



WEXFORD COUNTY COUNCIL

RECORDS MANAGEMENT POLICY

June 2018

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1. Purpose

The purpose of this Records Management Policy is to provide direction for the creation, maintenance, file indexing, storage, retrieval and disposition of local government records within Wexford County Council (WCC).

2. Policy Statement

Wexford County Council's records are its corporate memory and a vital asset for on-going accountability and efficient administration. The organisation is committed to implementing and maintaining best practice in recordkeeping policy and procedure.

A Records Management System is in operation within Wexford County Council. Records are managed throughout their three-stage life cycle in accordance with an agreed retention policy – the *National Retention Policy for Local Authority Records* which was published by the Local Government Management Services Board in 2002 and which is currently being revised under the aegis of the LGMA. In line with other local authorities in Ireland, Wexford County Council is committed to adhering to these Guidelines for the retention of records as part its overall corporate policy.

The introduction of the General Data Protection Regulation (GDPR) in May 2018 has helped to ensure that records containing personal information in all formats are identified and retained in line with the principles of GDPR.

Wexford County Council is also committed to complying with ISO 15489, the International Standard on Records Management, and this policy document is the first in a series of policies, procedures and practices which will be introduced into the organisation to ensure that its records management system meets the requirements of the standard.

All staff within Wexford County Council are responsible for recordkeeping, and therefore, must be aware of their obligations under this policy and take reasonable action to ensure on-going compliance.

Chief Executive
Wexford County Council
Date:

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County Secretary
Wexford County Council
Date:

3. Introduction

Records provide evidence of the actions and transactions of an organisation. As part of its statutory obligations under Section 80 of the Local Government Act, 2001, Wexford County Council is required to retain and manage its records and provide suitable premises and facilities for their custody and efficient retrieval.

A records management system controls the creation, classification, distribution, filing, retrieval, storage and archiving or ultimate disposal of records. The lack of specific legislation for the retention of records led to the establishment of a joint committee of local authority FOI Officers and Archivists in 2000. The main objective of the committee was to develop a national records retention policy document, which would identify the common classes of records held in the main sections of local authorities and which would specify for how long such records should be retained. The *National Retention Policy for Local Authority Records* (NRP) was published by the Local Government Management Services Board in 2002 and provides local authorities with a blueprint for their records management programme and for their own more detailed retention scheduling. The report applies to all records, irrespective of format. As the functions of local government continue to evolve, the NRP document is currently under revision and will include retention scheduling for such additional functions given to local authorities since 2002.

An increasing volume of records are now 'born digital', and these have to be readily accessible for the length of their retention period, and integrated into existing manual file numbering systems. In order to maintain electronic records over time, they need to be migrated from one live system to another more up-to-date system. Transfers from live system to external physical format such as CD, DVD, DAT or other alternatives, need to be carried out systematically. It is proposed to draw up national guidelines on electronic records management in co-operation with other relevant experts in this area.

Email usage needs to be standardised and a comprehensive policy produced for

Wexford County Council staff and members. In addition, policies and procedures need to be developed in relation to the management of social media. Staff who exploit social media for work purposes should be aware that content published in these media may constitute a record as defined in this policy.

4. Standards and Legislation

Legislation can impact significantly on records management. In the last two decades, a number of Acts and Statutory Instruments have highlighted the importance of having a records management system in place in local authorities to ensure that records are retained for as long as they are required for statutory purposes and that such records are easily retrievable.

4.1 Local Government Act, 2001

Section 80 of the Local Government Act, 2001 safeguards the protection of records and archives of local authorities and supersedes the earlier 1994 Act (Section 65) with very little alterations. The Act states that

'It shall be a function of a local authority, subject to the provisions of this section, to make arrangements for the proper management, custody, care and conservation of local records and local archives and for inspection by the public of local archives'.

Local records, under the Act, available for public inspection once they are 30 years old, are defined as including *'books, maps, plans, drawings, papers, files, photographs, films, microfilms and other micrographic records, sound recordings, pictorial records, magnetic tapes, magnetic discs, optical or video discs, other machine-readable records, other documentary or processed material made or received, and held in the course of its business or as successor to any other body by a local authority and includes copies of any such records duly made'.*

A Records Management System facilitates the identification of records of long-term / archival value through the use of retention schedules.

4.2 Data Protection Bill, 2018 and General Data Protection Regulation

Enactment of the Data Protection Bill 2018 along with the entry into force of the

General Data Protection Regulation on 25 May 2018 will streamline Ireland's data protection legislation. GDPR will strengthen individuals' control over their own personal data and the purposes for which that data may be used while the regulation emphasises transparency, security and accountability by data controllers and processors.

A Records Management System ensures that records containing personal information, in all formats, are identified and retained in line with the principles of GDPR which outlines the collection, processing, retention, use, disclosure and ultimate destruction of personal data.

4.3 Freedom of Information Act, 2014

Access to information is increasingly viewed as a basic right of citizenship, and this is reflected in a wide body of legislation providing for public access to information that is held by public bodies. The FOI Act 2014 which came into force in October 2014 gives every person the right to access records held by public bodies, and the right to have official information relating to them amended where it is incomplete, incorrect or misleading.

The Information Commissioner in his *Freedom of Information Act – Compliance by Public Bodies Report* in 2001 recommended that a proper records management system be in place to facilitate the operation of the FOI Act, 1997.

'Each public body should devise and publish a records management policy covering the creation, maintenance and destruction of records. The objectives of the policy should be to ensure that the activities and decisions of the public bodies are adequately recorded. Each public body should allocate responsibility at senior management level for ensuring that development and improvement of records management is accorded the appropriate priority.'

