



Records Management Policy

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Introduction

Carmarthenshire County Council in common with all organisations receives and generates records. Having accurate and relevant information is vital to the efficient management of the authority and we value records and information as corporate assets. We need to balance our statutory obligations (for example providing the public with information) and our desire to be open and responsive with our duties of confidentiality for personal and sensitive records. So, we will create and manage all records efficiently, make them accessible when needed, but protect and store them securely and dispose of them safely at the appropriate time.

There is a plethora of legislation relating to records management, but there are two key pieces of legislation. These are the 1972 Local Government Act (LGA) (Wales) section 224 and the 1994 Local Government Act section 60 which require all principal councils to make and maintain schemes for the care, preservation and management of their records. Two further pieces of legislation, that are making a significant impact on records management, are the Data Protection Act 1998 and the Freedom of Information Act 2002, these set out specific requirements on the creation and management of records.

A list of other Acts with links to them can be found in this Policy under section 3 - Regulatory environment. There are also links on Connect under records management.

Policy Statement

The policy is based on the international standard for records management ISO15489 and is supported by The National Archives' standards, which we must all follow. <http://www.nationalarchives.gov.uk/recordsmanagement/advice/standards.htm>

We will state how compliance will be monitored. We will review our policy regularly to ensure it continues to be relevant

We will make sure that staff have access to records management training. We will encourage staff to manage records properly.

Carmarthenshire County Council owns all records created by employees carrying out the authority's business related activities. Unless the originator keeps ownership (for example records seized as evidence during an enquiry) records received by Carmarthenshire County Council employees are also owned by the County Council. Individual employees do not own records but they do have responsibilities for managing records.

This document describes the roles and responsibilities for managing records, in all technical or physical formats or media, within the authority and aims to make sure that all Carmarthenshire County Council staff understand what they must do to protect and manage records effectively, efficiently and economically. The policy and the standards that go with it apply to all permanent and temporary employees, contractors, consultants and secondees who have access to the authority's records, wherever these records are and whatever form they are in.

1. Definition of records

Records are defined as 'information created, received and maintained as evidence and/or information by an organisation or person, in pursuance of legal obligations or in the transaction of business'.

We can define four categories of records:

- **Current** – records needed to efficiently and effectively conduct current business
- **Semi-current** – records not needed to support current business, but which need to be retained for defined periods for operational, regulatory or legal reasons. These records are often referred to as **modern records**
- **Archival** – records retained permanently because of their value as evidence. The County Council operates a public archive service
- **Redundant** – records which are no longer required and which are not archival. Redundant records should be destroyed

A record should correctly reflect what was communicated or decided or what action was taken. It should also be able to support the needs of (have a useful purpose in) the business to which it relates and be used for accountability purposes. For example minutes should provide an accurate record of the decisions taken at a meeting. As well as the content, the record should contain, or be linked to or associated with, the metadata, or context necessary to document a transaction, in the following way:

- The structure of a record, that is, its format and the relationships between the elements comprising the record, should stay intact.
- The record should be authentic reliable and useable.
- The record should clearly reflect the business context in which it was created, received and used. This should include the business process of which the transaction is part, the date and time of the transaction and the participants in the transaction, in other words an audit trail of the transaction.
- There should be links between items that are held separately but combine to make up one record, for example a spreadsheet in a PowerPoint presentation. Records management procedures and practices should result in records which have authenticity, reliability, integrity and usability.

Emails are often regarded as an ephemeral form of communication. This misconception about how e-mail can be used could result in legal action being taken against the authority or individual staff.

Carmarthenshire County Council has an e-mail policy in place which should be adhered to. You should treat emails in the same way as you would treat any other form of communication that can be recorded. You should type or write them as if someone else was looking over your shoulder.

The importance of this is emphasised by the fact that e-mails are subject to Data Protection and Freedom of Information legislation and can also form part of the corporate record. Staff should be aware that e-mails could be used as evidence in legal proceedings and may be released to the public in response to a FOIA request.

