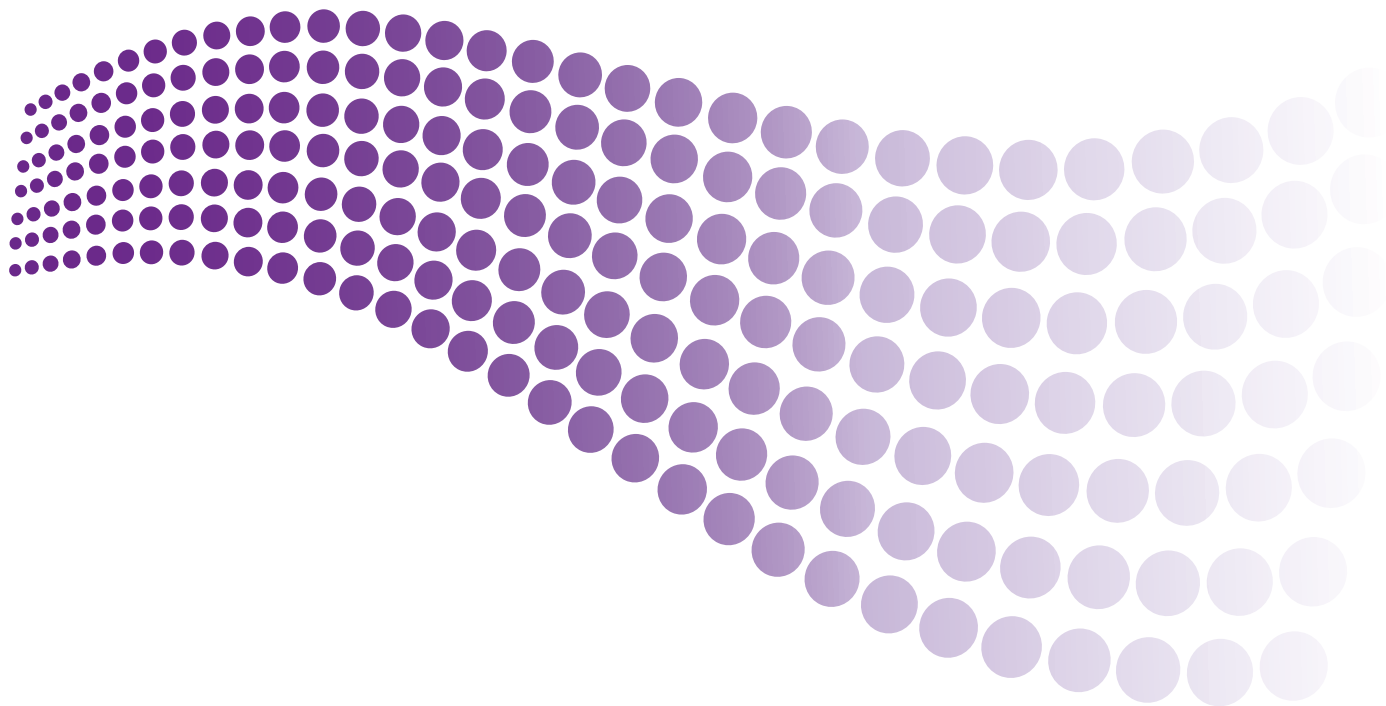


Guide 8 Disposal of records



This guidance has been produced in support of the good practice recommendations in the Code of Practice on Records Management issued by the Lord Chancellor under section 46 of the Freedom of Information Act 2000. A PDF version of the full code can be found here:

www.justice.gov.uk/guidance/docs/foi-section-46-code-of-practice.pdf

Who should read this guide

This guide is written for people who have no background in records and information management but find themselves responsible for it within their organisation, or have some other reason for acquiring a basic understanding of the subject.

What this guide is about

This guide is one of a series of guides produced to support the good practice recommendations in the Code of Practice on Records Management issued by the Lord Chancellor under section 46 of the Freedom of Information Act 2000 (from now on this Code of Practice will be referred to as 'the Code').

The guide covers the seventh good practice recommendation (in section 12 of the Code):

'Authorities should define how long they need to keep particular records, should dispose of them when they are no longer needed and should be able to explain why records are no longer held.'

