

Managing Records Retention and Disposal

ALISON NORTH



Contents

Executive summary.....	VII
About the author.....	IX
Acknowledgements	XI
Disclaimer.....	XIII
Part One: Managing records retention and disposal	
Chapter 1: Introduction.....	3
Managing records retention and disposal – a definition	3
An opinion on records management and retention	3
Before we start: Glossary of terms	4
The information lifecycle and records management	5
Records management past history	6
Three approaches to records management	7
Three approaches to managing records retention and disposal	10
Defining retention rules	12
Who does the research?.....	13
Chapter 2: Legal requirements and research.....	15
The law.....	15
Legal research – finding retention rules.....	16
Conflict between laws	19
Public sector retention – primary laws	19
Private sector retention	20
Companies Act 2006.....	20
Money Laundering Regulations 2007	21
Foreign research.....	22
Best practice.....	23
Chapter 3: The business case for managing records retention and disposal.....	25
What is the purpose of a business case?	25
Fundamental considerations of a business case.....	26
Benefits	27
The content of the business case	28

Objectives.....	28
Options to achieve the objectives.....	31
Risks and dependencies.....	32
Investment cost and running costs.....	32
Business case document in summary.....	32
Chapter 4: The role of technology.....	35
Introduction.....	35
IT systems.....	35
Different types of data.....	37
Appropriate IT systems for different ways of working.....	38
Auto-classification.....	38
Collections of records/documents.....	39
Duplication of records.....	39
Using IT systems in the different records retention approaches.....	40
Reference tool approach.....	40
Records management approach.....	41
Process and workflow approach.....	42
Conclusion.....	44
Chapter 5: Implementing records retention and disposal.....	45
Project management.....	45
Planning and method.....	45
Method: The project plan in practice.....	46
Review/research: Information gathering.....	47
Implement: Integration of the law with work practice.....	48
Implement: Challenge and change.....	51
Implement: Communication – training and guidance.....	51
Maintain: Maintenance.....	52
Measure for success: Audit.....	53
Chapter 6: Final thoughts.....	55
Web 2.0.....	55
Evolution of work practices.....	55
Search and find.....	56
The law and change.....	56
Putting the jigsaw together.....	56
Part Two: Case studies	
Case study 1: Deploying the reference tool approach in a large multinational organisation.....	59
Introduction.....	59
Context.....	59

Planning and method.....	60
Review	60
Research	61
Manage	61
Implement.....	62
Measure for success.....	64
Lessons learned and future aims	64
Case study 2: Downsizing and cost savings in a UK-wide construction company	65
Introduction	65
Context	65
Project control	67
Planning and method.....	67
Review and disposal.....	70
2009: Implementation	71
Lessons learned	72
Case study 3: The Welsh Assembly Government records retention and disposal project	73
What is a records retention or disposal schedule?	73
Background to the retention and disposal project.....	73
Our approach	74
The project and its objectives.....	74
Project plan	75
Methodology	75
Migrating the retention schedule into the record-keeping system.....	76
The benefits.....	76
Lessons learned	78
Aims for the future	78
Part Three: Appendices	
Appendix 1: Examples of UK laws relating to differences across Scotland, England, Northern Ireland, Wales and the Channel Isles	81
Appendix 2: UK law – Examples of laws and regulations containing records retention requirements.....	83
Appendix 3: Non-UK law examples.....	85
Appendix 4: Information audit questionnaire.....	87
Appendix 5: Example records management policy.....	91
Appendix 6: Example of a classification scheme.....	95

Appendix 7: Standards list.....	99
Appendix 8: References.....	101
Index	103

Executive summary

“The way to get started is to quit talking and begin doing.” *Walt Disney*

Managing records retention and disposal is a task that organisations do very badly. It is work that staff see as an unnecessary, low-level, administrative burden linked to archiving and filing, and not their responsibility. Most people know that there are various laws and regulations that govern their particular business and that hidden within these laws are vague references to retention of files. Most are wise enough to fear that this lack of detailed knowledge may come back and bite them, so they squirrel away all their records indefinitely, just in case.

