plan are made are these acted upon to a known timetable or where it is not appropriate are these issues communicated to the relevant users?	Yes ☐	No ☐	N/A ☐

(Note: ideally there should be a mechanism or process to undertake reviews of this type formally and any review has to assess the impact of the proposed change on the whole organisation and following a modification a further assessment should be made after an agreed interval to confirm the positive effects outweigh the negative ones).

Reference

177.	Are the end users made aware of the authority's disposal policies and why it is important that certain records are stored in the locations designated for them?	Yes ☐	No ☐	N/A ☐

Reference

178.	When filing electronic records is there guidance on what needs to be incorporated into the title description (i.e. the record name) to ensure accurate retrieval by third parties within the organisation?	Yes ☐	No ☐	N/A ☐

Reference

_____

179.	When filing e-mail records is there guidance on how to determine the appropriate title (i.e. the record name) when more than one instance of an ongoing communication is to be filed?	Yes ☐	No ☐	N/A ☐

Reference

_____

180.	Is there formal training to enable personnel to adopt the required record titling or naming conventions?	Yes ☐	No ☐	N/A ☐

Reference

_____

181.	Are spot checks undertaken to ascertain the quality of the record tilting or naming?	Yes ☐	No ☐	N/A ☐

(Note: spot checks should form part of an ongoing process which should follow an agreed timescale unless there is evidence of malfunction which require additional ad hoc checks. Fundamentally these systems are only as good as the information fed into them and if names or titles are unhelpful this will compromise the value of the system fro all users).

Reference

_____

182.	*Has guidance has been provided for end users to indicate which party in an e-mail exchange is responsible for filing that exchange?*	*Yes* ☐	*No* ☐	*N/A* ☐

(Note: this can be particularly important where there is a need to capture internal communications. For example if an e-mail is generated which contains an explicit authorisation or a formal instruction who should file it - the creator, the recipient or both? The issue to avoid is where neither party files it as responsibility is unclear and no record is therefore maintained)

Reference

_____

183.	*Has the organisation established metrics for retrieval of records in response to searches?*	*Yes* ☐	*No* ☐	*N/A* ☐

(Note: the credibility of ERM systems for end users lies in their ability to generate a search enquiry which has a positive result. There is not an absolutely correct response to this question as a response will be in part subjective. Success is partially dependent upon the quality of the naming conventions and the adherence to them but also the ability of users to use the advanced search functionality with confidence when a simple search will not suffice. This latter quality is dependent upon the training given both initially and subsequently. To ascertain this measure a user survey combined with independent check searches may be required)

Reference

_____

184.	*Where scheduled disposal is due have the records been assessed and appropriately disposed in a timely manner?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

_____

185.	*Are there mechanisms in place to validate disposal schedules to ensure they are apposite and that material required for business purposes has not been lost?*	*Yes* ☐	*No* ☐	*N/A* ☐

Reference

_____

Risk evaluation and development of mitigation strategies

General

11.1 Once the questionnaire is complete an assessment can be undertaken to confirm the validity of the accompanying reference comments - the cited policies and procedural documents plus supporting performance measures etc. Where partial or non-compliance is identified this should undergo a full risk assessment to confirm the criticality of the risk the relevance of any proposed mitigation strategy and to determine a timeline for undertaking the required remedial work. The outcome of this work should be validated and approved by a senior management board or committee. These issues are explored further in this chapter.

11.2 Users of this work-book are recommended to use the toolkit published by the Office of Government Commerce (OGC) entitled the *Successful Delivery Toolkit*. This provides comprehensive and authoritative guidance on the subject of risk management. It is available on the OGC web-site at

http://www.ogc.gov.uk/sdtoolkit/workbooks/risk/

11.3 It states:

> *Your process should comply with corporate governance.* Governance *is concerned with how the organisation is directed and controlled. It covers management structures, roles and responsibilities, policies and standards, and other formal aspects of the organisation.*

11.4 Compliance with the Records Management Code will support effective records management, which should underpin corporate information governance.

11.5 The aim of this workbook is not to demonstrate absolute conformity across public authorities it is to enable authorities to perform their business objectives, meet their statutory and regulatory obligations whilst being able to demonstrate an appropriate degree of accountability. This workbook will assist public authorities to assess their own performance against the challenging agenda set by the Freedom of Information Act and identify where there is need for change.

Assessing the risk

11.6 OGC has identified 9 key stages in the risk management life-cycle, which are examined in their *Successful Delivery Toolkit*. These key stages are:

- Define a framework;

- Identify the risks;
- Identify probable risk owners;
- Evaluate the risks;
- Set acceptable levels of risk;
- Identify suitable responses to risk;
- Implement responses;
- Gain assurances about effectiveness;
- Embed and review.