It explains why disposal is important and provides guidance on how to go about it. Note that in this guide, as in the Code, disposal has two elements: making a disposal decision and putting that decision into effect. This guide deals with both elements in the following sections:

- 1 Introduction to disposal**
- 2 Organisational value and archival value**
- 3 Disposal policies and schedules**
- 4 Making disposal decisions about records not on disposal schedules**
- 5 Implementing disposal decisions**
- 6 Disposal of records affected by loss of functions**

At the end there are references to some **further guidance** and a list of **other guides** in this series.

Note that these guides do not apply to the management of archives, i.e. the small proportion of records selected for permanent preservation and transferred to an archives service once they were no longer needed by the authority for current business or legal reasons.

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1 Introduction to disposal

Disposal is an important part of records management. Properly done, it ensures that the organisation retains records for as long as they are needed and then, when they are no longer needed, destroys them in an appropriate manner or disposes of them in some other way, e.g. by transfer to an archives service.

A managed disposal process has several benefits:

- it avoids unnecessary storage costs incurred by using office or server space to maintain records no longer needed by the organisation
- it supports compliance with the 5th data protection principle if records contain personal information (this principle requires organisations not to keep personal information for longer than necessary)¹
- finding and retrieving information is quicker and easier because there is less to search
- responding to Freedom of Information (FOI) requests is more efficient.

Note that there is a natural connection between deciding which records should be kept (described in **Guide 4**) and deciding how long to keep those records (described in this guide). It may be possible to follow the steps outlined in **Guide 4** and make both decisions as part of a single project. You could even, if you wished, produce a single schedule combining the business rules on what records to keep with the disposal decisions for those records.

This guide assumes that disposal will usually take place as part of the normal records management process. There are two circumstances in which disposal may need to be handled as an addition to this process:

- a quantity of legacy records require attention
- functions are being transferred to another authority and disposal of records becomes part of the change process.

The former is described at **section 4** and the latter at **section 6**.

In this guide, disposal consists of two elements:

- making disposal decisions
- implementing those disposal decisions

Making disposal decisions

Making disposal decisions is about deciding two things:

- how long records should be kept, i.e. their retention period
- what should happen at the end of that period.

The retention period can be very short – a matter of months – or it can be very long, even permanent. Records which are to be kept permanently are usually transferred to an archives service when no longer required by the organisation. Only a very small proportion of the overall records of the organisation – perhaps 5% – fall into this category and most records are destroyed at the end of their retention period.

Deciding the retention period involves considering two things:

- how long the organisation needs to keep the records for its own legal, accountability or reference purposes
- whether the records should be destroyed or kept permanently for archival purposes.

1 The principles are set out in Schedule 1 to the Data Protection Act 1998: legislation.gov.uk/ukpga/1998/29/contents

In both cases a value is being assigned to the records – an organisational value in the former case and an archival value in the latter case. These values are discussed in the next section.

TOP TIP

- ◆ The earlier you assess these values and decide the retention periods the better. This enables you to get useful information about their context and contents from the people who created and used them. Early assessment is particularly important with digital records because they will not survive without active management right from the start, and the length of time the records are to be retained affects which preservation strategy is selected (see **Guide 6**).

Implementing disposal decisions

Making a disposal decision is an important first step but to realise the benefits identified above you need to implement the decisions in a timely and effective way. This means monitoring retention periods and taking appropriate disposal action when they come to an end. This disposal action will be one of the following:

- destruction of records
- transfer of records to an in-house or external archives service
- a further review of records (if necessary)
- transfer of records to a successor body (if applicable).

They are discussed further in **section 5** and **section 6**.

2 Organisational and archival value

The retention period depends on the organisational value and, if applicable, the archival value of the records. These values are explained in this section of the guide.

Organisational value

Organisational value focuses on the organisation's needs and obligations and on the records as information assets. It is about value for accountability, legal or reference purposes and includes protection of the legal and other rights of the organisation and those with whom it deals, and compliance with whatever regulatory framework applies.

Organisational value will be determined by considering the following factors:

- the importance of the function that the records support
- what business units (individual parts of the organisation) say about their requirements for continued access to the records, including the risks of not having this access
- the importance of the records for protecting the interests and legal rights of the organisation and those with whom it deals
- any legal or regulatory requirements – even if they do not actually specify the length of time records must be kept, they may include relevant things like liability thresholds
- the requirements of any body with a right to audit the organisation

- any accepted standards or best practice for the sector
- the relationship between the records and other related records and the data or evidence they provide.