It is the responsibility of all members of staff to manage their e-mails appropriately in order to comply with Data Protection and Freedom of Information legislation.

To ensure the authenticity of records, each Department should set up and document procedures that control the creation, receipt, transmission, maintenance and disposition of records. Each Division should also ensure that record creators are authorised and identified and that records are protected against unauthorised addition, deletion, alteration, use and concealment.

1.1 An 'authentic' record

An authentic record is one that can be proven to:

- a) be what it claims to be;
- b) have been created or sent by the person said to have created or sent it;
- c) have been created or sent at the time claimed;
- d) have not been tampered with; and
- e) be credible and authoritative so that evidence can be safely derived from it

1.2 A 'reliable' record

A reliable record is one whose contents can be trusted as a full and accurate representation of the transactions, activities or facts they concern and can be depended on in subsequent transactions or activities.

1.3 A 'useable' record

A useable record is one that can be located, retrieved, presented and interpreted. It should be capable of subsequent presentation as directly connected to the business activity or transaction that produced it. The contextual linkages of records should carry the information needed for an understanding of the transactions that created and used them. It should be possible to identify a record within the context of broader business activities and functions. The links between records that document a sequence of activities should be maintained.

1.4 The 'integrity' of a record

The integrity of a record refers to its being complete and unaltered.

Good records management relies on the following principles being applied:

- the regular review of information
- the controlled retention of information
- the controlled disposition of information

Good management of records and the information contained within them will benefit the authority through:

- records being easily and efficiently located, accessed and retrieved
- information being better protected and stored more securely
- records being disposed of safely and at the right time

The principle of records management is to ensure that a record is managed through its full Records Life Cycle i.e. the creation or receipt of a record, maintenance of the record, managing its use, access to it, storage, retrieval and finally disposal of the record.

2 The need to manage records

Maintaining efficient records management practices will help us meet our statutory objectives and overall business responsibilities. Whatever form the record takes, knowledge and information must be protected. It must also be accurate, ordered, complete, useful, up to date and accessible whenever it is needed to:

- a) help us carry out our business;
- b) make sure we comply with relevant legislation (see section 3 below);
- c) support theme work, research and development;
- d) help us all make informed decisions;
- e) keep track of policy changes;
- f) ensure that legal precedents are identified;
- g) support continuity and consistency in management and administration;
- h) protect the rights of employees, regulated entities and the general public;
- i) provide an audit trail to meet business, regulatory and legal requirements;
- j) make sure that we work effectively as a regulator and prosecuting authority and meet our lawful obligations for disclosing evidence
- k) promote our activities and achievements; and
- l) make sure we are open and responsive, as required under The Freedom of Information Act.

3 Regulatory environment

We work in a regulatory environment influenced by many factors:

- a) Statute, case law and regulations govern our business environment; these include, but are not limited to:

- i. Financial Services and Markets Act 2000, in particular s.394 and Schedule I paragraph 9;
(http://connect/fsma/data/fsma/act/act_index.htm)
 - ii. Data Protection Act 1998;
(<http://www.hmso.gov.uk/acts/acts1998/19980029.htm#aofs>)
 - iii. Freedom of Information Act 20001;
(<http://www.hmso.gov.uk/acts/acts2000/20000036.htm#aofs>)
 - iv. Environmental Information Regulations 1992 & Environmental Information (Amendment) Regulations 1998;
 - v. Criminal Justice Act 1988;
 - vi. Civil Evidence Act 1995;
 - vii. Regulation of Investigatory Powers Act 2000 (RIPA);
 - viii. Companies Acts 1985, 1989; and
 - ix. The Human Rights Act 1998.
 - x. The Local Government (Wales) Act 1994
- b) Mandatory standards of practice, for example Company Law requirements.
 - c) Voluntary codes of best practice, for example the Lord Chancellor's Code of Practice on the Management of Records under Freedom of Information (<http://www.dca.gov.uk/foi/codemanrec.htm>).
 - d) Voluntary codes of conduct and ethics, which include, but are not limited to: i. The National Archives – Records Management Policy Statement

Roles and responsibilities

1 Executive Responsibility

The Performance and Improvement Manager has overall executive responsibility for our records management policy and standards, and for supporting their application throughout the organisation.