11.7 Each key stage is examined and offers a step by step process, Users of this work are recommended to work through each stage identified in the OGC toolkit

Risk assessment criteria

11.8 Most organisations will be familiar with risk assessment and all record management risks should be assessed in the same manner and entered into a risk register. The issue to be remembered is that some instances of non-compliance may given the operating environment be of no significance but where a large number of non-compliances are apparent the risk to the authority could be very real. This is especially true if the non-compliance is high in respect of the records management function, inadequate policy statement, a limited records management or record keeping system and a deficit of defined roles and training mechanisms.

11.9 The following elements can be used when assessing known instances of non –compliance and partial compliance. These elements are only a guide and each organisation will need to consider if alternative or additional criteria are relevant.

Criteria	Element definition
Risk reference	*Each risk should have a unique call reference in the authorities risk register*
Risk type	*A summary or shorthand title to identify the risk*
Description of risk	*Full explanation of nature of risk*
Indicators	*Where applicable the evidential markers that characterise the risk has become a real and present danger*
Related programme objectives	*The organisation's objectives which are in some dependent or linked to the risk occurring*

Criteria	Element definition
Countermeasures	*The mitigation strategies which have either been enacted or are able to for adoption in the event of the risk occurring*
Contingency	*The resources that have either been deployed or are able for deployment to support the countermeasures (see above)*
Senior officer responsible	*Title of role and name of individual currently charged with that role*
Monitoring mechanism	*The means by which the risk is monitored and regularly assessed to determine if its status has varied or remains unchanged since the last monitoring exercise*
Likelihood	*An assessment as to whether the risk is likely to become real (e.g. high, medium or low)*
Within organisational control	*Clarification as to whether this is something the organisation can avoid through it countermeasures or merely mitigate its severity as it cannot control the external circumstance which may trigger the event which causes the risk to become real.*
Severity of impact	*An assessment of the critical effect an occurrence of the risk will have upon the organisation (e.g. major, medium or slight)*
Impact on service/effectiveness	*A description or summary of the services which will be affected by the occurrence of the risk*
Cost of risk happening	*The monetary cost to the authority*

Validating the assessment against the Records Management Code

11.10 Completion of a risk assessment for the areas of partial and full non-compliance will enable users of this work-book to cross-check their existing record management processes against the Records Management Code by providing an evidence based assessment.

11.11 The Records Management Code identified seven key areas of activity. These are:

- Records management function;
- Record Management policy statement;

- Roles and responsibilities;
- Training and awareness;
- Records creation and record keeping;
- Records maintenance;
- Records disposal.

11.12 This workbook has separated the issue of Access in terms of the management of FOI related enquiries and the attendant processes required to both identify the pertinent records and also to determine whether it is appropriate to disclose the relevant information. In the Code this is part of the Records creation and record keeping area but as it a substantial activity in its own right it is felt that users of this work-book will find it more convenient to review it separately.

11.13 The work-book also provides an additional section on performance measurement which will enable record managers to review the overall performance of record management system by end users

11.14 To assess conformance with the Records Management Code the responses to the workbooks questions should undergo a risk assessment where negative or partial compliance is identified. Armed with the knowledge gained from this process it should be possible to then assess the organisation's overall conformance with the key areas of activity contained in the Code.

11.15 The next section lists the component elements that define each key area within the Records Management Code.

Module 1: Records management function

11.16 This key area is primarily concerned with functional responsibility for records management. It requires the following elements to be present:
- Specific corporate programme;
- Clearly defined responsibilities and objectives;
- Allocation of appropriate resource;
- Required level of organisational support to ensure effective delivery;
- Coordination of responsibilities for records in all formats through life cycle, from planning and creation through to ultimate disposal;
- Transparent linkage of responsibility for records management with responsibility for freedom of information, data protection and other information management issues.

11.17 Questions 1 to 8 in this workbook once answered and analysed will provide the organisation with an evidence based assessment of their compliance with this key area of the Records Management Code

Module 2: Records management policy statement

11.18 This key area is primarily concerned with the development and implementation of an appropriate policy. As indicated earlier in this workbook the term policy can refer to one policy document or to a raft of polices which taken together provide the overall organisational policy. It requires the following elements to be present:

- Existence of an overall policy statement on how records (including electronic records) are to be managed;
- Endorsement of policy by senior management;
- Dissemination of policy to staff at all levels;
- Provision of corporate mandate for the performance of all records and information functions;
- Organisational commitment to create, keep and manage records which document activities;
- Definition of role of records management has in relationship to the organisation's strategy;
- Definition of roles and responsibilities;
- Definition of responsibility of personnel to document actions and decisions in the records and to dispose of obsolete records;
- Provision of framework for supporting appropriate standards, procedures and guidelines;
- Provision of monitoring mechanisms to ascertain compliance with appropriate standards, procedures and guidelines;
- Review of policy at regular intervals (at least once every three years) to facilitate amendment where required.