Often information rich, cumulative or summary records will be kept in the longer term while more detailed, bulky but ephemeral records can and should be destroyed earlier. For example, the quarterly accounting reports will be kept in the longer term while the weekly reports that contribute to them can be destroyed once the quarterly report has been compiled. Duplication is another issue which can affect disposal decisions.

TOP TIPS

- ◆ When you have decided the retention periods, ensure they are formally documented in disposal policies and schedules (see **section 3**).
- ◆ At the end of the retention period, dispose of the records as specified in the policies and schedules (see **section 5**).

Archival value

Archival value has a wider and more long-term focus. Archival value is about value for corporate memory purposes and for historical or cultural purposes. Often the records which need to be kept in the long term because of their organisational value are also the records with archival value.

The kinds of records that have archival value are:

- records documenting the origins and legal status of the organisation
- records documenting the obligations, rights and entitlements of the organisation and those with whom it deals, including evidence of compliance with regulations and procedures where there may be long term environmental and health impacts
- records providing evidence of the organisation's structure, policies and key decisions
- records about key activities, programmes, projects etc.
- key publications produced by the organisation, including information published on its website (unless these survive elsewhere)
- information that provides significant context and background to the archives, e.g. organisation charts, historical narratives and selected public relations material.

TOP TIPS

- ◆ Include records with archival value in disposal policies and schedules (see **section 3**).
- ◆ Consult the archives service to which records with archival value will be transferred (see **section 5**).

3 Disposal policies and schedules

Organisations are accountable for the way in which they use and dispose of their assets and this includes disposal of their records. They also need to be in a position to explain the absence of records that were once held. For these reasons it is recommended that disposal decisions are clearly documented in disposal policies and schedules.

A disposal policy can be either part of the overall records management policy or a separate document. The policy usually provides an overview and serves as an introduction to a more detailed document, the disposal schedule or, for large organisations, disposal schedules. (Some authorities use the term retention schedule instead of disposal schedule but the term disposal schedule was used in the Code and is used throughout this guide.)

A disposal schedule is a set of rules identifying classes of records and specifying their retention periods and what should happen to them at the end of that period. Disposal class is the term used in this guide for the set of records to which a disposal decision applies. This set is an aggregation of individual records which are similar in nature and result from the same activity, either in a particular business unit or throughout the authority. Aggregating these records into disposal classes ensures consistency and also cuts down on the time and resources needed to make and apply disposal decisions.

EXAMPLES Disposal classes

- ◆ Personnel files – each file refers to a different member of staff but its composition will be identical to the other files in the set. You can therefore set a retention period for all files in the set.
- ◆ Complaints records – the nature of the complaint may differ but handling will follow an agreed process and most complaints files can be given the same retention period.
- ◆ Project records – if the organisation uses a standard project methodology the same types of records will be created during the course of each project, e.g. project plans, reports, etc.
- ◆ Procurement records – if the organisation has standard procurement rules the same types of records will be created during a procurement process, e.g. statement of requirements, business case, invitations to tender, etc.

Benefits of disposal schedules

The main benefits of disposal schedules are:

- records of continuing value are identified and can be managed appropriately
- records which cease to have any value to the organisation or as archives can be disposed of efficiently
- clear instructions on what happens to records when they are no longer needed to support the business
- definitive periods of time for which records should be kept and remain accessible
- consistency in retention of records across the organisation
- evidence of compliance with legal and regulatory requirements for the retention of records
- evidence of what records were created but subsequently destroyed.

Contents of disposal schedules

The disposal schedule should provide sufficient information for the records covered by each disposal class to be identified and the disposal decision put into effect. What details should be included will vary from organisation to organisation and will depend on factors such as:

- technology – whether the records are in physical or digital format or a hybrid of both (this will determine whether the format of each disposal class needs to be specified in the schedule)
- location – if records are held on several sites or in several systems it may be necessary precisely to specify where they are stored
- storage arrangements – if records are moved off-site or off-line, it may be necessary to specify when this should take place
- the size of the organisation – if the organisation is large enough to be broken down into separate business units, the creating business unit or, alternatively, the function should be specified.