2 Corporate Records Management Unit(RMU) responsibilities

The Records Management Unit, part of The Strategic Information Unit, has the following responsibilities:

2.1 Policy and standards

The RMU is responsible for making sure that the records management policy and standards are kept up to date and relevant to the needs and obligations of the organisation. They achieve this by consulting and working with the authority's staff.

2.2 Communication and awareness

The RMU is responsible for telling staff about the records management policy and standards and for ensuring that all staff are aware of their responsibilities for managing records.

2.3 Advice and guidance

The RMU is responsible for giving records-management advice and guidance to staff.

2.4 ‘Orphan’ records

The RMU is responsible for seeking decisions about the management of records for which there is no clear Business Unit responsibility, for example records for entities that are no longer regulated by the authority

2.5 Modern Records

The RMU is responsible for managing the authority’s modern records. The [User Procedure](#) should be referred to by all staff prior to depositing or requesting records. The boxes supplied by the RMU unit must be used for depositing records. As from 1st April 2006 there is a charge for boxes issued, the charge is £1 per box.. The RMU keep a log of the number of boxes issued on a yearly basis and the cost per department will be apportioned accordingly. An internal transfer will be raised annually.

3 Line Management Responsibility

Managers at all levels are responsible for:

- developing and operating records management procedures, covering both electronic and hard copy records, that:
 - are efficient and fit for purpose; and
 - comply with our records management policy and standards;
- ensuring that appropriate resources exist within the area for fulfilling the responsibilities for managing records;
- communicating local records management procedures;
- quality assurance of Divisional records management processes and procedures;
- ensuring that staff follow procedures for the offsite storage of hard copy records;
- ensuring that staff follow procedures for the management and storage of electronic records; and
- creation and maintenance of retention schedules and regular review

and authorised destruction of records is carried out.

4 Responsibility for project records

Records about projects, which involve two or more Departments are the responsibility of the project manager. Project managers are responsible for:

- identifying project related records and liaising with relevant local contacts to ensure that the records are managed efficiently and comply with our records management policy and standards;
- ensuring that there are appropriate resources within the project for fulfilling the responsibilities for managing records;
- quality assurance of records management processes and procedures within the project; and
- ensuring the appropriate disposition of project records.

5 Responsibilities of individuals

Everyone who creates or receives records is responsible for following Carmarthenshire County Council records management procedures.

Standards

1 Deciding what is a record

To decide whether something is a record, look at it in the context of:

- the regulatory environment;
- business and accountability requirements; and
- the risk of not keeping it.

1.1 Version control

Sometimes (for example during the development of policy) successive drafts of a document must be kept to provide adequate evidence of the process e.g. substantial changes during the development of policy.

2 Capturing records

Capturing a record means to place it in a records management system. We need to capture items as records to:

- establish a relationship between the record, the creator and the business context that originated it (that is, why it was created);
- place the record and its relationship within a records system;
- link it to other records; and
- ensure that appropriate audit trails are maintained

To 'capture' a record, we need to allocate explicit metadata, embedded in, attached to or associated with the specific record, whatever its format. This metadata is essential for accurately re-tracing the status, structure and integrity of the record at any particular time and showing its relationships with other records.

Techniques to ensure capture of records include:

- a) classification and indexing which allow appropriate linking, grouping, naming, security protection, user permissions and retrieval, disposition, and identifying vital records (see also Section 5);
- b) arrangement in a logical structure and sequence, whether a physical (paper) file or an electronic directory, which helps with further use and reference (see also Section 5);
- c) registration which provides evidence of the existence of records in a records system (see also Section 3.1); and
- d) systems that control the actions undertaken in doing business, which:
 - i. provide metadata describing the business context;
 - ii. provide evidence of where a record is located;
 - iii. identify what action is outstanding;
 - iv. identify who has accessed a record;
 - v. identify when such access took place; and
 - vi. provide evidence of the transactions that have been undertaken on the record (in other words an audit trail).

