Records Management
Basic Principles
For Maine State Employees

Welcome to Records Management!

Key Topics Covered: 

- Why Records Management is Important
- Basics of Records Retention
- Email policy and best practice. Email is often overlooked as an official record but it’s actually one of the largest by volume!
- Freedom of Access Act and the basics every employee needs to know.

Steps to Complete Training

First, let's go through the steps to complete this training.

Completing the training is as simple as **1,2,3:**

1. Go through the training at your own pace making sure that you understand all the Records Management concepts. There is no need to rush through the content.

2. When you complete the last section there will be a link to a form on the last page. There you will find some "review" questions to answer.

3. Submit your name, department and division to verify completion of training. (Training should take approximately 30 minutes.)

Topic 1: Why Should We Care About Records Management?

Records Management programs must manage organizational information so that it is timely, accurate, complete, cost-effective, accessible and useable.

Better information, at the right time, makes sense for staff, the organization and the public!

Is Managing Records My Responsibility

All state employees are responsible for creating records needed to do the business of their agency, and documenting activities for which they are responsible. As a government employee, you are responsible for managing any and all public records (including email) for which you are the custodian.

Major Reasons Why Good Records Management Is Vital

- ✓ Support Better Management Decision Making - In today's environment, the manager who has access to the relevant data makes a better, more informed decision.

- ✓ To Improve Efficiency and Productivity -Time spent searching for missing or misfiled records is non-productive. A good records management program can help agencies retrieve information with efficiency and increased productivity.

- ✓ To Safeguard Vital Information - Every organization, public or private, needs a comprehensive program for protecting its vital records and information from disaster.

Two More Reasons for Good Records Management that Often Make the News

Minimize Litigation Risks - A consistently applied Records Management program can reduce the liabilities associated with document retention disposal. It can limit the risks associated with litigation and potential penalties.

Ensure Regulatory Compliance - In terms of record keeping, the United States is the most regulated country in the world. These laws cause compliance issues as they are often hard to interpret and apply. A good system will help keep your organization in regulatory compliance.

Specific Benefits for Maine State Government

- Promotes a positive reputation for State Agencies.

- Helps the agency fulfill its mission by identifying and protecting the essential records of the agency.

- Reduces the volume of records stored and improves storage and retrieval systems helping to get the right record to the right person effectively and efficiently.

- Limits the time and cost associated with complying with Freedom of Access Act requests.

Maine State Government Needs All Staff to Be a Part of Records Management

For the reasons covered, it's time that each one of us learn more about Records Management and how to do our part.

Maine State Agencies produce records every day. They are the vital component to the functionality of the agency for administrative, fiscal, legal and historical purposes.

Improperly destroying records is not the answer to Records Management and neither is keeping everything. There are implications for both.

Implications of Improper Record Keeping

- Presumption that records are correct and complete
- Waste of resources to store records
- Waste of staff time to search for records
- Possible liability
- Inability to locate information when needed
- Possible destruction of permanent or archival records
- Destruction of records before they have met fiscal or legal requirements
- Having to produce records in Discovery proceedings that otherwise should have been destroyed (if you are keeping it, even though you shouldn't be, the agency must produce it)

Topic 2: Records Retention Basics

This section covers the details you need to know.

What is a Record?

"Record" means all documentary material (books, papers, photographs, maps or other documentation, including digital records such as e-mail messages and attachments), made or received and maintained by an agency in accordance with law or rule, or in the transaction of its official business.

Records can have varying purposes per agency.

What is a Record?

If you answer “yes” to any of these questions, you may have a record:

Was it created in the course of business?

Examples: correspondence, agreements, studies

Was it received for action?

Examples: FOAA requests, hearing requests

Does it document agency activities and actions?

Examples: calendars, meeting minutes, project reports

Is it mandated by statute or regulation?

Examples: administrative records, dockets

Does it support financial obligations or legal claims?

Examples: grants, contracts, litigation case files

Does it communicate agency requirements?

Examples: guidance documents, policies, procedures

What is a Non-Record

If you answer “yes” to any of these questions, you may have non-retention material (or “**non-records**”):

Is it reference material?

