



BORD OIDEACHAIS AGUS OILIÚNA CHIARRAÍ
KERRY EDUCATION AND TRAINING BOARD

Records Management Policy & Records Retention Schedule

Adopted by Kerry ETB on 22nd January, 2018

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RECORDS MANAGEMENT POLICY

1. Purpose

- 1.1 To provide a statement of intent outlining records management standards for the administration of Kerry Education and Training Board (Kerry ETB) records.

All documents created and received in the course of its official business, as laid out in the Education and Training Boards Act 2013 and formerly under the Vocational Education Act 1930 to 2001, constitute the official records of Kerry ETB. The information that Kerry ETB records contain serves as evidence of functions executed and activities performed and comprises a valuable source of knowledge as to how and why decisions were taken. Given that good quality records are of value to any organisation, their effective management is necessary to ensure that the records maintained are authentic, reliable and complete and to ensure that they are protected and preserved as evidence to support future actions and to ensure current and future accountability.

- 1.2 **To implement records management procedures and to create retention/disposal schedules for Kerry ETB records.**

Records management is the application of controls to the creation, maintenance, use and disposal of all formats of records, elements of which include correspondence and forms, records classification, files, identification of the function for the record, retention scheduling, disaster planning, vital records protection, the administration of inactive records storage, record conversion programmes, archival preservation activities and destruction of records.

Good records management is of special significance in the context of Kerry ETB's functions, where the maintenance of records is essential to good corporate governance.

- 1.3 To ensure preservation of records of permanent value and to establish archival criteria to maintain and assure continued access to appropriate historical records.
- 1.4 To support both protection of privacy and freedom of information services throughout Kerry ETB.
- 1.5 To propose the development of guidelines to accompany this policy document including retention and disposal schedules for general records common to all ETB departments and sections/units.
- 1.6 To develop policies and guidelines for the use of electronic media in the creation/capture/receipt/retention of information.

2. Scope

- 2.1 All information created or received by Kerry ETB staff in the course of their duties on behalf of Kerry ETB, preserved in the form of records, are covered by this policy. Records can be in a variety of physical forms including: paper documents – both written and printed matter; electronic records (i.e. word processing files, databases, spreadsheet files, e-mails, electronic data on any media, etc.); books; drawings; photographs; or any thing on which information is recorded or stored by graphic, electronic or mechanical means, or copies thereof, received by any academic or administrative office of Kerry ETB in connection with the transaction of ETB business and retained by such office as evidence of the activities of Kerry ETB or because of the information contained therein. **It is emphasised here that this policy is equally applicable to records created and preserved in electronic and digital format as it is to paper records.**
- 2.2 This policy applies to records that may be released under the Freedom of Information Act 2014 and the Data Protection Acts 1988 and 2003.
- 2.2 This policy is applicable to all areas and locations of Kerry ETB and includes all departments, offices, schools, institutes, centres and areas of work which form part of Kerry ETB structure.

3. Ownership of Records

- 3.1 All records, irrespective of format, (i.e. both textual and electronic, including e-mails) created or received by ETB staff in the course of their duties on behalf of Kerry ETB, are the property of Kerry ETB and subject to its overall control¹. **Employees leaving Kerry ETB or changing positions within Kerry ETB must leave all records intact for their successors.**

4. Legislation

There is a wide variety of legislation governing records and record keeping in Ireland. With increasing demands for the public sector to adhere to a more accountable and transparent way of operating, the volume of legislation governing record keeping is constantly growing. This has implications for those responsible for systems maintenance, review and auditing, business continuity, records retention and disposition.

¹ As per: Kerry ETB HR Policy Records/Property; Kerry ETB Employee Contract – *Data Protection, Records/Property*.

i) **The Data Protection Acts 1988 & 2003**

The Data Protection Acts 1988 and 2003 cover information; kept in electronic systems or on computer; and, since October 2007, paper records, which relate to a living person. The Act specifies that information must be adequate, relevant and not excessive in relation to the purposes for which it is kept. It also states that this data should not be kept for longer than is necessary.

ii) **The Freedom of Information Act 2014**

In April 2014 ETBs became subject to the terms of the Freedom of Information Act 2014. The FOI Act provides the following statutory rights:

- the right to access records held by public bodies covered by the Act
- the right to have personal information in a record amended where such information is incomplete, incorrect or misleading
- the right to obtain reasons for decisions taken by public bodies affecting the person.

iii) **Education and Training Boards Act 2013**

iv) **Vocational Education Acts 1930 to 2001**

v) **Education Act 1998**

vi) **Education Welfare Act 2000**

vii) **Comptroller and Auditor General Act 1993**

viii) **Department of Education and Skills Circular 0018/2015 Code of Practice for the Governance of Education and Training Boards**

ix) **ETBs Internal Audit Unit (formerly VSSU) Guidelines**

5. Management of ETB Records

5.1 All records created and received by ETB staff in the course of their duties on behalf of Kerry ETB must be retained for as long as they are required to meet the legal, administrative, financial and operational requirements of Kerry ETB, after which time they are either destroyed or transferred to Kerry ETB Archives. The final disposition (either destruction or transfer to the Archives) of records is carried out according to **approved schedules** as outlined in the accompanying appendices.

5.2 While the **record retention schedules** prescribe the minimum period that ETB records must be retained, officers may, at their discretion, keep the records for a longer period of time if it is deemed necessary and appropriate.