2.1 Registering records

The main purpose of registration is to provide evidence that a record has been created or captured in a records system. It also helps in retrieving the record. It involves recording brief descriptive information or metadata about the record, and assigning the record a unique identifier. Registration formalises the capture of the record into the records system.

In a records system that uses registration processes:

- a record is registered when it is captured into the records system (this may include placing a manual record into a structured filing system or the automated registration of electronic records in an electronic record keeping system); and
- no further processes affecting the record can take place until its registration is complete.

Records may be registered at more than one level (for example at the file series, file or record level) within a records system. In the electronic environment, records systems may be designed to register records automatically, in a way that is

transparent to the user of the business system from which it is captured and without the need for a record manager.

3 Retention of records

You should decide how long to keep a record by consulting the [Records Retention Guidelines](#). The Retention Guidelines state how long each record series should be kept and the justification for these periods. Should you not find the class of record for which you're seeking a retention period in the Guidelines please contact a member of staff in the RMU.

3.1 Vital record

A vital record is one that is essential to the continued operation of the organisation following a disaster.

4 The necessity of subject classification and indexing

Subject classification of records, based on business activity, acts as a powerful tool to help us conduct our business and many of the processes involved in managing records, including:

- a) providing links between individual records we collect for a continuous record of activity;
- b) making sure records are named consistently over time;
- c) helping in the retrieval of all records about a particular function or activity;
- d) deciding security protection and appropriate access for sets of records;
- e) allocating user permissions for access to or action on particular groups of records;
- f) distributing responsibility for management of particular sets of records;
- g) distributing records for action; and
- h) deciding appropriate retention periods and disposition actions for records.

4.1 Subject classification system

Subject classification is based on an analysis of the authority's business activities. These systems can be used to support various records management processes.

4.2 Indexing

An index gives the user an efficient means of tracing information. An index or indices should allow the user to:

- a) understand it easily, enabling them (and their successors) to quickly establish the presence or absence of information on a given subject;
- c) identify and locate relevant information within records;
- d) group together information on subjects; and
- e) search for information using indexing terms that are appropriate to their needs.

Indexing can be done manually or be automatically generated. It may occur

at various levels of aggregation (file series, file or record level) within a records system and includes full text indexing.

4.3 Vocabulary control

A vocabulary control is an agreed list of keywords or terms which are used for specific purposes, for example a thesaurus.

Vocabulary controls should explain organisation-specific definitions, abbreviations or usage of terms. Subject classification systems and indexes may be supported by vocabulary controls that are suited to the complexity of the records of an organisation.

4.4 Using numbers and codes as well as using titles

Shorthand methods of referencing records by means other than the title are commonly used. Allocating numbers or codes to a group (file series, file or record level) of records is quite common. Coding records can help locate them where the number or code indicates the 'address' of the record and so may also be used to retrieve the record.

5 Storing and Handling records

You need to consider the specific physical properties of records to decide how to store and handle them. Records that continue to be useful and relevant, no matter what format they are in, need appropriate storage and handling to preserve them for as long as they are needed.

6 Access and security of stored records

The regulatory environment in which we operate sets the broad principles on access rights, conditions or restrictions that should be incorporated into the records systems. These should consider legislation covering areas such as privacy, data protection, security, and freedom of information.

- Records may contain personal, commercial or operationally sensitive information. In some cases access to the records, or information about them, should be restricted.
- Restrictions on access can be applied both within the organisation and to external users, and should reflect the legal and other rights of the authority and any other persons affected by its actions.
- Restricted records should be identified as such, only where specifically required by a business need or the regulatory environment. *Restrictions should be imposed for a stated period, to ensure that the additional monitoring required for these records is not enforced for longer than needed.*

The need to place restrictions on accessibility can change with time; but it should be noted that adding a restriction to a record does not necessarily prevent access to the record or the information. The Freedom of Information Act is intended to promote a culture of openness and accountability amongst

public authorities. It promotes disclosure of information, unless an exemption applies and even then a public interest test may be applied.

