

## 1. Introduction and Purpose

Records are an asset and are an essential source of organisational and historical information. They have been and remain instrumental to the successful service delivery and effective running of East Sussex County Council (ESCC). The appropriate management of these records is necessary to support core functions, deliver vital services and comply with legal and regulatory obligations. This policy ensures an effective overall management of records throughout their life cycle and therefore a cost-effective and professional delivery of basic council services.

This document provides the policy framework through which the effective management of records can be achieved and audited.

The purpose of this policy is to:

- Instill and maintain good practice in records management across the County Council.
- Enable ESCC to fulfill its corporate responsibility to maintain its records and record keeping systems in accordance with statutory and regulatory requirements.
- Ensure that records vital to the operation of ESCC are identified and preserved.
- Ensure that all records are managed throughout their lifecycle securely and cost-effectively.
- Ensure that records are destroyed securely once the lawful basis for keeping them has expired.

## 2. Scope and Definitions

The policy applies to all departments of East Sussex County Council and all records, irrespective of format, created, received or maintained by ESCC staff in the course of carrying out their corporate functions.

Records and documentation created by contractors as part of their obligations to ESCC and internally or externally funded research data are also subject to these record-keeping requirements.

Schools, whether they are maintained by the Council or not, are responsible for their own record keeping and their records are not subject to this policy.

**2.1 Records** – records are defined as all those documents, which facilitate the business carried out by the Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

**2.2 Records management** – a field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, irrespective of

format or system, including the process for capturing and maintaining evidence of and information about business activities and transactions in the form of records.

*2.3 Modern Records team* – responsible for the development of policies and procedures, provision of records storage for inactive records and the timely disposal of records either through destruction or transfer to East Sussex and Brighton and Hove Record Office (The Keep). The Modern Records function is a core business function, managed by a qualified Records Manager.

*2.4 Record Centre* – the Record Centre is a secure place to store records that are no longer used on a regular basis but need to be retained to comply with legislative or regulatory requirements or for business needs. Once the end of their retention period has been reached, they will automatically be destroyed securely, subject to due diligence checks. Records for permanent preservation should not be sent to the Record Centre but to The Keep. The Modern Records team retains an audit trail for all files deposited and disposed at the Record Centre.

*2.5 Depositors* – are departments that have sent records for storage and disposal to the Record Centre. Depositors are responsible for accurate listings and determining the appropriate retention periods being assigned to their files. Depositors remain responsible for their records until destruction or transfer to the Archives.

*2.6 Archives* – consist of records that have been selected for permanent preservation due to their ongoing historical value. Hardcopies are maintained by the East Sussex and Brighton and Hove Record Office (ESBRHO), where they can be consulted by the public. A solution for the long-term preservation of digital records is expected to be implemented in 2020. ESBRHO is responsible to make selection for archives.

### **3. Policy Statement**

East Sussex County Council understands records as a resource for enabling efficient service delivery and informed decision making now and in the future. In retrospect, records provide transparency, evidence and they form the documentary heritage of East Sussex and its people.

Therefore, the County Council is committed to create, maintain and manage records effectively to support its core functions, in accordance with legislation, relevant regulation and best practice. The efficient management of records is recognised to be part of the Council's Core Offer.

### **4. Statutory and Legal Environment**

Records management at East Sussex County Council complies with:

- Local Government (Records) Act, 1962
- Local Government Act, 1972
- Data Protection Act, 2018
- Freedom of Information Act, 2000, particularly section 46 (Secretary of State's Code of Practice for Records Management)

Retention of records is regulated by a multitude of legislation, usually covering specific areas, such as health and safety, contracts or safeguarding children. This is set out in more detail in the ESCC Retention and Disposal Schedule.

## **5. Related Policies and Strategies**

- Information Management Strategy (2014)
- Data Protection and Information Security Policy V3.0
- Retention and Disposal Schedule (2018)

## **6. Roles and Responsibilities**

### *6.1 Senior Management*

The CMT member with overall responsibility for this policy is the Director of Communities, Economy and Transport, who will monitor compliance and delegate day to day oversight of records management functions.

### *6.2 Principal Records Officer (Records Manager)*

The Principal Records Officer is responsible for drawing up guidance for good records management practice and promoting compliance with this policy in such a way as to ensure the easy, appropriate and timely retrieval of information. He/she maintains the Disposal and Retention Schedule and updates it every six months once agreed by departmental DMTs to reflect changes in legislation, business needs and common practice.

### *6.3 Assistant Directors*

Assistant Directors are responsible for the records created and maintained in their area of responsibility. They agree retention and disposal schedules at six monthly intervals (approved by DMTs) and inform the Principal Records Officer of any changes in legislation in their area.

### *6.4 Managers*

Individual managers are responsible for ensuring that their members of staff comply with this policy and the related procedures. If local procedures are required, managers are to draw up and issue written procedures in consultation with the Principal Records Officer.

### *6.5 Employees*

Individual employees must ensure that records for which they are responsible are accurate and are maintained in accordance with this policy.

### *6.6 Information Governance*

The Information Governance Teams are responsible for providing advice and guidance on compliance with the Data Protection Act (2018) and Information Security in the wider sense.

### *6.7 East Sussex Brighton and Hove Record Office (ESBHRO)*

Archivists from ESBHRO decide which records to keep for permanent preservation due to their historical value. Archival appraisal happens after permission to dispose of records has been received from the originating department. Once transferred to ESBHRO, records can only be accessed at the archives.

## 7. Procedures

- Retention and Disposal Schedule, 2019
- Record Centre guidance (tbc)
- Disposal of Hardcopy Records Procedure (see Appendix 5)

## 8. Monitoring

The Principal Records Officer will produce an annual review for CMT and will report through the usual business planning structures on the progress of the Modern Records department.

## 9. Queries

If you have any questions about this policy, please contact the Principal Records Officer.

<b>Date approved</b>	2019
<b>Version</b>	1
<b>Supersedes</b>	n/a
<b>Related procedures</b>	Retention and Disposal Schedule, Record Centre Guide for Depositors
<b>Related policies</b>	Data Protection and Information Security Policy, Information Management Strategy
<b>Related Guidance, Legislation and Codes of Practice</b>	Local Government Act 1972, FOIA Section 46 Code of Practice, Data Protection Act 2018,
<b>Policy Owner</b>	Director of Communities, Environment and Transport
<b>Lead Contact</b>	Principal Records Officer
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