5.3 Kerry ETB administers a number of programmes funded by the European Union's European Regional Development. In addition, a number of programmes such as Adult Literacy, Youthreach and BTEI are co-funded by the EU and from time to time other programmes may be in receipt of EU funding. EU requirements stipulate that all records relating to such programmes for seven years e.g. documents relating to 2013 must be retained until 31st December 2020.

6. Responsibilities

6.1 The Chief Executive is responsible for the internal control of Kerry ETB, an element of which must be the retention of records used in the decision-making process for key decisions in order to demonstrate best practice and the assessment of risk.

6.2 It is the responsibility of the individual members of staff to ensure that the appropriate security measures are observed for maintaining records containing personal or other confidential information. When scheduled for destruction, this material must be shredded, pulped, incinerated or otherwise disposed of to ensure that such information is not disclosed.

6.3 It is the responsibility of each Principal/Director/Co-ordinator/Head of Section to operationalise this policy and to designate and inform the appropriate responsible officers in the creating/receiving department/office/school/centre.

6.4 A disposal register must be created and maintained by each administrative department/school/institute/centre/programme.

7. Procedures

7.1 Staff in departments/offices/schools/institutes/centres will carry out an audit of records held and draft **Records Retention Schedules** for ETB records that define the length of time that specified types of records are to be retained, the rationale for the retention period, as well as their final disposition once the retention period expires.

7.2 The draft schedules will be forwarded for final approval to the Chief Executive.

7.3 After the records have been retained by the creating or receiving department/office/school/institute/centre (in-situ or off-site storage) for the requisite time in the records schedules, they are either destroyed or archived for permanent retention.

7.4 It should be noted that the Record Retention Schedule included in the appendices are guidelines only, which give a generic outline of recommended minimum retention and disposition periods for records series. This is designed to facilitate department/office/school/centre, etc. in the development of retention and disposal schedules for records.

These schedules are based on a determination of the following: legal retention requirements as defined in relevant statutes and regulations; administrative and operational requirements; and general best practice. The potential historical value of records is also a consideration.

The development of Records Retention Schedules is an on-going process.

8. Electronic/Digital Records

- 8.1 The same records management principles and policies applied to paper records must also govern the management of electronic/digital records. However, the technological nature of electronic/digital records requires that special consideration be given to matters such as authenticity, accessibility, version control, preservation and disposal.
- 8.2 Electronic/digital records should have the same retention schedules as their paper counterparts.
- 8.3 In the absence of any electronic records management systems, staff should be encouraged to employ good housekeeping practices in the management of electronic/digital documents, i.e. employ a naming convention, have a back-up schedule, delete regularly (especially e-mails), use passwords as appropriate, produce paper copies if required to maintain the integrity of manual files, etc.
- 8.4 In the case of electronic records stored in file servers or data stored in relational databases where the computer equipment is maintained by the IT Systems Administrator, the department which created or maintains these records must formally agree back-up and recovery procedures with the IT Systems Administrator. This is to ensure that there is no ambiguity as to which department is responsible for records in the event of hardware failure or accidental deletion of records.

9. Implementation

This policy will be implemented by the Chief Executive, however the responsibility for day-to-day implementation will lie with individual members of staff in the exercise of their duties.

The date of implementation of this policy is **22nd January, 2018**, the date of adoption by the Education and Training Board.

10. Review

This policy will be reviewed periodically by the Chief Executive and Directors/Senior Administrative Staff/Principals/Co-ordinators and revised if necessary in light of legislative and operational changes.

APPENDIX A

Definitions

ETB Records:

Records created or received by ETB staff in the course of their duties on behalf of Kerry ETB, can be in a variety of physical forms including: paper documents including both written and printed matter; books; drawings; electronic data on any media; photographs; or any thing on which information is recorded or stored by graphic, electronic or mechanical means, or copies thereof received by a school/institute/centre/programme or administrative office of Kerry ETB in connection with the transaction of ETB business and retained by such office as evidence of the activities of Kerry ETB or because of the information contained therein.

Current Records:

Active Records:

Active records are records that are required and referred to constantly for current use, and which need to be retained and maintained in office space and equipment close and readily accessible to users.

Semi-active Records:

Semi-active records are records that are referred to infrequently and are not required constantly for current use. Semi-active records are removed from office space to storage until they are no longer needed.

Non-Current Records:

Inactive Records:

Inactive records are records which are no longer required to carry out the functions for which they were created. They should be stored until the retention period has lapsed.

Permanently Valuable Records – Archives:

Permanently valuable records include those with legal, operational, administrative, historical, scientific, cultural and social significance.

Permanent:

To be retained permanently by the office. Alternatively, if the records are considered inactive, arrangements may be made to have them transferred to an external storage facility or to be scanned for electronic storage.

Records Retention Schedule:

A Records Retention Schedule is a control document that describes Kerry ETB's records at a series level and indicates the length of time each series shall be retained prior to final disposition; the rationale for retention and the final disposition of each series. This document serves as the legal authorisation for the disposal of records.

Disposition:

Disposition is the action taken in regard to the disposal of active records, which can involve physical destruction by means of security shredding under a policy as decided by Kerry ETB or transfer to archival storage for selective or full retention.

Records Series:

Groups of related records that are created and used with a common purpose, for example, financial records; personnel records; examination results, board/committee minutes; etc.

Records Retention Schedules