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GLASGOW CITY COUNCIL

DISPOSAL POLICY

1. Introduction

Each day the Council and its partner organisations create or receive an enormous number of public records. This policy sets out the principles and procedures to be observed by Council services regarding their disposal. This will help support disposal activities which are an important aspect of efficient and accountable management of public records.

Robust disposal policy and procedures, appropriately managed, secure the position of the Council and help every member of staff in their day-to-day work. The policy and procedures will apply by:

- preventing premature destruction of records that are still needed
- ensuring timely disposal of records, including sensitive records, no longer needed
- supporting compliance with the 5th data protection principle, i.e. not keeping personal information longer than necessary (with an exemption for records required to be kept permanently as archives)
- explaining the absence of records
- ensuring that records of permanent value are retained and preserved as part of the City Archives
- avoiding unnecessary storage costs, incurred in higher use of office and server space
- saving time and expense migrating electronic records, which could be disposed of
- make finding and retrieving information easier, such as for discovery legislation requests e.g. Freedom of Information requests

2. Disposal

The terms 'disposal' and 'destruction' are often used interchangeably, but disposal does *not* always mean destruction. There are a number of ways a record can be 'disposed of'. Disposal is about implementing appraisal decisions as to how long records must be kept. Records may be disposed in three ways:

- retention and transfer to the City Archives
- transfer to a successor authority or organisation, and
- authorised destruction or deletion of records, which will be the most common form of disposal

The lawful disposal of records is a critical component of the Council's Records Management Plan and commits the Council to comply with public sector records management principles and best practice including:

- information shall be held no longer than is needed, based on business need and legislative compliance (*but recognising the need to select records suitable for permanent retention within the Council's archives*)

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- information retention and disposal shall be based on published retention schedules and wherever possible automatically managed, and
- information shall be properly disposed of in accordance with the appropriate security and duty of care requirements.

2. Scope

This policy applies to *all* public records created by the present Council and predecessor authorities. It is recommended to its extended arms-length organisations (ALEOs). Public records are defined by statute in Section 3 of the *Public Records (Scotland) Act, 2011*. The obligations of contractors in respect of disposal are listed in the *Guidelines for Records Held by Contractors Acting on GCC's Behalf (No. 7)*. This policy applies to public records *in all media* including paper, digital formats, microforms, sound recordings, and film and 3-D models.

4. Definitions

As employed in this policy, the terms below are defined as follows:

Appraisal - the process of determining the value and thus the final disposition of records, i.e. making them either temporary or permanent.

Archival value - the enduring historical or other value, that warrants the continued preservation of records beyond the period required to transact the business of their originating service or its successor in function. Records determined to have archival value are designated on records retention and disposal schedules as 'permanent'.

Council – Glasgow City Council, its partner services (ALEOs) and predecessor authorities, e.g. Strathclyde Regional Council.

Destruction – process of eliminating or deleting records, beyond any possible reconstruction.

Disposal – range of processes associated with implementing appraisal decisions which are documented in disposal authorities or other authorisations.

Retention and Disposal Schedules - set how long different series of records need to be retained before they can be disposed

Routine Administrative Action – destruction of public records under routine administrative action.

Temporary records - records approved for destruction, either immediately or after a specified event or period of time.

5. Policy Principles

All disposal actions are determined through the informed decision making process of appraisal. Appraisal is a process that identifies the need (or otherwise) for records. All

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staff must comply with legislation, standards and accountability requirements for the creation, capture, maintenance and disposal of records.

The disposal of public records must be in accordance with the following principles of disposal:

- authorised
- appropriate
- secure and confidential
- timely, and
- documented

6. Disposal Authorisation

This policy *authorises* Council services to dispose of records appropriately appraised under the following procedures:

- retention and transfer to the City Archives, or destroyed or deleted under the authorisation of the City Archivist
- retention and transfer to successor authority or organisation
- destruction or deletion of records under the principle of routine administration
- action/disposal authorised by the controlling section/service, and
- destruction or deletion of records under retention and disposal schedules

6.1 Retention and transfer to the City Archives

The disposal of public records should also be in accordance with the requirements of the Archives Policy Appraisal: Preserving the Archival and Historic Memory of Glasgow.

The City Archivist is responsible for deciding which records are to be kept permanently after liaising with the appropriate business areas. Only a very small proportion of all records created will be retained indefinitely. These records are an important, unique source of evidence and information about the nature of the Council and its activities. There are five principles that will help to ensure that we identify and preserve those records which document the:

- rights of the citizen
- principal actions of the Council and its officials, and
- community experience

These principles are documented in the flowchart in the Appendix attached.

The Council's retention schedules will *normally* identify records which are to be kept permanently, but if there is any doubt, you should contact the City Archives at archives@glasgowlife.org.uk.

Disposals are otherwise not authorised unless one of the five principles applies (see Appendix).