Here are the categories of information that should or could be provided for each disposal class, with an indication of their importance:

Contents of disposal schedules		
Information	Description/explanation	Importance
Schedule reference	To facilitate cross-referencing	Must have
Identifying details	A title or description of the records – this enables the entry in the schedule to be matched with the records	Must have
Business unit or function	Records creator	Must have
Location or system	To enable the records to be found	Must have
Disposal decision	The retention period and what happens at the end of that period	Must have
Reason for disposal decision if applicable	E.g. a specific statutory provision	Must have
Notes	For other relevant information such as related records	Must have
Who is responsible for ensuring disposal takes place	To provide clarity if responsibility is devolved	May need
Confidentiality/security/personal data issues if applicable	To provide an alert to the need for special handling	May need
Technology in which the records are stored	To distinguish between similar records in different formats	May need
How long records are to be kept in office space or on the main server, if off-line or off-site storage is available	Destruction may be preceded by a period of off-line or off-site storage	May need

The disposal decision in a disposal schedule should be one of the following:

- to destroy records
- to retain records within in the organisation
- to transfer them to an archives service.

For some records it may be necessary to specify the disposal action as 'review' after a further period but this should be avoided if possible because all it does is postpone the final disposal decision. It is really only valid for records resulting from new functions or for complicated sets of records to which a general retention period cannot be assigned.

The disposal decision should include a trigger for disposal. In some cases this is a number of years since the record was closed (with financial records the trigger is likely to refer to the financial not the calendar year). In other cases the trigger could refer to a specific event, such as the end of the project, the retirement of the member of staff or the date the contract ends, or it could refer to the last action taken. The last action in this context is the last action in the business process and does not include subsequent access to the records. When calculating retention periods the clock only starts ticking when disposal trigger is activated, e.g. when the project ends.

EXAMPLES Disposal decisions with details of triggers

- ◆ Destroy six years after file closed.
- ◆ Archive at 10 years after file closed, i.e. transfer the records to an archives service after 10 years, when it is assumed they are no longer required for business use.
- ◆ Review for archives at closure, i.e. the records need to be reviewed at closure in case some of them are of archival value.

TOP TIPS

- ◆ Use years to express the date at which disposal action takes place because this makes implementation more straightforward. Use time periods less than a year, e.g. six months, only when necessary.
- ◆ If you decide to use abbreviations for disposal decisions, keep a key. Your successors might not understand that 'D at C + 6 years' means 'destroy six years after file closed' (the first example above).

Disposal schedules can be created in any medium or format but it is probably best to create and maintain them in a database, especially if there is more information about the records than disposal details. Even if the disposal decision is held as metadata within the system, as many records systems allow, it is useful to have

schedules which show what disposal decisions have been made and on what basis. You may find it useful to have a printout version for reference also. A blank printout disposal schedule could look something like this:

Reference	Identifier (title/description)	Business unit or function	Keep in office space /on server	Disposal decision	Reason for disposal decision	Confidentiality/ security/ personal data issues	Notes

Developing disposal schedules

As suggested in **section 1** above, it may be possible to combine development of a disposal schedule with development of the business rules that tell staff what records to keep – i.e. to combine deciding what records should be kept and for how long they should be kept into a single process. This process is outlined in some detail in **Guide 4**. Even if a single process is not possible, the disposal schedule can draw on the research and decisions made at that time.

There are several possible approaches to developing disposal schedules:

- a functions-based approach, in which disposal decisions reflect the importance of the function to the authority and the information value of the records is of lesser significance
- a records-based approach, in which disposal decisions result from investigation of the records and reflect their information value rather than the importance of the function that caused their existence
- a combination of these approaches in which both functions and records contents are considered.

While individual authorities must decide for themselves which approach to adopt, the following guidance is based on the third approach.

A good starting point is to investigate what types of records are already held (for guidance on this see **Guide 6**). However, although this is very important, focusing only on what records are there already may cause you to perpetuate unnecessary retention of records. This is where the link with **Guide 4** is important. Do not assume that records kept in the past must continue to be retained. Instead assess the business functions and the information created and used in carrying out those functions, and follow the guidance in **Guide 4** and in **section 2** of this guide to determine how long the records should be kept.

Disposal decisions should be made in consultation with the relevant business unit and, if appropriate, legal advisers. If it is intended that records with archival value will be transferred to an archives service, staff there should also be consulted.

TOP TIP

- ◆ Consider whether it would be useful to consult external experts or the staff of similar organisations.