Example: vendor catalogs, phone books, technical journals

Is it a convenience copy?

Duplicate copies of correspondence or directives

Is it a stock copy?

Example: agency publications or forms

Is it only related to your personal affairs?

Example: personal schedules, personal messages (“Can we do lunch?”)

Note: Personal planners/calendars can be considered records if they document agency activities

What About Drafts or Working Documents?

Drafts or working documents are records but they might only need to be retained for a brief period of time if they do not have significant administrative, legal, fiscal or historical value.

Examples of drafts that might be immediately discarded following the creation of a new draft are those which contain only minor non-substantive changes such as correction of grammar and/or spelling or minor “word-smithing.”

Any decision regarding the disposition of a draft or working document should be made on a case-by-case basis in consultation with your Records Officer or clearly defined by agency policy.

Managing Your Records

In order to have the information you need (when it's required), there has to be a way to identify, manage and retain records for the right amount of time.

Records are managed by creating agency **schedules –** a document that tells you how long to keep specific types of records and what should happen to them. Schedules provide the guidance necessary to prevent unneeded records from cluttering agency offices and help preserve mid to long-term records until they have served their purpose.

Still not clear?

Equating the Records Schedule to Daily Life

If you think about it, we live our lives by schedules and agendas. Our daily lives are run by schedules giving us information on appropriate dates, times and purpose; so we know where we're supposed to be and what we are tasked to do. Otherwise we could be wandering aimlessly when people need to find us.

This is how we need to think of our records. That without a proper schedule, people can't be expected to know what the purpose of the records are, who is responsible for keeping them, where they can be found and for how long they need to be retained.

Managing Your Records

Title 5 §95 requires that all state government records be covered by retention schedules. This includes records that never leave the creating agency's custody.

Retention schedules for digital records work the same way as for paper, microfilm, and other "traditional format" records. The most important principle to remember is this: **Content, not format, determines retention**.

A records schedule describes agency records, establishes a period for their retention by the agency, and provides mandatory instructions for what to do with them when they are no longer needed for current Government business.

General Schedules
For ALL State Agencies

General Record Schedules are issued by the Maine State Archives to provide retention and disposition standards for records common to several or all State agencies. The purpose of the Records Management Division is to control the creation, utilization, filing, maintenance, storage and final disposition of State records. One way we help to do this is through the General Schedules.

The General Schedules are located on our website:

General Schedules

Before an agency schedule is created, be sure a General Schedule does not already exist.

Agency Specific Schedules

Agency Record Schedules are those created because of unique programs or activities within your agency. They should be reviewed annually and updated as necessary by your Records Officer. Any schedules and amendments must be approved by the Maine State Archives.

Are you familiar with your Agency Schedules? Find them on our website:

Agency Schedules

Determining the Record Retention Period

If you have a question regarding retention, you will need to check both the General and Agency Schedules to confirm how long you need to keep certain records.

Remember the total retention time may include time stored at your agency and any time at the Records Center.

The Four Part Criteria for Determining Retention

- **Administrative use**: *What is the value of the records in carrying out the functions of your department? How long will you need to be able to retrieve them immediately?*
- **Legal requirements**: *Are there any State Statutes or Federal regulations involved?*
- **Fiscal requirements**: *How much time must you allow for the completion of fiscal activities such as audit or budget?*
- **Historical/Archival**: *Do these records document important events, or the history and development of your department?*

<u>FINAL DISPOSITION - Archival or Destroy?</u>

Five hundred years from now, may someone want or need to look at these records? Will they be needed that far in the future for any legal or historical reasons?

Key Items Every Employee Needs to Know

- Item 1 – YOU are responsible for managing public records!
- Item 2 - Records must be managed throughout their life cycle, according to their retention schedules
- Item 3 - All agency records must be on up-to-date retention schedules (Do you know yours?)
- Item 4 - All agencies must have a Record Management program and policy standards (Does your agency? Ask your Records Officer or Director. You need to understand them.)
- Item 5 - All agencies must have an active Records Officer (Do you know who your RO is? They are listed on our website.)
- Item 6 - There are General Schedules and Agency Specific Schedules (Make sure you look on our website and become familiar with the schedules.)

