Lincolnshire POLICE & CRIME COMMISSIONER
SAFER TOGETHER

Records Management Policy Statement

Contents

1. Introduction

1.1 All organisations generate records which must be collected, maintained and revised over time, but public authorities have an additional responsibility to be accountable for their actions to the public. Therefore, their records must be accurate, reliable and capture authentic details of transactions and the policy for management of those records must protect the rights of privacy, confidentiality and security. This applies to the management of records in all formats or media, whether created or received.

1.2 Effective records management is essential to support compliance with the Freedom of Information Act ("the Act") 2000, the Section 46 Records Management Code ("the Code") issued under the Act and the Data Protection Act 1998.

1.3 A public authority which does not know what information it holds, or which knows that it has it, but cannot find it, will not be able to respond properly to the requirements of the Act. Publication Schemes set out what information each public authority will make available to the public on a routine basis without waiting for a request to be received. If a class of information is in a Publication Scheme the public authority will be under a statutory duty to make it available according to the terms set out in the Scheme. Without good records management systems, public authorities will have difficulty meeting the commitment in their schemes.

1.4 A public authority that continues to hold personal information beyond its rightful use, because it does not have a robust mechanism for disposing of it at the correct time or for "retiring" it for preservation at the Public Records Office, will fall foul of the Data Protection Act.

1.5 An integrated approach to records must aim to manage them through their whole life from creation through to final disposal. The proper management of records will be the responsibility of everyone in the organisation, to the extent that they create them or use them in their daily work.

1.6 This document sets out an outline and statement of intention for a records management policy for the Office of the Police and Crime Commissioner ("the OPCC") for Lincolnshire.

1.7 The Records Management Policy Statement along with the Record Retention and Disposal Policy set out how the OPCC intends to fulfil its statutory obligations under the Act and Section 46 of the Code.

1.8 The policy statement will be kept under review as appropriate strategies are agreed and implemented in order to enable detailed records management systems to be designed.

2. Purpose

2.1 The goal of any statement/policy on records management should be:

"the creation and management of authentic, reliable and useable records, capable of supporting business functions and activities for as long as they are required…" (ISO 15489-1, clause 6.2)

2.2 The Lord Chancellor's Code of Practice on the management of records under the Freedom of Information Act 2000 is intended to support the objectives of the FOI legislation by outlining the practices which should be followed by public authorities in relation to the creating, keeping, managing and disposal of their records. This policy intends to highlight the key areas that need to be considered in order to develop records management practices which are compliant with the Code.

3. Background

3.1 Records can be classed as: *"recorded information, in any form, created or received and maintained by an organisation or person in the transaction of business or conduct of affairs and kept as evidence."*

3.2 The OPCC holds a large amount of records all of which are important sources of information and are vital to its operation. Management of these records is an administrative discipline which controls all aspects of the life cycle of the record from creation, through to disposal in an appropriate manner.

4. The Need for Records Management

4.1 There are a number of pieces of legislation which relate to the effective management of the OPCC's records, including:

- The Freedom of Information Act 2000 (the FOIA) provides a statutory right of access to information held by public authorities (subject to exemptions). There is an associated Code of Practice on Records Management with which authorities are obliged to comply.

- The Data Protection Act 1998 ("the DPA") entitles individuals to access their personal information which is being processed by another, upon request. Records should be managed in compliance with the procedures under the DPA audit policy.

- The Local Government Act 1972 ("the LGA") provides that (principal Council's) must make proper arrangements with respect to any documents which belong to or are in the custody of the (Council) or any of its officers.

- The Public Records Act (the "PRA") ensures that all records are subject to effective management systems.

- The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention of Human Rights (Sections 2 and 8).

- The Equality Act 2010 ensures that no person will be treated less favourable on the various grounds outlined in the Act.

5. Aims of Records Management

5.1 A records management system should aim to ensure:

- that records are present;

- that they can be easily accessed;

- that they can be interpreted with ease;

- that the record is a reliable representation of that which it is supposed to document;

- that the qualities of the document can be maintained despite any alterations or adaptations over time.

6. Key Requirements of Records Management and Commitments

6.1 The OPCC is committed to the creation, storage, management and eventual disposal of records in a manner which accurately documents the functions of the OPCC and is compliant with this policy.

6.2 The OPCC is committed to providing a programme for records management and making it a key function within the OPCC. The programme should cover responsibility for all types of records from creation to disposal and will be, as far as is reasonably possible, adequately resourced and supported. The programme will encompass records in all media and will be organisation wide. Once appropriate strategies have been devised, it will be possible to design the management systems in details.

