

Records Management



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TOPICS

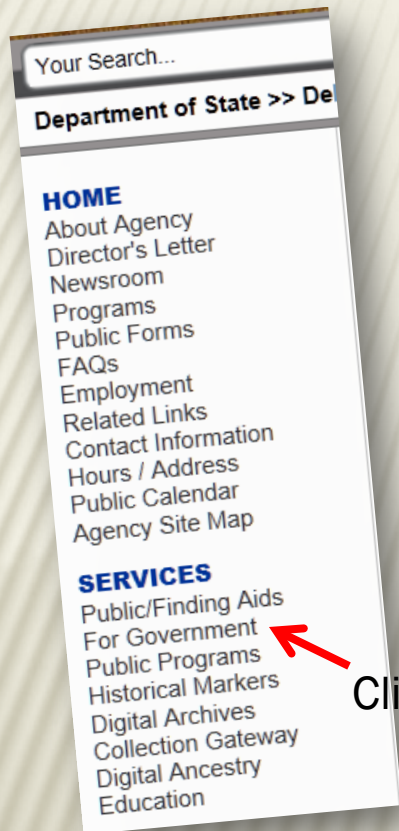
- Delaware Public Records Law
- Responsibilities of Public Officials and Employees
- What is a Public Record?
- Designation of Records Officer & Authorized Agent
- Delivery of Records to Successor
- What is a Retention Schedule?
- Records Destruction
- Permanent Storage
- Access and Ownership
- Retrieving Records
- Benefits of Records Management
- Delaware Public Archives Website

DELAWARE PUBLIC ARCHIVES WEBSITE

archives.delaware.gov

For Government

- Agency Assignments
- Agency Specific Retention Schedules
- General Records Retention Schedules
- Local Government
- Manual
- Records Management Forms
- Records Policies
- Records Storage and Records Boxes
- Training



Click here

DELAWARE PUBLIC RECORDS LAW

29 Delaware Code, Chapter 5

“Delaware Public Archives is responsible for establishing and enforcing the policies and guidelines for the management and preservation of all public records of this State and the political subdivisions thereof.”



RECORDS MANAGEMENT FORMS

Records Officer /
Authorized Agent

- Used by agencies to designate a Record(s) Officer and Authorized Agent(s)

Destruction Notice

- Used by agencies requesting to destroy records that have met their required retention

Transfer
Document

- Used by agencies requesting to transfer documents to the State Records Center or Archives

Records Service
Form

- Used by agencies to retrieve boxes/files that were previously transferred to the States Records Center DPA

Records Series
Inventory Form

- Used by agencies to create or modify an existing records retention schedule

PUBLIC RECORDS COME IN MANY FORMATS



Content on Website



Blog Postings



**Information Captured On
Electronic Devices**

*(Databases, Servers,
Networks)*



Social Media

(Facebook, Twitter, You Tube)



Paper Files

(Books and forms)



**Electronic Messages and
Attachments**

(Instant Messaging, Texts)



**Documents on Personally
Owned Devices**

(Cell Phones, Flash drives)

IMPORTANCE OF RECORDS

- Document the history and legal responsibility of an agency
- Contain information which allow government programs to function
- Ensure continuity with past operations
- Provide officials with a basis for making decisions
- Provide citizens with a means of monitoring governmental programs and measure the performance of public officials

DESIGNATION A RECORDS OFFICER

- Each Chief Administrative official is required to designate at least one Records Officer using the Records Officer /Authorized Agent Appointment form
- Designations occur annually and are effective on July 1st
- Notify the DPA within 30 days if an agency's designee(s) changes

RECORDS OFFICER RESPONSIBILITIES

- Serve as the agency's liaison to DPA
- Develop and supervise their agency's records management programs
- Develop/Assist in any revisions of an agency retention schedule
- Document authorized transfers and destructions
- Maintain information on records transferred to DPA



DELIVERY OF RECORDS TO SUCCESSOR

At the end of a term of office, appointment, or employment all records kept or received by the custodian, shall be turned over to his/her successor, supervisor or records officer.

29 Del. Code §506

RETENTION SCHEDULES ARE BASED ON THE VALUE OF THE RECORD



ADMINISTRATIVE VALUE

- Records that support the day-to-day operations and are used in conducting routine business and assisting the creating agency in performing the functions for which they are responsible.



FISCAL VALUE

- Records that document an agency's financial transactions and obligations
- Accounting Records, Audit Reports, Budgets, Ledgers, etc.



HISTORICAL VALUE

- Records that provide information about our past and help guide us into the future. They often document the development of government and its policies
- Birth and Death Records, Minutes, Photographs, etc.