Topic 3: Putting Concepts into Practice

This section gives the concrete steps for Records Management and the responsibilities of your Records Officer. It is important that all employees have a basic understanding of how the process works because you might be asked to assist in an inventory and you should be familiar with the office file plan. However, the procedural responsibilities explained in Topic 3 remain with the Records Officer.

Four Steps to Better Files

1. Understand the Scope of the Problem 

2. Conduct a Records Inventory 

3. Develop a File Plan 

4. Develop Recordkeeping Requirements 

Step 1. Understanding the Scope of the Problem

Start by asking yourself:

What types of records do you create?

Examples include client files, project files, personnel files, contract files.

It's important to consider the aspects of your job and the types of records you might be creating.

Step 1. Understanding the Scope of the Problem

Next Review:

Why are these records created and maintained?

There are a number of valid reasons for creating files such as statute, regulation, management reporting, and program administration.

There are also less valid reasons such as reference or personal convenience.

Concentrate your attention on the files that directly support the agency's mission.

Step 1. Understanding the Scope of the Problem

Then Think About:

Who is responsible for these records?

Generally there should only be one “custodian” for each type of record.

Where are these records located?

Step 1. Understanding the Scope of the Problem

Step 1 Action Item

Take this information and develop a matrix that lists all the types of records, the person responsible for each type of record, and the location of the records. This matrix provides you with a framework for understanding and controlling your files.

Step 2. Conducting a Records Inventory

Physically inspect all your files and record essential information. This is the most time-consuming step. Look for records in all media types including paper, audio/visual, and electronic. Divide what you find into categories such as the following:

- personal papers
- reference materials
- other non-records (such as publications, convenience copies, blank forms, etc.)
- records or potential records (such as working files)

Step 2. Conducting a Records Inventory

The inventory should include all your records. Non-records (or non-retention material) is included only as needed for staff informational purposes (such as common reference materials) or for initial inventories to locate and remove unnecessary materials. Include the following information for non-retention material:

- owner
- location
- physical size

Other non-records may be identified in an inventory but not necessarily recorded.

Step 2. Conducting a Records Inventory

For records or potential records (such as working files) you need to collect as much information listed below:

- office/program
- location
- title
- date span
- description
- arrangement
- media type
- physical size
- annual rate of accumulation
- file break (when is file closed)
- legal requirements
- vital records (necessary for disaster recovery)
- finding aids (indexes or lists)
- restrictions (confidentiality)
- related records

Step 2. Conducting a Records Inventory

Verify and Analyze the Results

Once you've completed the inventory, consolidate similar records into a single record series where the descriptions and necessary retention period are the same.

Match the files to existing records schedules. Contact your Records Officer for assistance in identifying schedules for all your files and for creating schedules for any files without schedules.

Evaluate the unscheduled records series by determining their value to the agency. Values are determined by considering the usefulness of records in documenting fiscal, legal, administrative, and historical purposes. The result of the evaluation process is to recommend the records as either archival or destroy (kept for some period of time).

Step 3. Develop a File Plan

A file plan is a tool for you and others in your office to manage records, listing different types of records maintained by a particular office, where and how those records are stored and how long they are to be kept. A File Plan is like a smaller, specific version of agency records schedules. Understanding the file plan helps users know where to file their records and others know where to find them.

A file plan doesn't need to be complicated. To the extent possible, let the files structure themselves according to how and why the files are created and accessed.

Step 3. Develop a File Plan

Here are some helpful file plan hints!

- **Establish a list of file subjects and keep it up to date.** Make the subjects broad enough so that you don't end up with a new file for every document.
- **Establish an arrangement scheme for files.** There is no one correct arrangement scheme for records. The basic types are: chronological, numeric, alphabetical, alpha-numeric. When choosing an arrangement consider the following: How will the records be used? What characteristics do staff use to refer to the records? How are the records requested? Will the records be indexed?
- **Avoid the following BAD characteristics:** records, non-records and personal papers filed together; multiple types of records in the same file; active and inactive records in the same file.