11.19 Questions 9 to 54 in this workbook once answered and analysed will provide the organisation with an evidence based assessment of their compliance with this key area of the Records Management Code

Module 3: Roles, responsibilities training and awareness

11.20 This key area is primarily concerned with the development and implementation of appropriate human resources to enable the organisation to undertake the range of activities specified in the records management policy. It requires the following elements to be present:

- Appointment of a senior manger with lead responsibility for records management;

- Formal acknowledgment of the lead records management role and dissemination across the organisation;

- Acquisition of appropriate skills and knowledge required to achieve the aims of the record management programme;

- Definition and inclusion of responsibility for all aspect of record keeping in job or role descriptions;

- Amendment of Human Resource policies and practices to recruit and retain good quality personnel for the records management function;

- Allocation of appropriate resources across the organisation to enable the maintenance of the records management function;

- Provision of an appropriate competency framework, to identify the knowledge, skills and corporate competencies required for records and information management;

- Periodic review of selection criteria for records management posts to ensure currency and compliance with best practice;

- Regular review and analysis of training needs;

- Provision of a professional development programme for records management staff;

- Inclusion of records issues and practices in induction training programmes for all new staff.

11.21 Questions 55 to 82 in this workbook once answered and analysed will provide the organisation with an evidence based assessment of their compliance with this key area of the Records Management Code

Module 4: Records creation and record keeping

11.22 This key area is primarily concerned with the development and implementation of an effective record keeping or record management system to enable the organisation to undertake the required range of activities specified in the records management policy. It requires the following elements to be present:

Records creation

- An adequate system to document the activities for each business unit

- The system takes account of the legislative and regulatory environment within which the organisation works;

- The records of each business activity are sufficiently complete and accurate enough to allow employees and their successors to take necessary and appropriate action;

- The records of each business activity are sufficiently complete and accurate enough to facilitate audit of any aspect of the business;

- The records of each business activity are sufficiently complete and accurate enough to protect the rights of the organisation and any person affected by its actions, and to authenticate records so that they constitute credible and authoritative evidence;

- The records are arranged in a system to enable the authority to obtain the maximum benefit from the quick and easy retrieval of information;

- The record keeping system, which is used for the management of electronic records, includes the metadata necessary to document business processes.

Record keeping

- The organisation has undertaken a records audit or information survey;

- The organisation knows what records it currently holds;

- The record keeping system for paper records includes descriptive documentation to enable the system to be operated efficiently and the records to be understood in their context (e.g. written procedures, file schemes, tracking records);

- The record keeping system for electronic records contains metadata (descriptive and technical documentation) to enable the system and the records to be understood and to be operated efficiently and to provide an administrative context for effective management of the records;

- The record-keeping system, for both paper or electronic records, includes a set of rules for referencing, titling, indexing and, if appropriate, security marking of records;

- Provision is made for maintenance of cross references and relationships between electronic records and their paper counterparts in a mixed environment;

- Where appropriate electronic records are mapped to a structure of folders within a business classification scheme to reflect logical groupings of records;

- Maintenance of audit trails for the management of electronic information and documents from capture to final disposal;

- Where appropriate conformance to the generic requirements for electronic record management systems as published by TNA for Functional Requirements for Electronic Records Management Systems;

- Where legal admissibility and evidential weight is a key requirement consideration is given when scanning, digitising and storing

relevant records to adopting the procedures recommended in the BSi publication *BIP 0008:2004 Code of practice for legal admissibility and evidential weight of information stored electronically.*

11.23 Questions 83 to 105 in this workbook once answered and analysed will provide the organisation with an evidence based assessment of their compliance with this key area of the Records Management Code

Module 5: Records maintenance

11.24 This key area is primarily concerned with the development and implementation of a records maintenance regime which will sustain or preserve records, along with the means to identify and retrieve them easily, for as long as they are required and to enable the organisation to undertake the required range of activities specified in the records management policy. It requires the following elements to be present:

- Establishment of a tracking system to control the movement and identify the location of records;

- Accurate and effective retrieval mechanisms to ensure access reflects the frequency of use;

- Implementation of notification or "bring forward" systems to prompt required actions for the effective maintenance of records;

- Secure storage for electronic information and documents, while allowing access by authorised personnel;

- Auditable trails of record transactions'

- Where appropriate audits are carried out at predetermined intervals;

- Appropriate storage accommodation for physical records secure from fire, flood and theft;

- Establishment of a system to maintain the integrity of electronic records over time;

- Provision for electronic records to be migrated across systems to ensure their accessibility and use for as long as they are required;

- Where appropriate conformance with the generic requirements for sustaining electronic information over time as set out in TNA published guidance;

- Re-location of physical records into appropriate storage when they are no longer required for the conduct of current business;

- Identification of records considered vital for continuance of the business;

- Implementation of a full and tested contingency or business recovery plan.