The use and application of restrictions to the authority's records should be carefully considered as requests for information made under the Data Protection Act and the Freedom of Information Act could still result in the information having to be released, irrespective of any restrictions previously applied. Ensuring appropriate access controls is done by assigning access status to both records and individuals.

Managing the access process involves ensuring that:

- a) records are categorised according to their access status at a particular time;
- b) records are only released to those who are authorised to see them;
- c) encrypted records can be read as and when required and authorised;
- d) records processes and transactions are only undertaken by those authorised to perform them; and
- e) parts of the organisation with responsibility for particular business functions specify access permissions to records relating to their area of responsibility.

The monitoring and mapping of user permissions and functional job responsibilities is a continuing process, which occurs in all records systems regardless of format.

7 Keeping track of records

Tracking of the movement, location and use of records within a records system is required to:

- a) identify outstanding action required;
- b) enable retrieval of a record (to include the ability to track records stored in different media, for example electronic and hard copy);
- c) prevent loss of records;
- d) monitor use of systems maintenance and security, and maintain an auditable trail of records transactions (that is, capture or registration, classification, indexing, storage, access and use, migration, transfer or disposal); and
- e) maintain the ability to identify the origins of individual records where systems have been amalgamated or migrated.

7.1 Using 'action tracking'

Action tracking may be used in a records system where time limits for actions are imposed by or on the organisation. Action tracking:

- a) allocates steps to be taken in response to decisions or transactions documented in a record;
- b) assigns responsibility for action to a designated person; and
- c) records dates by which the predefined action is to be taken and dates when those actions occur.

Action tracking can only be effectively used if material is registered into the records system before forwarding to the designated persons.

7.2 Keeping track of a record's location

The movement of records should be documented to ensure that items can always be found when required.

Tracking mechanisms may record the item identifier, the title, the person or unit possessing the item and the time/date of movement.

8 When and how to dispose of records

Disposition is the process of deciding whether to keep, move or destroy records. An effective records management program is a system that tracks the life cycle of each record. It means knowing when a record is created, what function it serves, how long it is considered useful by the organisation that created it, what the parameters are for maintaining it and for how long, and what legal authority enables it eventually to be destroyed and when, if at all.

The benefits of an effective program are many:

- Saves office space and corresponding filing equipment, non-active storage and long –term preservation expenses
- Assists officers in making informed policy
- Assures the fullest possible historical documentation of official legal and administrative and financial actions
- Protects the privacy and confidentiality of appropriate records
- Makes record research and future records management more organised and efficient
- Protects essential records from being lost, damaged, or destroyed by negligence or natural disaster.

'Disposition action' is the:

- a) immediate physical destruction, including overwriting and deletion;
- b) retention for a further period within the business unit;
- c) transfer to an appropriate storage area or medium under Divisional/Departmental control;
- d) transfer to the Records Management Unit (semi-current records)
- e) transfer to another organisation that has assumed responsibility for the business activity through restructure, transfer or privatisation;
- f) transfer to a storage area managed for the authority by an external provider where appropriate contractual arrangements have been entered into;
- g) transfer of responsibility for management to an appropriate authority while physical storage of the record is kept by the creating organisation; or the
- h) transfer of records to the County Archives if the records are selected for permanent preservation.

8.1 Destruction of Confidential records

Destruction must always be authorised. The destruction of confidential records must be certified. It is essential that any paper records destroyed, which contain 'personal' or 'sensitive' information, are either shredded or destroyed via the confidential waste service.

- 'Personal data' is regarded as any information from which a person can be identified, from names and addresses to photographs and ID numbers
- 'Sensitive data' is anything relating to: political opinions; racial or ethnic origin; religious or similar beliefs; trade union membership; physical/mental health or condition; sexual life; offences or criminal proceedings.

Carmarthenshire Recycling are responsible for the removal of the modern records confidential waste from the Records Management Unit. As from 1st November 2006 the charge for the removal of confidential waste is £45 per hour for collection plus £100 per ton for shredding. This equates to £4 per box. The RMU keep a log of the number of boxes destroyed on a monthly basis and the cost per department will be apportioned accordingly. An internal transfer will be raised monthly.