6.2 Disposal to successor authorities (including transfer of function)

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Public records may be transferred to successor authorities under the terms of the *Local Government (Scotland) Act 1994* Section 15, or any subsequent legislation. In addition, the Council has and may in the future transfer some of its functions to partner services (ALEOs) or to contractors. The issue of transfer of any records should be recognised as an important part of the change process, and should ensure that:

- the level of security is maintained throughout the transfer process, and
- appropriate access arrangements have been agreed with the organisation taking custody/and control of the records

In particular, all successor organisations should be made aware that what constitute public records as defined by statute in Section 3 of the *Public Records (Scotland) Act, 2011*.

The ALEOS are recommended to adhere to the terms of all policies and standards laid down by the Council's Records Management Plan (RMP). Records held by contractors on behalf of the Council must be held in a compliant format and with correct records management procedures in place.

The responsibilities of contractors are covered The *Guidelines for Records Held by Contractors Acting on Glasgow City Council's Behalf* and these are integral to the procurement process.

6.3 Disposal under routine administrative action

Some records may be authorised for destruction under routine administrative action. These are records that are characterised by their trivial nature or very short-term value, and need not be captured into a recordkeeping system or retained for any period of time. This includes the disposal of:

- facilitative records, such as working papers consisting of rough notes and calculations used solely to assist in the preparation of other records (e.g. correspondence, reports and statistical tabulations).
- convenience copies which should be disposed of as soon as the reason for taking the copy has passed
- extra copies of documents and published material kept solely for reference
- drafts not intended for retention as part of the Council's records, the content of which has been reproduced and incorporated in the Council's record-keeping system

The destruction of records under routine administrative action arrangements is the responsibility of individual services. Each service must ensure that all staff understand what constitutes routine administrative action, and apply it correctly in their day-to-day work, e.g. management of emails. If in doubt, they should contact the Information Management Team, Corporate Governance (AssetGovernance@glasgow.gov.uk).

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6.4 Disposal authorised by the controlling section/service

While the Council's retention and disposal schedules set mandatory minimum periods for retention, it is essential to ensure that the records are not required after that period for legal, administrative, audit or financial reasons. This requires services to have the appropriate internal authorisation or approval processes in place. In terms of legacy paper records, this should normally be the manager of the business unit, or a person acting under their delegated authority.

6.5 Disposal authorised under retention and disposal schedules

Disposal will usually be authorised through the Council's Retention and Disposal Schedules (RDS). These schedules must be kept current and comprehensive. Retention schedules must be allocated to **all** records held by the Council, either physical or electronic. It is the responsibility of all Council staff to ensure that the records they create and hold on behalf of the Council, are subject to a compliant RDS and that they ensure that the criteria for retention and disposal of their records are met in full. Due to the high level of compliance required of the Council, the approval for changes to a retention period is restricted to the Information Asset Board or as directed by the Asset Governance Manager.

In terms of legacy paper records, this will *normally* be implemented by the Archives and Records Management (Glasgow Life) in respect of records stored off-site in the Mitchell Library or City Building.

Where records are held in departmental premises, in line with the Council, *Storage of Records in Departmental Premises Policy*, these must be appraised to determine retention periods. The service must have procedures for disposal once the retention period expires. These procedures will be compliant with those applicable to records in off-site stores managed by the Archives and Records Management (Glasgow Life). Where services have a commercial service provider, they must ensure that compliant disposal procedures are part of the contractual agreement.

The retention and disposal process for records will be implemented automatically by the EDRMS (or other compliant application) for electronic records.

Where line of business structured data applications have retention and disposal functionality, this should be utilised. Where such is not available, the Council will work with other users of the systems to persuade suppliers to include this functionality in new versions.

7. Appropriate Destruction

Where records are no longer required by the Council and do not have archival value, they should be destroyed. The destruction of records should be irreversible and environmentally friendly.

7.1 Irreversible

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Services must ensure that destruction of records is irreversible, i.e. there is no reasonable risk of information being recovered or re-constituted. Failure to ensure total destruction may result in the unauthorised release of information and potential breaches of data protection legislation, or failure to comply with the Freedom of Information (Scotland) act 2012.

7.2 Paper Records

The destruction of paper records will normally be carried out by City Building to a standard which is compliant for very sensitive records. City Building will operate under clear guidelines to ensure methods of destruction and security are suitable. Periodic inspection of the destruction facilities will be carried out to ensure security is adequate and that records are destroyed soon after they are received.

7.3 Non-paper media

Videos, cinematographic film and microforms (microfilm/fiche/aperture cards/x-rays) will be destroyed by shredding, cutting, crushing or chemical re-cycling.

7.4 Electronic Media

The destruction of electronic data is more complicated than paper records because of the large variety of media. Please seek advice about: magnetic media (e.g. tapes and floppy discs) and optical media.

Hard drives will be disposed of securely by the Council's IT services provider.

Data in EDRMS and other business systems will be deleted in such a way that prevents reconstruction. Back-ups and other copies of the data will also be destroyed.

8. Secure and confidential destruction

Records must always be disposed of with the same level of security as required during the life of the records. The destruction of highly sensitive, personal or confidential material should be supervised by an authorised person, e.g. an officer from the Archives and Records Management team if the records have come from their store.

