



Preserving and disposing of government records Part 3 of a webinar series on records retention

MDH Center for Public Health Practice February 2022



PROTECTING, MAINTAINING AND IMPROVING THE HEALTH OF ALL MINNESOTANS



Records retention webinar series

- 1. Records and information management
- 2. Records retention schedule
- **3.** Preserving and disposing of government records
- 4. Essential records management

Full webinar series: <u>www.health.mn.gov</u>; search for "records retention"







- Refresher: Records
- Disposition methods
 - Destroy
 - Keep permanently
 - Transfer, preservation
- Conservation





Why records retention?

Records retention saves us time, space, and money.

It allows us to concentrate on doing our work.

It ensures we're accountable to Minnesotans.



Records and record series



- Record: Any documentation or information created and stored at an organization that is essential to the functioning of that organization, regardless of the format or medium
- **Record series**: A group of similar documents used for the same activity or function





What is/isn't a record?

What is a record?

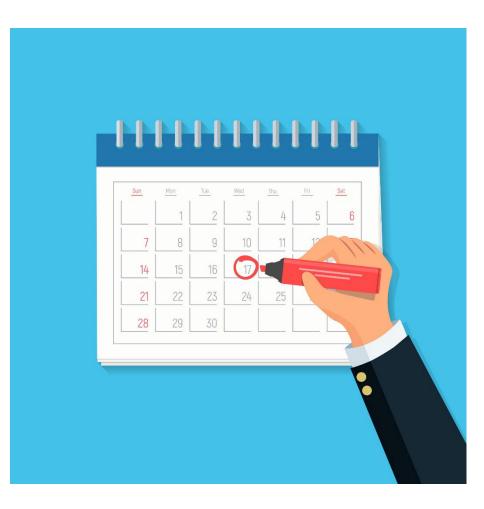
- Documents transaction of public business
- Created or received in course of work
- Can be open or closed
- Any medium

What is not a record?

- Duplicates
- Copies
- Blank forms or stocks of publications
- Library/reference materials
- Personal correspondence



What is a records retention schedule?



A records retention schedule is a clearly defined plan that determines how long a record has value and how it should be disposed of.





What is disposition?

- Final stage in a record's lifecycle
 - Destroy (frequent)
 - Keep permanently (depends on the record)
 - Transfer to another entity (rare)
- Authorized by your agency's records schedule or by "Application for Authority to Dispose of Records"
- Maintain a list of destroyed records





Methods of records disposition

- **Recycle** public records, non record material and nonsensitive information
- **Shred** sensitive, confidential, and classified personal records and information
- Expunge electronic files, databases, email





PRESERVING AND DISPOSING OF GOVERNMENT RECORDS

Archival: How to determine and preserve

- Historical records:
 - Some have permanent value: Retain at your agency
 - Some have permanent archival value: Transfer to State Archives
 - Archival determined by:
 - Evidential value, documenting state/local government existence and operations
 - Informational value; helpful to future researchers
- Contact State Archives to transfer archival records, including those not listed on a records schedule.



Calculating disposal dates

Event-based disposition plan

- Example: Time and attendance
- Date range: 1/1/2014-12/31/2015
- Retention: Destroy after audit or when six years old, whichever is first

Disposal date calculation:

- Ending date of records: 12/31/2015
- Retention requirements:
- Must be retained until:
- Disposal date:

6 years 12/31/2021 **1/1/2022**

Fixed time disposition plan

- Example: Travel vouchers
- Date range: 1/1/2014-12/31/2015
- Retention: Destroy six years and three months after period covering accounts

Disposal date calculation:

- Ending date of records:
- Retention requirements:
- Must be retained until:
- Disposal date:

12/31/2015 6yr + 3mo 3/31/2022 **4/1/2022**





PRESERVING AND DISPOSING OF GOVERNMENT RECORDS

Accidental disposition

- Accidental disposition includes removing, defacing, altering, destroying
- Prevent accidental disposition:
 - Enact policies and procedures
 - Make sure all staff and contractors understand records retention
- If accidental disposition occurs, notify your chief administrative officer and the State Archives.