4.4 European Communities (Access to Information on the Environment) Regulations, 2007 to 2011

The Regulations 2007 to 2011 give members of the public the right to access environmental information and oblige public authorities to be proactive in disseminating environmental information to the public. According to the regulations,

'a public authority shall... make all reasonable efforts to maintain environmental information held by or for it in a manner that is readily reproducible and accessible by information technology or by other electronic means'.

A Records Management System will ensure that the relevant information is accessible and retrievable on request.

4.5 Planning and Development Act, 2000

Section 38 (5) of the above Act deals with the availability of documents relation to planning applications, and is one of the few legislative provisions in place which specifically refer to the retention of records.

Subsection 5 of the Act relates to the retention of planning applications.

'At the end of the period for the availability of documents referred to in subsection (2), a planning authority shall retain at least one original copy of each of those documents in a local archive in accordance with Section 65 of the Local Government Act, 1994'.

4.6 Finance legislation

Local authorities are subject to Local Government internal and external audit. The retention schedules drawn up for each series of records identify the records required by the LG auditor and indicate the importance of retaining such records until after the

audit has been completed.

Local authorities are also subject to European Union audit on projects funded by the EU. Under the requirements of EU audit, all records in relation to EU-funded projects must be retained for a period of 3 years following payment of the final balance on a project. These major infrastructural projects can last for a number of years, e.g. NRA Circular No. 10/2013 was issued from the National Roads Authority (NRA) to local authorities in August 2013 advising that the programme for EU structural funds for the Operational Programme for Transport (OPT) 1994-1999 was now closed and that local authorities could now dispose of documentation relating to this programme. However, the circular further advised that

'local authorities are reminded that the decision to dispose of OPT 1994-1999 related documentation should be undertaken in accordance with their internal document retention and disposal policies, without prejudice to document retention periods as set out/required by legislation'.

Circular RLR 4/2010 regarding 2010 Regional & Local Road Grant Allocations advises the following:

'In compliance with EU requirements, all documentation associated with all schemes included in the NDP Programme 2000-2006 must be retained until at least 2025. Original papers must be stored and be readily available; microfilm or microfiche copies are not acceptable'

Best practice in Records Management

5.1 A Records Management System will control the creation, distribution, filing, retrieval, storage and disposal of records. The system works on the premise that all records have a life cycle, i.e.

- **current**
- **non-current**
- **archive/destroy**

This three-stage life cycle is controlled by a **Records Schedule** which determines how long each stage of the life cycle lasts and states whether, at the end of their non-currency, the records are to be archived or destroyed.

5.2 File Management

The way in which current records are organised will guarantee the extent to which they are accessible – a filing system should be logical enough to stand up to independent use. Records should be accurate and complete, and should provide good evidence of the activity or function they were created to document. File management must take account of both manual and electronic records and ensure that these record types blend to avoid duplication or retrieval issues.

To ensure that records provide good quality evidence, they should be dated, authentic and contain all relevant facts and filed in an agreed system.

The implementation of a suitable record-keeping system will aim to satisfy administrative and legal requirements, maintain accountability and ensure that Wexford County Council complies with its statutory obligations under section 80 of the Local Government Act, 2001. Staff should be encouraged to develop a new recordkeeping awareness to cope with the demands for transparency and accountability on local authorities.

5.3 Records Centre

A records centre is a dedicated off-site storage facility to which non-current records are transferred and housed. Wexford County Council operates a records centre at 6A Ardcahan Business Park, Ardcahan. Files are boxed and stored on high density shelving. Files are retrieved twice-weekly for management, staff and local authority members. **ArcLink**, a file management software system allows for the electronic operation of the records centre and ensures the proper retrieval and controlled movement of files to and from the centre.

As part of its Records Management Policy and in line with ISO 15489, a **Records Centre Procedural Manual** will be produced for local authority staff. This manual will outline the protocol involved in transferring files to the centre, access to the centre, and the procedures involved in requesting files, issuing files, and returning files and for the disposal of records (see *Appendix 1*).

5.4 Archive Service

Wexford County Council operates an archive service which includes a dedicated windowless and air-conditioned secure space where both local government archives and archives of private origin are housed in acid-free boxes and folders on steel shelving in accordance with BS 5454. Some records at the end of their non-currency will be designated as archival and will transfer to the archive where they will be catalogued and made accessible for public research, as appropriate.

A records management system ensures that those records that are retained for permanent preservation are good quality, evidential records from the outset.

5.5 Disposal of Records

Records that have come to the end of their period of non-currency and are not worthy of permanent retention are flagged via the ArcLink electronic database for disposal. This is an important process within an efficient records management system and ensures that such records are disposed of in a timely manner, thus

freeing up space in the records centre for incoming non-current records.

It is the policy of Wexford County Council to abide by the recommendations outlined in the *National Retention Policy for Local Authority Records* in relation to the disposal of records. A **Disposal Certificate** is signed by the section head and the Archivist and a list of files due for destruction attached to the certificate as proof that the records no longer exist in WCC. Wexford County Council is cognisant of the timely destruction of such records that could otherwise lead to the unauthorised release of sensitive or private information, and to this end, engages a shredding company that provides an on-site confidential shredding service.

6. ISO 15489 (2001)

The above International Standard on Records Management provides guidance in the design and implementation of records management systems in an effort to standardize recordkeeping practices on an international level. This records management policy has been drawn up in compliance with the directions of the Standard. It advises that:

'An organisation seeking to conform to this part of ISO 15489 should establish, document, maintain and promulgate policies, procedures and practices for records management to ensure that its business need for evidence, accountability and information about its activities is met'.

Wexford County Council undertakes to regularly examine and improve its records management system in line with best practice.

Appendix 1

Wexford County Council - *Records centre procedural manual* (June 2018)