Care should also be taken with records containing sensitive information, including sensitive personal data covered by data protection legislation. Such records should be transported in totally enclosed and lockable vehicles. They must be kept secure while waiting for destruction.

9. Timely destruction

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Records should not be destroyed while there is still a need for them, but it is also important not to keep records any longer than necessary. Once the appropriate internal authorisation has been obtained, records should be destroyed promptly and securely when their retention period has ended.

10. Documenting the destruction of records

The destruction of all records must be appropriately documented, so that the Council can ascertain if and when the records were destroyed. Proof of destruction may be required in legal proceedings, FOI and DP requests. Documentation should include details of:

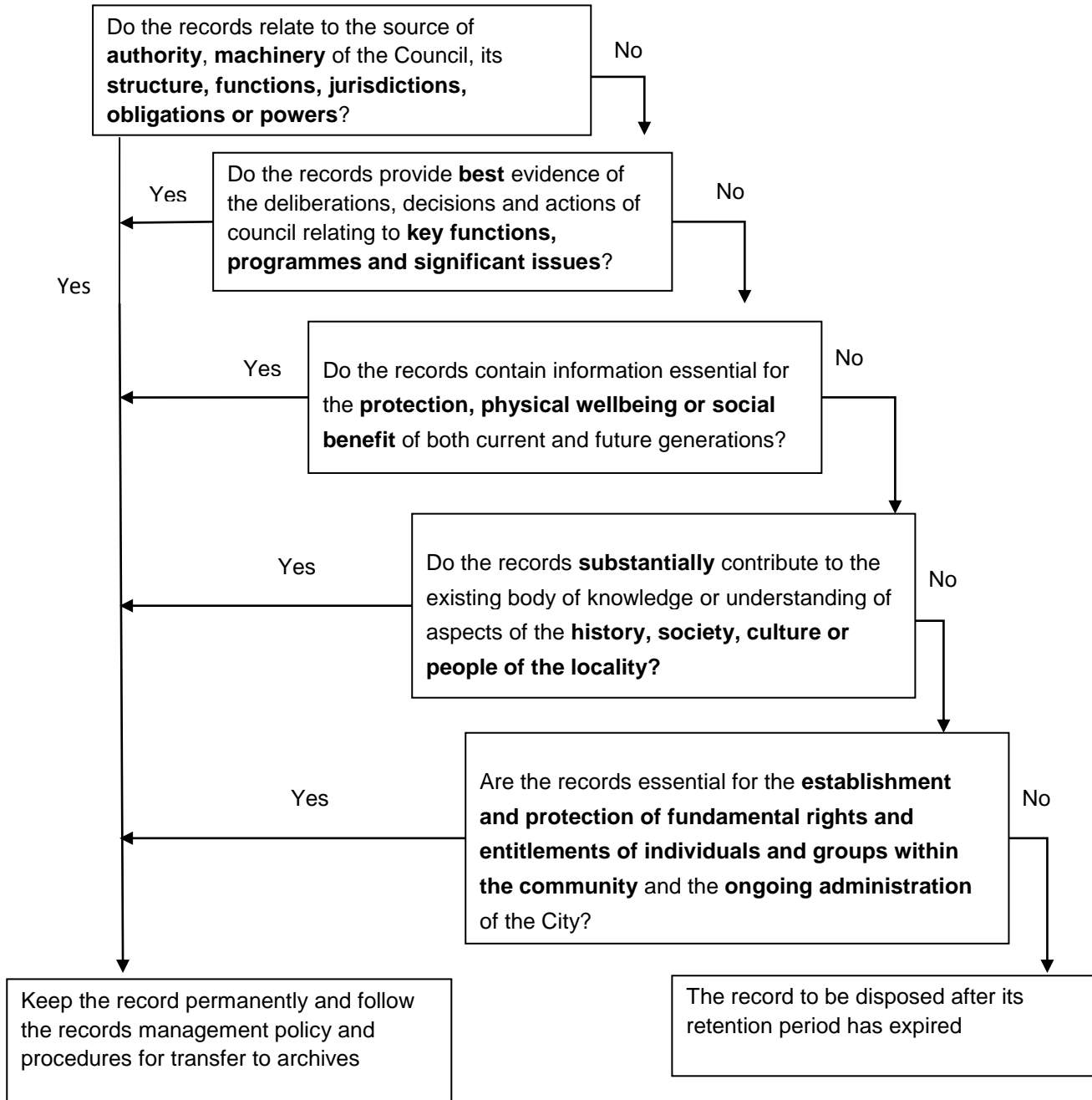
- retention and disposal schedule applied
- date and time of disposal
- approval and authorisation, including details of the officer authorising disposal, and
- person undertaking disposal and other confirmation that the disposal occurred.

11. Further Information

For further information about this Policy please contact Dr Kenneth Meechan, Asset Governance Manager, Glasgow City Council or Dr Irene O'Brien, Senior Archivist, Glasgow Life.

APPENDIX

Principles for Identifying Archives



If you are not sure if you have authorisation for destruction, contact the City Archives at Archives@glasgowlife.org.uk