11.25 Questions 106 to 130 in this workbook once answered and analysed will provide the organisation with an evidence based assessment of their compliance with this key area of the Records Management Code

Module 6: Records disposal

11.26 This key area is primarily concerned with the development and implementation of a records disposal regime which will provide clearly defined policies and procedures for identifying how long records should be kept, for disposing of those no longer required for business purposes, (either by destruction or transfer to an archive) and for documenting the decisions and their implementation. This is to enable the organisation to undertake the required range of activities specified in the records management policy. It requires the following elements to be present:

- Closure of records as soon as they have ceased to be of active use other than for reference purposes;

- Where appropriate an indication that a file of paper records or folder of electronic records has been closed should be displayed on the record itself as well as noted in the index or database of the files/folders;

- Inclusion of information on the intended disposal of electronic records within the metadata when the record is created;

- Storage of closed records awaiting disposal should follow accepted standards relating to environment, security and physical organisation;

- Establishment of a system for managing appraisal and for recording the disposal decisions;

- Capability of the record keeping system to support disposal and archiving procedures for electronic records;

- Appropriate resource planning to take account of the volume and nature of the records due for appraisal;

- Assessment of the risks associated with destruction of obsolete records or any delay in appraising them;

- Maintenance of background information which will inform appraisal decisions such as legislative provisions, functional context and physical arrangement;

- A selection or disposition policy which states in broad terms, where appropriate, the functions from which records are likely to be selected for permanent preservation and the periods for which other records should be retained;

- Development of disposal schedules which cover all records, including electronic records to support the disposition policy mentioned above;

- Maintenance of disposal schedules which indicate appropriate disposal/retention periods for each type or series of records and provide a mechanism for authorised destruction;

- Where applicable records selected for permanent preservation which are no longer in regular use should be transferred to the custody of an archival institution which has adequate storage and public access facilities;

- Records which are earmarked for destruction are destroyed promptly in as secure a manner as is necessary for the level of confidentiality or security markings they bear;

- Maintenance of a log of those records which have been destroyed showing their reference, description and date of destruction;

- Records known to be the subject of a request for information, are so marked and withdrawn from the destruction programme until disclosure has taken place or until the complaint and appeal provisions of the FOIA have been exhausted.

11.27 Questions 131 to 148 in this workbook once answered and analysed will provide the organisation with an evidence-based assessment of their compliance with this key area of the Records Management Code.

Module 7: Access regimes for managing FOI requests

11.28 As stated previously this workbook has separated the issue of Access which in the Code is part of the Records creation and record keeping area as it a substantial activity in its own right and it is felt that users of this work-book will find it more convenient to review it separately.

11.29 Access in this context deals with the need to establish an appropriate access regime to manage requests for information under the Freedom of Information Act 2000 effective and to document the reasons why information cannot be disclosed and which exemptions have been invoked as part of that decision making process. In short public authorities must have in place clearly defined arrangements for documenting exemption and disclosure decisions.

11.30 Users of the workbook are also advised to look at the guidance published by the Department of Constitutional Affairs to various resources which users may find useful in successfully implementing Freedom of Information legislation within their organisation This guidance is available at:

http://www.dca.gov.uk/foi/implement.htm

11.31 Questions 149 to 168 in this workbook once answered and analysed will support the organisation to provide an evidence-based assessment of

their ability of their record management system and procedures to support the access requirements placed upon them by the FOIA.

Module 8: Performance measurement

11.32 Performance measures are required to ensure the records management system established by the authority is being used and managed effectively by the end users. Note that the Records Management Code makes no mention of performance measurement. However it does include the following requirements which need to used when considering the effectiveness of performance measurements

- The presence of reliable records, which fully document an organisations activities, to ensure FOIA obligations can be met;

- Records should be arranged in a record keeping system that will enable the authority to obtain the maximum benefit from the quick and easy retrieval of information;

- The record-keeping system should include a set of rules for referencing, titling, indexing and, if appropriate, security marking of records;

- These rules should be easily understood and should enable the efficient retrieval of information.

11.33 Questions 169 to 185 in this workbook once answered and analysed will provide an evidence based assessment of end users daily application and interpretation of the organisation's own record management policies and procedures which in turn will demonstrate how effective the organisation is in complying with the Records Management Code.