Conserving records

- Sometimes records are accidentally damaged:
 - Inadequate storage
 - Improper handling
 - Overuse
 - Accident (water damage, etc.)
- Minnesota Historical Society (MHS) lab can conserve documents; contact MHS immediately after you recognize the emergency: <u>www.mnhs.org/preserve/conservation</u>





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Exceptions to disposition

- Common exceptions:
 - Litigation
 - Audit
 - **Open records request**
- Disposing records in these situations could result in penalties
- **Recommendation:** Develop an internal process for placing legal holds on these documents





Records not on a schedule

- Occurs when you've missed records during initial audit
- Either:
 - Add them to your retention schedule, or
 - List them on "Application for Authority to Dispose of Records" (left), and submit for approval to State Records Disposition Panel



മ MINNESOTA HISTORICA	AL SOCIETY					
STATE ARCHIVES DEPARTM	ENT	FOR USE BY RECORDS PANEL				
APPLICATION FOR AUTHORITY TO DISPOSE OF RECORDS	ζ.	Application 1	No. Date			
Instructions:						
 schedule. Complete original and three copies. Photocopie Complete items 1 through 6 and item 8. Use rev Send original and two copies to the State Archi Retain one copy until your approved copy is returetained permanently. Additional copies of this form are available fron NOTE: Laws of 1971, Chapter 529, Section 3 rea of public records be controlled exclusively by Min statute shall be construed to authorize or prevent such chapter or by this act and no general or spect the disposal of public records from the provision of such or such as the disposal of public records at a time or in a ma 	erse side to continue ves Department, 343 med. The approved a the address above o ds as follows: "It is nesota Statutes, Ch the disposal of publ ial statute enacted s nner different than chapter and this act	5 Kellogg Boulevard copy will be your au r by telephoning (651 the policy of the leg apter 138 and by thi ic records at a time ubsequent to this ac prescribed in chapte by specific reference	West, St. Paul, MN 55 thority to dispose of reco 297-4502. (FAX: (65) islature that the dispos is act, thus, no prior, sp or in a manner differen t shall be construed to er 138 or in this act unl e to this section."	102-1906. ords. It should be 1) 296-9961). al and preservation ecial or general it than prescribed by authorize or prevent		
1. Agency or Office	2. Division or Section		3. Quantity of Records	_ Cubic Feet		
4. Location of Records	5.	Laws other than M.S. 13 records:	8.17 that relate to the destructi	on or safekeeping of the		
6. I certify that the records listed on this application are accurat	ely described, and A	AUTHORIZATION: Under the authority of M.S. 138.17, it is hereby ordered that				

6. I certify that the records listed on this application are accurately described, and that they have no further administrative, legal, or fiscal value for this agency. AUTHORIZATION: Under the authority of M.S. 138.17, it is hereby ordered that The records listed on this application be destroyed, except as shown in item 7. Authorized Signature (Type name below) Director, Minnesota Historical Society Date Name Date Legislative or State Auditor Date Title Phone Attorney General Date

7. Exceptions to Destruction. (For use by Records Disposition Panel)

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. Description of Records. Describe each record series or type of record separately. Number each series, beginning with "1".							
A. Item No.	 Name of record, form numbers, content, usage, arrangement, original duplicate, or microfilmed. 	C. Inclusive Dates					

Application for Authority to Dispose of Records

- Disposal of records not on a schedule
- Disposal of records earlier than is stated on schedule

Online: www.mnhs.org/preserve/records



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Proper disposition

- Dispose of records routinely
- Do so promptly at the end of the retention period
- Document if/when you need to retain a record beyond the retention period, and revisit it regularly
- If your schedule says destroy, place the record in the appropriate receptacle and observe applicable security measures; no need to notify State Archives
- Records Destruction Report = authorization to destroy



Records Disposition Report

				RE	RECORDS DESTRUCTION REPORT				
 INSTRUCTIONS Print or type all infor Use this form to repo authority of a Genera an approved agency i Report only records to records transferred to 	rt records destroyed al Records Retention retention schedule. that are physically d	sched estroye	ule or d, not						
Agency		Person	Reporting Destruction				Date Rep	ort Submitted	
Addre ss		Gity. Zip				+	Telephone ()		
General Schedule Name or Agency Schedule Namber (e.g., "Oity Gen. Sch." or "87-123")	Section of Schedule Where Record is Listed		Item No. As Listed on Schedule	Record Title (use same title listed on schedule)		Inclusiv Dates	8	Da te De stroye d	Ouantify* (Dubic Feet)
*VOLUME CHART TO DETERMINE CUBIC Letter Size Drawer = 1.5 Legal Size Drawer = 2.0 Shelving 4" Letter = 2.3 Shelving 4" Legal = 3.0	FEET Record Center Box = 1.0 12" x 15" x 10" Transfer Case = 2.5 2.4" x 16" x 11"		3 x 5 Card = 0.1 4 x 6 Card = 0.2 5 x 8 Card = 0.3 Printouts 1 = 1.25						

- Maintain a list of disposed records
- No need to track convenience copies or duplicates
- Recommendation: File with your retention schedule

Online: www.mnhs.org/preserve/records





Questions on disposition

- Contact your county administrator or your records manager
- Visit the Minnesota Historical Society: <u>www.mnhs.org/preserve/records</u>





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- 4. Managing essential records in emergencies

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Thank you.



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