Finalising and issuing disposal schedules

Once a disposal schedule has been drafted it needs to be agreed and authorised. The relevant business unit should check the schedule to ensure that it covers all their records and that the retention periods, actions and triggers are correct. It should then be approved by senior management, e.g. the person with lead responsibility as described in **Guide 2**, and formally adopted by the organisation. The records manager should keep the master schedules with evidence of their approved status because they authorise and underpin the whole disposal process.

Reviewing disposal schedules

Disposal schedules will not remain valid indefinitely. As organisations change, so do the records they create. Disposal schedules should be reviewed regularly to ensure that:

- the types of records included in the schedule are still kept
- the disposal decisions and triggers are still appropriate
- records that are no longer being kept are removed from the schedule once the last records have been disposed of
- any new set of records is added to the schedule.

Amendments and additions should be discussed with business units, agreed and subsequently authorised by senior management, e.g. the person with lead responsibility as described in **Guide 2**. Disposal schedules, including previous editions which were the basis of authorising record disposal, will need to be retained as long as other disposal documentation.

4 Making disposal decisions about records not on disposal schedules

Some organisations have a backlog of legacy records, i.e. records awaiting evaluation. If the records relate to matters still dealt with by the organisation then it should be possible to apply the disposal schedule to them. If, however, they relate to matters no longer dealt with by the organisation, or are too varied or complex for the disposal schedule to be used, some other arrangement will be required.

The records should be assessed to see whether they can be destroyed immediately, should be retained for a further period or have archival value and therefore should be designated for permanent preservation. How this is done will depend on the records involved. If they are similar in nature it may be possible to review examples to determine what they are about – i.e. what functions they document and what information they contain – and reach a decision on that basis. If they are very different this may not be possible and a more thorough examination may be necessary. The criteria for organisational and archival value described at **section 2** should be applied so that judgements as to value are made on the same basis as those underpinning disposal schedules.

TOP TIPS

- ◆ Don't put off making a disposal decision for these records until a future date. Repeating the review would be a time-consuming and costly exercise.
- ◆ Consult the business unit which seems to have the closest connection to these records in case they have a continuing interest in them.
- ◆ Consult the archives service to which records with archival value will be transferred.

These disposal decisions should be documented in sufficient detail to provide evidence of the decision and the reasons for reaching it. The details should include at least:

- a description of the records reviewed
- an indication of which records were identified for destruction
- the grounds on which the decision was made (unless this is apparent from the disposal policy combined with the description of the records)
- when the decision was made
- when destruction took place.

5 Implementing disposal decisions

Once disposal decisions have been made, whether by inclusion in a disposal schedule (as described in **section 3**) or in a one-off exercise (as described in **section 4**), implementation action can take place. This involves:

- identifying records due for disposal action
- confirming or varying the disposal decision
- putting the disposal decision into effect.

Identifying records due for disposal action

An important part of disposal management is periodic identification of all records that have reached, or are about to reach, the end of the retention period specified in the disposal schedule. This should be done at least once a year and more frequently if applicable.

TOP TIPS

- ◆ If you have an Electronic Documents and Records Management System (EDRMS) you should be able to set up automatic notification of records due for disposal. This may also be possible with other types of system.
- ◆ If storage of paper records is out-sourced, the contractor should be able to identify records due for destruction for you.

The outcome of this process will be one of the following actions:

- destruction of records
- transfer of records to an archives service – this can be either an in-house archives facility or an external archives service such as a nearby local authority archives service or a specialist repository
- (exceptionally) a further review.

Confirming or varying the disposal decision

Before taking irreversible action you should check with the relevant business unit that destruction can go ahead as specified in the schedule, just in case things have changed. It is possible that new circumstances mean that destruction of records should be delayed beyond the due date, for example:

- the records are known to be the subject of litigation – if so, they should not be destroyed until conclusion of the matter
- the records are known to be the subject of a request for information, or a complaint or appeal relating to that request – if so, they should not be destroyed until conclusion of the case

- the records are material to an audit or investigation – if so, destruction should be delayed until completion of action
- the records contain or relate to information recently released in response to a request for information – this does not mean they are automatically worth keeping permanently, but the fact that there was external interest in the information opens up the possibility that the retention period should be extended and it would be sensible to delay destruction while this is assessed.