Conclusion

11.34 The guidance and questions provided in this workbook represent what is considered to be current best practice in the delivery and evaluation of effective records and information management. It must be stressed that meaningful evaluation is not about the presence or omission of a purely mechanistic quantative measurement (e.g. is there a records management policy?) these must be supported by appropriate qualitative measures (e.g. is the policy appropriate, comprehensive and its implications understood and acted upon?) and a fitness for purpose (is it realistic for end users to work in the manner prescribed?). The outcome of said assessment has also to take account of the size, nature and complexity of the organisation being assessed.

11.35 In some instances, for example where information is captured and managed in line of business systems, the regulatory requirement and business objectives are sufficiently arduous that the system functionality has to be very robust and records management is effected by the system

design and security specifications. However it is very unlikely that all an authority's information flows will be captured and managed by such systems and it is the interface of such systems with other less structured record creation systems, which needs to be addressed by management initiatives along with the management of the related information, which sits outside such systems. For example it is quite possible that a database system which formally records the award and payment of benefits is very robust in terms of its record management requirements but the related and separate records contained in e-mail in-boxes or personal paper files which determine why an award should be given, amended or withheld may be unmanaged and are effectively invisible to the corporate organisation.

11.36 Authorities cannot rely on the existence of a management policy as being sufficient evidence for the presence of a compliant records management regime. For example some organisations may still depend primarily on paper records held on manila folders as the formal evidential record of business. In those cases there may still be a dependence on a print to paper policy to ensure electronic communications (especially e-mail) are captured on to the fling system. Where an organisation still places reliance on such an instruction this needs to be backed up by a compliance testing and inspection regime to ensure it is being routinely applied across the organisation, as it is possible that it is being evaded. This represents a major overhead and may not in any case be entirely satisfactory.

11.37 Other solutions need to be explored in such cases and where resources do not permit investment in full electronic record management (ERM) solutions, as has been adopted as the preferred policy in central government, adherence to best practice using existing technology will be one avenue to explore but care needs to be taken that the solution is also qualitative one as opposed to a purely quantitative one. For example keeping all the data in a giant store and relying on a search engine to search on content will probably not suffice to ensure an authority can adequately respond to a request for information contained in the records as it is almost impossible to guarantee that all the relevant records have been found in a timely manner using such an approach. The organisation needs to be able to demonstrate that when responding to requests for information that it can demonstrate its potential to locate and retrieve all relevant records connected to an enquiry.

11.38 One method of testing if a solution is adequate is to undertake test searches where the results are already known. Those involved in assessing solution should consider undertaking test scenarios of the record management system using an agreed script to confirm the information provided from the questionnaires actually works in reality.

11.39 Having identified an issue of non-compliance or partial compliance and then assessed the risk there needs to be an ongoing management process where these risks are regularly reassessed to see if they remain valid or whether a variation is required or indeed whether the risk has ultimately provide groundless and can be formally remove from the register.

11.40 In all cases a degree of subjectivity will be involved depending on the nature, size and infrastructure of the organisation. Public authorities which have invested in electronic record management systems will need to ensure the benefits identified in the original business are real and are achieved and where they are not to identify why these anticipated benefits did not emerge as expected. This workbook will not of itself provide all the answers it is intended to provides a tool which will help records and information managers identify what has been achieved what has not and what are the consequences that flow from both.

11.41 Realistically many public authorities will only be able to achieve partial compliance with the Records Management Code in the short-term – it is the effective management of the non compliant issues which will be crucial if an organisation is to be confident that it is in control of its corporate information assets. Ultimately many institutions will need to introduce a measure of electronic records management to increase their level of compliance but such compliance only works if the technical solutions are underpinned by effective policies, training and processes. This workbook is intended to help public authorities highlight where the deficits exist to provide for a proper consideration of the options to address those deficiencies.

Sector specific guidance for records managers

General

12.1　This chapter is provided to explain what guidance; policy or regulation exists in terms of records and information management, which is specific to each sector of public administration. It will not provide definitive guidance, as each sector will continue to develop its rules and regulations for best practice.

12.2　The Department for Constitutional Affairs has published the two Codes of Practice issued by the Lord Chancellor under section 45 and 46 of the Freedom of Information Act 2000 additional guidance. This and other related information can be accessed on their web-site at:

http://www.dca.gov.uk/foi/codesprac.htm

12.3　Additional guidance on the record management implications arising from the implementation of the Freedom of Information Act 2000 is provided on the web-site of the Information Commissioner at:

http://www.informationcommissioner.gov.uk/eventual.aspx?id=77

12.4　In addition to the Freedom of Information Act 2000 the Records Management Code and other statutes referenced elsewhere in this workbook a further driver is the Government Policy on Archives. This policy was issued by the Lord Chancellor as a Command Paper on 2 December 1999 [Cm 4516]. It was the first statement of government policy in this increasingly important field. This policy listed six key objectives as critical to the success of this initiative. Objective 3 is especially relevant. It requires that public institutions, at local, regional and national level, select, preserve and manage their current records and their archives, regardless of medium, in accordance with the relevant legislative requirements, guidance and agreed professional standards