This report aims to set the retention record straight and shows why and how records retention is an integral part of every business process. It provides detailed information on how to research and integrate accurate retention rules, based on the legislation and regulations for the sector in which you work.

While a records manager understands the need for a robust records retention programme within the organisation, he or she doesn't always have the necessary tools and funding to implement such a programme. In this report there are methods to assist both the records management professional and others charged with the responsibility to develop, implement and maintain, with accurate rules and regulations, a detailed retention schedule.

This report is not limited to discussions about records retention, but also includes live examples of both UK and international legislation, as well as information pertaining to conflicts between laws across a number of countries, safe harbour agreements and even religious influences on records.

So why do organisations need to retain records? There are many reasons relating to both business requirements and legal requirements, as well as historical interest – all of which are covered within this report.

Part One concentrates on both the theory and the practice, and is broken down into six chapters.

Chapter 1 defines records retention and explains what it means and where it fits in relation to records management and business processes. To a records manager, managing records retention is a vital part of their work and involves a major audit of their organisation's records and archives. To their colleagues who generate the records, this is seen as extra work in their already over-stretched day. This chapter examines the business process owners' and the records managers' responsibilities, and explains three different approaches to applying retention.

Chapter 2 examines the structure of the law and the legislation that governs records retention. It discusses research methods to find the well-hidden retention rules that are contained within various citations. Separating fact from rumour in relation to retention rules can be tricky. The majority of staff,

when asked how long certain records should be kept, will quote 'seven years'. This is not a bad guess, but not all records fall into the seven-year timeframe, as this chapter and the examples in the appendices will show. Sector-specific regulations are discussed in this chapter, as is best practice retention for those records that do not have a governing retention period.

Chapter 3 outlines the business case for developing an organisation-wide retention strategy and policy, and discusses why these add value, aid compliance and reduce risk.

Chapter 4, written by Jaume Vilar, is concerned with the technology which originates documents, the technology which manages the retention of documents and how these two interact both with each other and with documents that do not exist in electronic format.

Chapter 5 offers a practical perspective by discussing implementation and the methods for integrating legal requirements with business practices. Arguably the most difficult part of the retention process is to marry the legal requirements with those of the business. This chapter examines where law and business retention collide and offers solutions to overcome this challenge.

Chapter 6 concludes Part One with a short discussion of the future and how the current approaches to managing retention and disposal, detailed in the preceding chapters, are still valid even when new technology and different ideas for the workplace abound.

Part Two includes three case studies. Case study 1 discusses a retention project in a large multinational organisation, Case study 2 places retention at the heart of a downsizing and cost reduction exercise in a construction company and Case study 3 relates to retention within the Welsh Assembly Government.

Part Three, the appendices, includes templates and sample lists of UK and international legislation. A bibliography of resources to access accurate information on citations relating to records retention in the UK and abroad is also included.

About the author

ALISON NORTH is managing director of The Genuine Group Ltd, a company that was set up in early 2007, bringing together FileBusters Ltd and Document Law Ltd, to provide specialist information management consultancy and services. Alison set up FileBusters in 1995, having first established herself as a self-employed information management consultant in 1986. She spent the previous 15 years in the petroleum exploration and production business.

Alison's business expertise stems from many years in information and records management. She is a leading practitioner in the organisation and development of information retention and disposal methods, particularly in relation to the legal issues and risks associated with storage of information in both paper and electronic formats. Along with an in-house team, Alison has spent the last two years developing DLRegal, an online document retention subscription service that provides details on all legislation mapped to document types and record series.

Currently based in London, Alison has worked worldwide – in Japan, the United States of America and extensively in Europe

Alison has been a pioneer for the records management profession over the past 34 years. She is treasurer of the Records Management Society. She developed and set up the first North Sea offshore information centre and was one of the first people to be employed in the capacity of records manager, in 1978 by Conoco, and has worked since then on the development of information retrieval, retention, security and value. She continues to develop her work using modern technology and innovative solutions to solve the many and varied knowledge and information challenges.

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Alison North
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