The fact that records are known to be the subject of a complaint or appeal does not mean that the records must be kept indefinitely. Both the Information Commissioner and the Information Rights Tribunal set deadlines for submitting complaints or appeals which can be taken into account when deciding when the records can safely be destroyed (the deadlines are two months and 28 days respectively). However, both bodies reserve the right to accept late complaints or appeals and it would be advisable to allow a margin of safety, such as an additional six months, before destruction. Remember that if records are destroyed despite it being known that they are still relevant to a live case, it may be an offence under section 77 of the Freedom of Information Act (FOIA).

TOP TIPS

Before carrying out any disposal action check:

- ◆ Has the trigger for disposal occurred?
- ◆ Has the business unit set an embargo on destruction? (Some EDRMS have this facility.)
- ◆ Are the records involved in or relevant to any current or recent litigation, request for information or complaint or appeal? If so, don't destroy them yet.
- ◆ Do the audit logs show recent use of the records? If so, perhaps users should be consulted about whether destruction should go ahead.

Putting the disposal decision into effect – destruction of records

When records are no longer required by the organisation and do not have archival value they should be destroyed. Destruction is the final action for about 95% of most organisations' records.

Destruction of paper records can be carried out in a variety of ways, including shredding, pulping and burning. Burying records, or putting them on a rubbish tip, are not acceptable methods of destruction because they remain accessible to anyone who finds them. Records should be destroyed with the level of security required by the confidentiality of their contents. So, for example, if records containing sensitive personal data or protectively marked papers have been shredded, the shredded paper should be handled securely, not dumped. And, of course, records awaiting destruction should be stored securely. (See also **Guide 7** and the further guidance referred to there.)

With digital records it is important to remember that deletion from a server may not be sufficient. The records may no longer be visible but they are not beyond any possibility of recovery. More extreme measures may be needed to achieve full destruction, e.g. overwriting with random digital code enough times to eliminate the data.

TOP TIPS

- ◆ If a digital record or its storage device has not been destroyed, it may still be regarded as being held for FOI request purposes.
- ◆ Make sure that copies of digital records are destroyed too, as otherwise they will still be held for FOI request purposes.
- ◆ Backups of digital records are not held for FOI request purposes if the records have been destroyed in accordance with the disposal policy and schedules.

If an external contractor is being used for destruction of the records, ensure the contract specifies clearly what is required, including transmission of records off-site and what constitutes destruction. You should inspect the premises of external contractors, both before the contract is awarded and periodically thereafter, to ensure security is adequate and that records are destroyed soon after they are received. This is particularly important if the records are confidential in any way. The contractor should be required to supply a certificate of destruction and, for confidential records, a certificate of confidential destruction.

Putting the disposal decision into effect – documenting destruction

Ideally some documentation on destroyed records should be kept indefinitely. How detailed this documentation should be, and for how long it should be retained, depends on two things:

- whether you have a business need for information about what records you used to have, e.g. docket books containing metadata about paper files
- an assessment of the risk of not having evidence that records were destroyed during a managed disposal process, in the event that destruction of particular records is questioned.

Essentially, destruction documentation should provide evidence that the destruction took place in accordance with established and formally adopted policies and schedules and with appropriate authorisation. Without this it may be difficult to demonstrate that records were not eliminated to avoid disclosing them in response to a request for information.

This is a business decision for each organisation to make in the light of its own assessment of risk and needs.

As a minimum the documentation should include:

- the disposal schedule reference
- the disposal class and date range of the records concerned
- evidence that destruction was properly authorised, e.g. an email from the responsible person
- evidence that destruction took place in accordance with the disposal schedule, e.g. a certificate specifying the method, place and date of destruction and details of the staff or contractor who carried out destruction.

For digital records, details of overwriting or destruction of back-ups should be added. With digital records in an EDRMS, execution of disposal schedules should provide a detailed record which will be preserved in the audit log and it may be possible to retain a metadata stub recording a minimum set of metadata associated with the destroyed folders. Long term retention of detailed metadata about destruction is not always practical. It may be more a matter of being able to show that disposal schedules and authorised processes were in place so that it is a reasonable assumption that the records were destroyed when and how they were supposed to be destroyed.