12.5　The National Archives (TNA) has developed and published a significant amount of guidance for use by record managers within the public sector. Although some of the earlier publications were written specifically for a central government audience a lot of the guidance is generic and should assist records managers in all public authorities. The following three locations on TNA's web-site provide links to related guidance and should be referenced:

http://www.nationalarchives.gov.uk/recordsmanagement/

http://www.nationalarchives.gov.uk/electronicrecords/

http://www.nationalarchives.gov.uk/policy/

12.6　For more information and assistance on the range of assistance and guidance available to record managers on the TNA web-site please contact:

rmadvisory@nationalarchives.gov.uk

12.7　Links to other relevant sector specific guidance is provided below for the following areas of public administration

- Central government (includes departments, agencies and non departmental public bodies)
- Northern Ireland
- Scotland
- Local Government
- Health sector
- Education
- Police

Central government

12.8　The National Archives (TNA) is responsible for providing advice on the management and archiving of records within central government. This authority stems partially from s.3 (2) of the Public Records Act 1958 but also from a recommendation made in the Records Storage and Management scoping study commissioned in 1997 by the Prime Minister's Adviser on Efficiency and the Keeper of Public Records.

12.9　Section 3 (2) of Public Records Act 1958 requires every person responsible for public records which are not in the archive or an approved place of deposit to *"perform his duties under this section under the guidance of the Keeper of Public Records and the said Keeper shall be responsible for coordinating and supervising all action taken under this section"*

12.10 The Records Storage and Management Scoping Study 1997 recommended that TNA should adopt a more overt role in leading government departments on records management issues. This should include providing:

- Advice and guidance to departments on all stages of the records cycle including creation and selection
- Guidance on performance indictors for assessing efficiency and effectiveness in the record cycle
- Opportunities to promote good practice

12.11 In performance of its role TNA provides guidance on best practice in records management including retention standards, electronic record

management toolkits and functional requirements. Information on how to access this guidance is provided at paragraph 12.5 above.

Northern Ireland

12.12 Records management in the Northern Ireland departments has been governed since 1923 by the Public Records Act (NI). The Public Record Office for Northern Ireland (PRONI) has published a records management standard together with other relevant guidance for use by Northern Ireland departments and public authorities. More information can be found on PRONI's web-site at:

http://www.proni.gov.uk/NIRMS/edrm.htm

Scotland

12.13 The National Archives of Scotland (NAS) advises Scottish government departments, institutions, businesses and private individuals on the care of their records. NAS has published guidance on its website for record keepers, record depositors and record professionals working in Scottish central government departments, agencies and non-departmental public bodies, whether or not those organisations deposit records with NAS. It is also aimed at people who work in the few UK central government departments which deposit records with NAS. More information is provided on the NAS website at:

http://www.nas.gov.uk/reckeep/

Local Government

12.14 The website for the Office of the Deputy Prime Minister (ODPM) provides Guidance on *'proper arrangements'* for archives and it provides a reference to section 224 of the Local Government Act 1972 which states:

> *Without prejudice to the powers of the custos rotulorum to give directions as to the documents of any county, a principal council shall make proper arrangements with respect to any documents that belong to or are in the custody of the council or any of their officers.*

The section applies to principal councils as defined in the Act itself, the London Government Act 1963, the Local Government Acts 1985 and 1992 and the Local Government (Wales) Act 1994

12.15 The ODPM guidance note defines the term "records" for section 224 as "..*any documents which belong to or are in the custody of the council or any of their officers*".

12.16 It goes on to state that records represent information, one of the most important resources of any organisation. Local authorities should make arrangements for the cost-effective management of these records in the interests of the efficient transaction of their business. Local authorities also need to preserve certain classes of records for the legal protection of their own property or other interests.

12.17 It also stress the need for evidential value by stating that:

> *In an increasingly litigious environment the importance of making and keeping adequate records is proportionately obvious. Cases about children in care and about the quality of education given can only be defended where relevant records can be readily accessed.*

Further information on this gudiance can be accessed at the following web address

http://www.odpm.gov.uk/index.asp?id=1133760

Impact on local government of the Social Care Information Governance Project

12.18 A project has been set up by the Department of Health in conjunction with the Association of Directors of Social Services Information Management Group (ADSS IMG) and the NHS Information Authority (NHSIA) to develop a Social Care Information Governance toolkit[4] and a Social Care Confidentiality Code of Practice. The longer-term aim is to begin the process of setting common standards in information governance across local government.