LEGAL VALUE

- Records that document legally enforceable rights or obligations for an agency
- Contracts and Agreements, Civil and Criminal Case Files, Land Records, Legal Opinions

Sample Retention Schedule

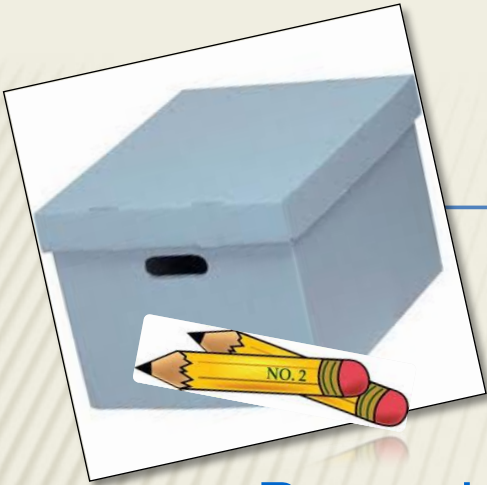
SERIES #	SERIES TITLE AND DESCRIPTION	VITAL	RETENTION INSTRUCTIONS
LGADM-013	<p>MAPS/PLANS/PLOTS</p> <p>Local government maps or drawings (current and outdated) of roads, streets, zoning, parks, flood plains, subdivision annexations, and other geographical and geological aspects of the local government, produced by or for any local government departments or subdivisions.</p>	VITAL	Transfer copy of each map to Archives for permanent preservation. Retain copy of each map permanently at agency.
LGADM-020	<p>LITIGATION CASE FILES</p> <p>Legal documents, court decisions, correspondence, reports, background material, accident reports, and other documents relating to cases to which the local government is a party, including but not limited to those involving accounts receivable, real property, acquisition and control, negligence and personal injury, labor relations, workers' compensation, and tax foreclosures.</p>		Retain at agency 10 years after close of case; destroy.

DESTRUCTION

Prior to destruction, agencies must ensure:

- ☑ The records have met their required retention
- ☑ The records are NOT subject to any active or pending litigation, audit, Freedom of Information Act (FOIA) requests, or an appeal of a FOIA decision
- ☑ The records are no longer required under any other legislation, and all statutory and regulatory requirements are fulfilled
- ☑ The records have no further administrative or business use to the agency
- ☑ A completed Destruction Notice form has been approved by the Delaware Public Archives' State Archivist
- ☑ 29 Del Code § 504

PERMANENT STORAGE



- Records MUST be placed in acid free boxes with each records series boxed separately
- Place files upright in proper sequential order
- Boxes may only be written on in pencil
- Prepare a content list
- Complete a Transfer Document
- Submit request via email to DPA for review and approval

ACCESS AND OWNERSHIP

Once records have been transferred to the Delaware Public Archives the Archives becomes the owner of the records.

If an agency requests a record(s) stored at the Archives a copy is provided to the agency but not the original document(s).

RETRIEVING RECORDS PREVIOUSLY TRANSFERRED



Request must be made by Records Officer/Authorized Agent



Completion of Records Service Form



Submit Form via e-mail to Ready Records
rrecords@state.de.us



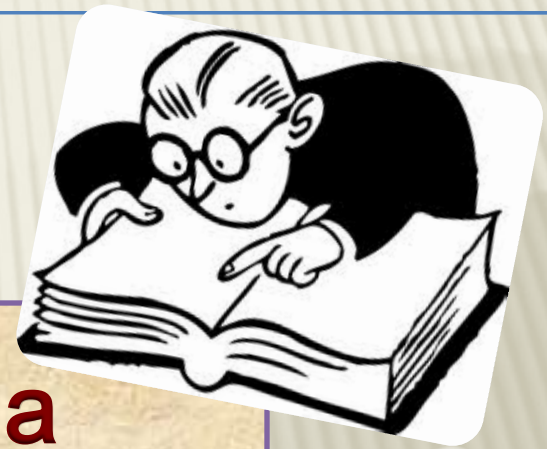
WHAT CAN AGENCY'S DO TO MANAGE THEIR RECORDS EFFECTIVELY?

- Familiarize yourselves with the records retention schedule
- Become aware of policies and procedures relating to the transfer and destruction of records
- Share your Records Management knowledge with co-workers

BENEFITS OF RECORDS MANAGEMENT

- Improved use of staff time
- Reduces costs associated with retaining unnecessary information
- Reduces risks in litigations and government investigations
- Protecting Records that are essential to mission critical business operations

CONTENT MATTERS



It is the *content* of a
record,
not the medium,
that determines whether a
record is a public record

QUESTIONS ?

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