Audit trails of records destroyed should be kept permanently.

8.2 Destruction of non-confidential records

Destruction must always be authorised. Non-certified (recycle) destruction is generally used for non-confidential, non-sensitive records. Carmarthenshire Recycling are responsible for the removal of the modern records non-confidential waste from the RMU . The charge for non-confidential waste equates to £1 per box. The RMU keep a log of the number of boxes destroyed on a monthly basis and the cost per department will be apportioned accordingly. An internal transfer will be raised monthly.

Audit trails of records destroyed should be kept permanently.

For more information and advice on destruction please go to [Records Disposition Procedure](#).

For further information or advice regarding records management please contact the Records Management Unit 01267 224183/224181 nnthomas@sirgar.gov.uk

Glossary of terms

Access

Right, opportunity, means of finding, using or retrieving information. [ISO 15489]

Accountability

Principle that individuals, organisations, and the community are responsible for their actions and may be required to explain them to others. [ISO 15489]

Action tracking

Process in which time limits for actions are monitored and imposed on those conducting the business. [ISO 15489]

Classification

Systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods, and procedural rules represented in a classification system. [ISO 15489] See also Security Marking

Conversion

Process of changing records from one medium to another or from one format to another. [ISO 15489]

Destruction

Process of eliminating or deleting records, beyond any possible reconstruction. [ISO 15489]

Disposition (keeping, moving or removing records)

Range of processes associated with deciding whether to keep, destroy, or transfer records. These are documented in disposition authorities, retention schedules or other instruments. [ISO 15489]

Document, noun

Recorded information or object which can be treated as a unit. [ISO 15489]

Indexing

Process of creating access points to facilitate retrieval of records and/or information. [ISO 15489]

Metadata

Data describing context, content and structure of records and their management through time. [ISO 15489]

Migration

Process of moving records from one system to another, while maintaining the records' authenticity, integrity, reliability and usability. [ISO 15489]

Preservation

Processes and operations involved in ensuring the technical and intellectual survival of authentic records through time. [ISO 15489]

Record series

A group of related records that are normally used and filed together or otherwise linked and that allow consideration as a unit for use, review, retention or destruction purposes.

Records

Information created, received and maintained as evidence and/or information by an organisation or person, in pursuance of legal obligations or in the transaction of business. [ISO 15489]

Records management

Field of management responsible for the efficient and systematic control of the creation receipt, maintenance, retrieval, use and disposition of records. These include processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records. [Based on ISO 15489]

Registration

Act of giving a record a unique identifier on its entry into a system. [ISO 15489]

Retention schedule

See Disposition

Semi-current

Records not needed to support current business, but which need to be retained for defined periods for operational, regulatory or legal reasons.

Security marking

Indicators defining the handling, storage and disposal arrangements, which are required to protect the material to a level appropriate to its sensitivity.

Tracking

Creating, capturing and maintaining information about the movement and use of records. [ISO 15489]

Transfer [custody]

Change of custody, ownership and/or responsibility for records. [ISO 15489]

Transfer [movement]

Moving records from one location to another. [ISO 15489]

Vital records

Records, in whatever form, that are essential to the continued operation of the authority after a disaster (business recovery).

References and links

29 Records Management Policy and Standards - RMPS

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The National Archives – Records Management Advice, Retention and Disposal schedules – Retention

Scheduling 11. Internal Audit Records

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/sched_internal_audit.pdf

The National Archives – Records Management Advice, Retention and Disposal schedules – Retention

Scheduling 4. Health and Safety Records

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/sched_health_safety.pdf

The National Archives – Records Management Advice, Retention and Disposal schedules – Records Management: Retention Scheduling 5. Contractual Records

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/sched_contractual.pdf

The National Archives – Records Management Advice, Retention and Disposal schedules – Records Management: Retention Scheduling 8. Press and Public Relations Records. Version 1, March 2002

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/sched_press.pdf