12.19 A project board of major stakeholders in central and local government, the Local Government Association (LGA) and the Society of IT Managers (SOCITM) oversees and manages the work undertaken as part of the project. The successor to the NHSIA, the Health and Social Care Information Centre (HSCIC) will take responsibility for taking the work forward, supported by a Reference Group of social care information specialists and practitioners. It is examining the first version of the NHS toolkit to identify what is relevant to Social Care and what needs to be adapted.

12.20 It is envisaged that the Social Care part of the Information Governance toolkit will be issued as a draft for consultation. Further information concerning the Information for Social Care Project can be accessed at:

http://www.dh.gov.uk/PolicyAndGuidance/InformationPolicy/InformationForSocialCare/fs/en

and also at:

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[4] More information on the information governance toolkit see paragraph 12.24 below

http://www.dh.gov.uk/assetRoot/04/08/29/57/04082957.doc

12.21 Professional advice on records management within local government is provided by the Records Management Society Local Government Group at:

http://www.rms-gb.org.uk/index.cfm?SECTION=HOME

and also at:

http://www.rms-gb.org.uk/uploads/informationauditguidelines03.pdf

And also the Society of Archivists Record Management Group at:

http://www.archives.org.uk/groups/recordsmanagementgroup.html

Health sector

12.22 The Department of Health has provided sector specific guidance in the form of a Health Service circular which provides relevant advice on this topic, which should be consulted by NHS Trusts and health authorities. This is

Health Service Circular HSC 1999/053, For the Record

This publication can be accessed at the following location

http://www.dh.gov.uk/assetRoot/04/01/20/36/04012036.pdf

12.23 The Commission for Healthcare Audit and Inspection (CHAI) promotes improvement in the quality of the NHS and independent healthcare. It has a wide range of responsibilities, all aimed at improving the quality of healthcare. It has a statutory duty to assess the performance of healthcare organisations, award annual performance ratings for the NHS and coordinate reviews of healthcare by others. As part of this role the CHAI is promoting information governance.

12.24 Information governance allows organisations and individuals to ensure that personal information is dealt with legally, securely, efficiently and effectively, in order to deliver the best possible care. It provides a framework to bring together all of the requirements, standards and best practice that apply to the handling of personal information. The information governance toolkit has been produced jointly by the Department of Health and the NHS Information Authority (recently succeeded by the Health and Social Care Information Centre (HSCIC) – see also paragraph 12.18 above for further information on the related Social Care Information Governance Project) and represents Department of Health policy as at 31st October 2003. More information on this work can be accessed at:

http://ratings.healthcarecommission.org.uk/Indicators_2005/Trust/Indicator/indicatorDescriptionShort.asp?indicatorId=2161

12.25 The Information Governance Toolkit, an online self-assessment package, has been produced jointly by the Department of Health and the NHS Information Authority. It scores the Trust on how it Holds, Obtains, Records, Uses and Shares (HORUS principles) data and information. A Trust is required to complete the self-assessment annually and to continually improve against the standards it contains.

12.26 Information Governance currently encompasses the following initiatives or work areas.

- Data Protection
- Freedom of Information
- Confidentiality Code of Practice
- Caldicott Guardians
- Information Security
- Health Records Management
- Information Quality Assurance
- Controls Assurance – Information Management & Technology
- Controls Assurance – Records Management
- Overall Information Governance Management

Police

12.27 A key recommendation of Sir Michael Bichard's Independent Inquiry arising from the Soham Murders was that a statutory Code of Practice on police information handling should be implemented under the Police Reform Act 2002. This Code should enshrine the key principles of good information handling in respect of the collection, use and sharing of personal information by police forces.

12.28 As part of the government response to this recommendation a draft code of practice on police information management has been introduced and is currently out for consultation

12.29 As part of this exercise the current framework of guidance to the police on the handling, storing and using of information has been completely overhauled and standardised based around the new statutory Code of Practice on Police Information Management. The Code of Practice is due to come into force by May 2005. It will be supported by detailed operational guidance to police forces and will help to ensure that decisions about reviewing, retaining, deleting and sharing information are taken on a consistent basis.

12.30 The purpose of this Code is to ensure that there is broad consistency between forces in the way information is managed within the law, to

ensure effective use of available information within and between individual police forces and other agencies, and to provide fair treatment to members of the public. The draft Code is available on the Home Office web-site at the following location:

http://www.homeoffice.gov.uk/docs4/consultation_cop.html

12.31 The Association of Chief Police Officers (ACPO) is responsible for developing policing policies on behalf of the Service as a whole and provides professional advice to Government, police authorities, and other appropriate organisations and individuals. Information on the policies can be located at:

http://www.acpo.police.uk/asp/policies/policieslist.asp

Education

12.32 The Joint Information Systems Committee (JISC) supports further and higher education by providing strategic guidance, advice and opportunities to use Information and Communications Technology (ICT) to support teaching, learning, research and administration. JISC is funded by all the UK post-16 and higher education funding councils.