Putting the disposal decision into effect – transferring records to an archives service

If your organisation does not have an in-house archives service your first step is to decide which archives service should preserve the records. In the case of public records, i.e. records subject to the Public Records Act 1958 or the Public Records Act (Northern Ireland) 1923, this decision is made for you because public records with archival value must be transferred to The National Archives or to another authorised place of deposit for public records, or, in the case of Northern Ireland public records, to the Public Record Office of Northern Ireland. If your organisation is not covered by one of the Public Records Acts and has a strong geographic emphasis, the relevant local authority archives service may be willing to take custody of the records. If there is no obvious repository The National Archives or, for Northern Ireland, the Public Record Office of Northern Ireland, may be able to provide advice.

The second step is arranging transfer of the records. If the records are public records there are certain requirements to be met. These are set out in part 2 of the Code and separate guidance is available from The National Archives and, for Northern Ireland records, the Public Record Office of Northern Ireland. If the records are not public records it is a matter of following the transfer procedures of the archives service to which your records will go.

Transfer procedures cover such matters as:

- whether records should be boxed before transfer and, if so, the box requirements (material and dimensions) and how they should be packed
- for digital records, the format and medium to be used
- what supporting documentation should accompany the records

Any original file lists, schedules, databases or other documentation will provide the archives service with invaluable information about the records. For digital records, metadata should be transferred with the records to which it relates (Metadata is defined in the Code at Annex A. It includes information about the context in which the records were created, their structure and how they have been managed and used over time).

- what notice of transfer the repository requires
- the transfer documentation required.

Putting the disposal decision into effect – transfer documentation

Transfer documentation includes details of your organisation, details of the records being transferred and the authority for the transfer (this could include the disposal schedule).

An important part of the transfer documentation is the transfer agreement which sets out the basis on which the records are being transferred. It should make clear who will own the records after transfer. If the records are being deposited on loan, they pass into the custody of the archives service but remain your organisation's property. The other option is for ownership of the records to be transferred as well. (Note that public records are generally owned by the Crown and ownership cannot pass to a place of deposit for public records.)

When you transfer records you need to ensure that authority and accountability for the records is clear, that any legal or regulatory requirements with respect to the records will continue to be fulfilled and that there is no adverse impact on your organisation. If any records cannot be made available to members of the public immediately, for example because they contain sensitive personal data, they should be clearly identified and the relevant exemption (in the FOIA or the Environmental Information Regulations) specified. You may wish to reserve the right to be consulted in the event that a request for access to closed records is received by the archives service. If so, you should specify the contact point for consultation. (Note that such consultation is a

requirement for public records under section 66 of the FOIA.) You may also wish to be consulted in the event that the archives service wishes to destroy or otherwise dispose of any of the records.

The archives service is likely to require a list of all records and their covering dates, but may accept a list identifying the record series but not the individual items within each series. The list of records should give clear information about which records are in which boxes or on what portable storage device so that they can be easily identified and retrieved. The archives service may also want a copy of the disposal schedule.

You should ask for a receipt for records transferred. You should retain a copy of all transfer documentation so that your organisation has adequate audit trails to track the transfer authority and decision-making as well as actions.

6 Disposal of records affected by loss of functions

In central government, machinery of government changes can lead to functions being moved from one department to another, or from a department to another type of body such as a local authority. Changes of this nature can also affect other types of public body. One of the issues to be addressed when functions are moving from one organisation to another is what should happen to the records. The authority taking over a function will need access to previous records of that function in order to ensure continued delivery of services. In this context, therefore, disposal includes making and putting into effect decisions about which records should be passed to the organisation taking over responsibility for the function and on what terms.

This should not take place in an ad hoc fashion. Transfers of functions require planning and management, and transfer of relevant records (which are part of the assets of the organisation) should be recognised as an important part of the change process. The planning should involve staff from both organisations and should cover such issues as:

- gathering information about existing records relating to the function, if that is not already held
- identifying which records will be required by the organisation taking over the function and which will not
- ensuring that confidential material being passed to another organisation is clearly identified
- amending the disposal schedule as necessary
- identifying any records with archival value and ensuring that they will be given the necessary protection if passing to another organisation
- destroying ephemeral material not needed by either organisation
- agreeing protocols for handling requests for information during the transition period and after the records have been transferred
- amending notifications of personal data processing to the Information Commissioner's Office and FOI publication schemes as necessary
- documenting this disposal of records.