6.3 Effective records management will also enable the OPCC to:

- make better use of space and storage facilities, both physically and electronically;

- make better use of staff time;

- have improved control over records;

- comply with best practice and other OPCC policies; and

- reduce costs.

6.4   Responsibility for Records Management

6.4.1   It is the role of the OPCC Chief Executive to endorse this policy, support the resultant policies and provide resources.

6.4.2   The Corporate Administration Officer will be designated as taking the lead role and being responsible for the function of records management. The OPCC will appoint/designate staff to assist with this function and they shall have appropriate skills and receive relevant training.

6.4.3   All staff who create, receive and use records will have records management responsibilities at some level.

6.5   Records Registration

6.5.1   When establishing a records management programme and system of registration it is first necessary to establish the activities, functions and structures of the OPCC. Information surveys/audits will, therefore, be carried out in order to determine what is required in order to implement a system for managing records. The audit will assess the main series of records held and relate them to the activities and functions of the OPCC.

6.5.2   The OPCC will ensure that it has in place adequate mechanisms for documenting its activities and registering its records. Rules will be developed to ensure that records can be quickly and easily accessed and this will include the implementation of systems to register, index and classify documents. This system will be implemented across the various areas of the OPCC work to achieve uniformity.

6.5.3   The system of record keeping will include rules for referencing, indexing and, where necessary, security marking records. In designing a management system regard should be had to both existing records as well as planning for records which will be created in the future.

6.5.4   In order to maintain records efficiently there should be a tracking system in place so that the location of particular records can be established and they can be easily retrieved.

6.5.5   The person responsible for the maintenance of this policy statement will develop guidance on the indexing and registration of records.

6.6   Retention/Disposal of Records

6.6.1   Disposal of records will take place in accordance with the Record Retention and Disposal Policy. This policy has been developed to meet all statutory obligations of the OPCC.

6.6.2   Once records are selected for disposal in accordance with the Retention Schedule attached to the policy the method of disposal should be appropriate to the confidentiality of the record. Where documents are destroyed then this should be done in a secure manner and a record

should be kept, containing the reference, a description and the date of destruction.

6.6.3   A system will be developed to record the decisions that have been made in relation to the disposal of records and appraisal of those decisions.

6.6.4   All records should be accurate and not kept longer than is necessary and, in any case, should only be retained for one (or more) of the following criteria:

- legal requirement;
- public interest; or
- business need.

6.6.5   Where a record which is due for destruction becomes the subject of a request for information then destruction should be delayed until the request has been satisfied or, in the case of a refusal, until any complaint and appeal mechanisms have been exhausted. However, before a request for information has been received routine amendments or even deletion can take place.

6.7   Electronic Records

6.7.1   In relation to the management of the OPCC's electronic records the principles of this policy are of equal application. There are, however, different means of addressing compliance where the information has been captured electronically.

6.7.2   Effectively managing these records will require:

- maintaining structured folders which logically group information together;

- security arrangements to ensure that the integrity of the records can be maintained; and protections from loss or destruction etc.

6.7.3   It should be remembered that it may be necessary for electronic records to be transmitted from one system to another and their format should be consistent with this. It should also be possible to cross reference electronic records to corresponding paper records.

6.8   E-mail

6.8.1   Unless passed over a secure network, the content of e-mails and attached documents should be regarded as being open to the public. Hence information which is not suitable for the public domain should not be processed or stored on personal computing equipment.

6.8.2   Material with security markings should not be sent electronically to personal, unsecure email addresses.

6.8.3   Detailed practical guidance on how to comply with the requirements of Data Protection and Freedom of Information legislation is provided in the 'Managing Emails Guidance' document.

6.9   Website

6.9.1   The Research and Policy Intern with support from the Research and Policy Officer and Corporate Administration Officer will have responsibility for managing the content and updating the OPCC's website.

6.9.2   All members and staff will be required to contribute appropriate content from time to time.

6.10   Security of Records and Maintenance

6.10.1 Records management systems will be designed so that records can be maintained securely, with appropriate safeguards and access controls in place.   Staff will be instructed on how to use the systems to their best advantage so that all the potential benefits are realised.

6.11   Government Security Classification Scheme

6.11.1 Police forces use the Government Security Classification Scheme. This policy advocates that the same classification scheme be adopted in respect of the information assets created, maintained and stored by the OPCC.

6.11.2 In deciding the correct marking for any information, the initiator should consider how damaging the consequences would be if the material was lost, stolen, disclosed or destroyed. Detailed guidance on the application of GSCS is set out in Appendix 2 of the 'Governance Classification Scheme and Management Rules'.

7.   Review

7.1   The OPCC undertakes to regularly audit its records management procedures to ensure compliance with this policy statement and the resultant policies and to incorporate any major changes that need to be made.

8.   Contact Us

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