12.33 JISC seeks to promote the development of good institutional records management across the FE and HE sectors. It aims to achieve this by raising awareness of the importance of the effective management of records within organisations both for ensuring legal compliance and as a vital element of a digital preservation strategy. More information is provided on their web-site at the following address

http://www.jisc.ac.uk/index.cfm?name=recordsman_home

12.34 The Communications Unit (Children, Young People, Families and Schools) of the Department for Education and Skills provides guidance for education professionals on Freedom of Information for Schools and the need for schools to put in place a records management system. It is published on TeacherNet and can be accessed at

http://www.teachernet.gov.uk/management/atoz/f/freedomofinformationforschools/

12.35 Additional guidance on retention guidelines for schools are available on the Records Management Society of Great Britain website at

http://www.rms-gb.org.uk/uploads/schoolsretentionschedulefinal_v1.doc

Professional Bodies

12.36 A number of professional bodies some of which are sector specific are active in the area of records and information management. Some of these

provide additional resources, which should be referenced where appropriate. A brief description of these bodies together with appropriate links is provided below.

Health Archivists Group (HAG)

12.37 HAG was founded in the late 1980s by a group of archivists working in health authorities in London as an informal forum for the discussion of issues of common interest. Over time it gained a wider focus to include the whole health sector, and the group now includes archivists and records managers working not only in NHS Trusts and Health Authorities, but also in the Royal Medical Colleges, professional organisations for health professionals and higher education and local authority repositories holding health archives. It aims to encourage and support the professional management of archives and records throughout the health sector and to provide a network for those working with health archives to exchange ideas, experiences and expertise. More information is provided on the Society of Archivists website at:

Health Archives Group HAG

http://www.archives.org.uk/content.asp?id=230

Institute of Heath Record and Information Management (IHRIM)

12.38 IHRIM was established in 1948, primarily as an educational body. Its objectives, then as now, were to provide qualifications at different levels, as well as career and professional assistance for members working in the field of health records, information, clinical coding and related professions. More information is provided on their website at:

http://www.ihrim.co.uk/index.php

Records Management Society of Great Britain (RMS)

12.39 This society is intended for the ever-increasing number of people working in the fields of records and information management. All those concerned with records and information, regardless of their professional or organisational status or qualifications, can join the Society. The society produces resources in the form of reports surveys and guidance. Current products include guidance on a classification scheme and retention guidelines for local government and retention guidelines for schools. More information is provided on their website at:

http://www.rms-gb.org.uk/index.cfm?SECTION=HOME

Society of Archivists Record Management Group

12.40 The Society of Archivists supports a number of special interest groups. One of theses is the Record Management Group, which aims to promote

records management and to undertake outreach work to those outside the Society who are responsible for records management. Its web pages currently provide a link to the Draft National Retention Policy for Local Authority Records, which will of particular interest to record managers within local government. More information on the work of this group is provided on the Society of Archivists' website at:

http://www.archives.org.uk/groups/recordsmanagementgroup/aimsandservices.html

International and national standards and codes of practice

12.41 Standards and codes of practice are still evolving and where these do exist are often the subject of revision and care must be taken to ensure that the latest version is used.

12.42 The current international and British standard for records management is *BS ISO 15489-1:2001 Information and documentation. Records management. General*

12.43 To obtain a copy of this standard contact the British Standards Institution (BSi) at:

> BSI Group HQ
> 389 Chiswick High Road
> London
> W4 4AL
> United Kingdom

Alternatively a copy can be purchased on-line from their web-site at:

http://www.bsi-global.com/Global/BuyStandards.xalter

12.44 There are other British standards, which may be relevant for assessing the effectiveness of an organisation's record management storage facilities. These are:

BS ISO/IEC 17799:2000 Information technology. Code of practice for information security management

BS 4783-1:1988 Storage, transportation and maintenance of media for use in data processing and information storage

BS 5454:2000 Recommendations for the storage and exhibition of archival documents

12.45 The BSi has also published other relevant guidance and codes of practice. The following are pertinent:

PD ISO/TR 15489-2:2001 Information and documentation. Records management Guidelines

BIP 0025-1:2002 Effective records management. A management guide to the value of BS ISO 15489-1

BIP 0001-2:2003 Freedom of information. A practical guide. Using records management techniques to simplify compliance

BIP 0008:2004 Code of practice for legal admissibility and evidential weight of information stored electronically

BIP 0009:2004 Legal admissibility and evidential weight of information stored electronically. Compliance workbook

PD 0010:1997 The principles of good practice for information management

PD 0016:2001 Document scanning. Guide to scanning business documents