Another possibility is that a function is being abolished altogether. If the organisation itself is surviving, the records can be retained and disposal schedules applied as normal. If, however, the organisation too is being abolished, you will need to identify an organisation to take responsibility for the records. Some relevant guidance is included below.

Further guidance

- *Lord Chancellor's Code of Practice on the management of records issues under section 46 of the Freedom of Information Act 2000:*

www.justice.gov.uk/guidance/docs/foi-section-46-code-of-practice.pdf

Standards

- *ISO 15489-1:2001 Information and documentation – Records Management (Part 1 General)*
- *PD ISO/TR 15489-2:2001 Information and documentation – Records Management (Part 2: Guidelines)*

These can be purchased from the British Standards Institution, together with supporting guidance. For details of what is available search under 'information governance' at shop.bsigroup.com.

Guidance from The National Archives

- *Complying with the Records Management Code: self-assessment tool:*
nationalarchives.gov.uk/information-management/projects-and-work/assessing-rm-public-authorities.htm
- Appraisal policy and toolkits:
nationalarchives.gov.uk/information-management/projects-and-work/appraisal.htm
- Acquisition and disposition strategy:
nationalarchives.gov.uk/information-management/projects-and-work/acquisition-disposition-strategy.htm
- Retention and disposal schedules:
nationalarchives.gov.uk/recordsmanagement/retention-disposal-schedules.htm
- *Information Management Guidance – Dissolution and Privatisation of Public Bodies:*
nationalarchives.gov.uk/documents/dissolution-and-privatisation-guidance-v1.pdf
- *Machinery of Government Changes: Guidance on Transfer of Records, Information and Knowledge:*
nationalarchives.gov.uk/documents/machinery_of_government.pdf
- Guidance on exporting and transferring electronic data:
nationalarchives.gov.uk/information-management/projects-and-work/assessing-rm-public-authorities.htm
- Cataloguing guidelines for records being transferred to The National Archives:
nationalarchives.gov.uk/information-management/projects-and-work/cataloguing-guidelines.htm

- *Digital transfer road map* – guidance on transferring digital records to The National Archives:
Forthcoming on the digital continuity pages of our website: nationalarchives.gov.uk/information-management/projects-and-work/digital-continuity.htm
- *Procedures and guidance relating to public records transferred to and held by places of deposit*:
nationalarchives.gov.uk/documents/foi_guide.pdf

Guidance issued by the Public Record Office of Northern Ireland

- Guidance on the topics covered in this guide can be found on this web page:
www.proni.gov.uk/index/professional_information/records_and_information_management.htm

Guidance issued by the Information Commissioner's Office

- *Awareness Guidance Number 8: Records Management FAQs*:
ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/awareness_guidance_8_-_records_management_faqs_v2.pdf
- *Practical guidance: Destruction of requested information*:
ico.gov.uk/upload/documents/library/freedom_of_information/practical_application/fep004practicalguidancedestructionv1.pdf

Sector-specific guidance

- *Records Management: NHS Code of Practice (2006)*:
www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=4131747&chk=tMmN39
- Information and Records Management Society – *Local Government Classification Scheme*:
irms.org.uk/resources/92
- Staffordshire County Council – retention schedules:
staffordshire.gov.uk/yourcouncil/dataprotectionandfreedomofinformation/recordsmanagement/retention/
- Joint Information Systems Committee (JISC) – *Higher Education Institutions Function Activity Model and Record Retention Schedule*:
www.jisc.ac.uk/publications/generalpublications/2002/recordssrlstructure/intro.aspx
- Association of Chief Police Officers (ACPO) – *Guidance on the Management of Police Information 2010*:
www.acpo.police.uk/documents/information/2010/201004INFMOP101.pdf
- ACPO – *Retention Guidelines for Nominal Records on the Police National Computer*:
www.acpo.police.uk/documents/PoliceCertificates/SubjectAccess/Retention%20of%20Records06.pdf

Other guides in this series

- Guide 1** What is records management?
- Guide 2** Organisational arrangements to support records management
- Guide 3** Records management policy
- Guide 4** Keeping records to meet corporate requirements
- Guide 5** Records systems
- Guide 6** Storage and maintenance of records
- Guide 7** Security and access
- Guide 9** Records created in the course of collaborative working or through out-sourcing
- Guide 10** Monitoring and reporting on records management

These guides can be found on our website:

nationalarchives.gov.uk/information-management/projects-and-work/implementation-guides.htm