Step 4. Develop Record Keeping Requirements

Establishing recordkeeping requirements helps ensure that you create and maintain adequate and proper documentation of program activities. Some recordkeeping requirements come from legislation. Some are less well-defined.

Development of agency recordkeeping requirements is best accomplished by work groups comprised of staff familiar with the administrative, legal, fiscal, audit and overall program management of the agency.

Questions to consider:

- *What types of documents must be included in particular subject files?*
- *Is it necessary to retain drafts of particular documents?*
- *When and how should telephone calls and meetings be documented?*
- *Should documentation be divided between an "official" file and a "working" file?*

Topic 4: Email and Records Management

Now let's review email as it pertains to Records Management.

We will also share a video that will help you set up and plan your email system.

What type of record is email?

First, let's be clear that email is a format (just like paper or microfilm or any other type of media) and content (not format) determines whether or not it is a record. But for our purposes here, when we use the term "email" we are referring to email records.

Email is considered general correspondence. In the General Records Schedules, most general correspondence, and therefore most email, has a retention period of 3 years.

Exceptions

- Equipment and property email - Correspondence and email related to equipment and property is to be kept for 5 years, and then destroyed.

- Agency head correspondence - Commissioner or agency head correspondence and email is considered of historical value and to be kept permanently. It should be kept for a minimum of 2 years within the agency and then sent to the State Archives for permanent (archival) retention.

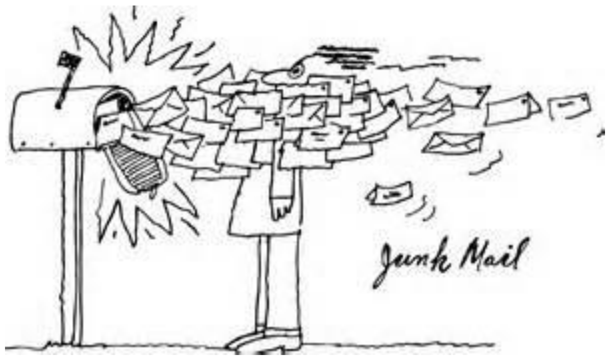
- Related to the official state budget - Correspondence and email related to the official state budget is to be kept for 4 years (two biennia) and then destroyed.

- Federal or State statutes or regulations requiring longer retention periods override retention periods written in the General Schedules. If an agency is required to keep records longer than what is required by the General Schedules, an agency schedule should be created.

What About Junk Mail and Spam?

Junk mail such as advertisements and any personal emails an employee may have in their state email accounts do not need to be preserved, since these are not official state government records.

I hate junk mail so I'm glad it is clear that it is not an official record!



Email Planning - Organizing Folders

It is best to set up folders in your Outlook mailbox that organize email messages according to your retention schedules, with sub-folders set up by year and month.

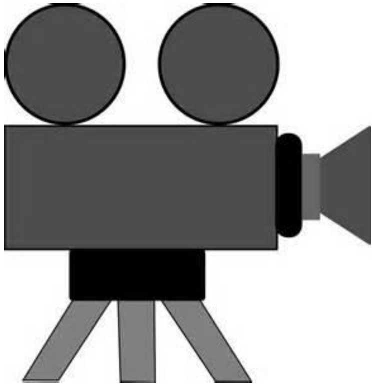
This will make it easy to delete messages that have fulfilled their retention periods, without having to look at individual messages again.

Email Planning - Storage/Archives

Outlook has an "auto-archiving" function that can be set up to move your older messages to a .pst file, automatically. Once that happens, the messages are available to you as easily as ever; but they're stored on a server drive, not in your mailbox.

So they no longer count against your quota. Outlook will keep your filing system when it "auto-archives" your older mail and you will be able to search for messages that have been "archived" using the same Outlook tool you use within your mailbox.

Let’s View an Email Demonstration Video



You will need to be on the state network.

Click on the link below to watch the 8 minute video.

http://inet.state.me.us/foaa/mailbox-archive-folders.mp4

Topic 5: The Freedom of Access Act

For the majority of state employees, FOAA will be at most, a request you may receive. This section will give you an understanding of the whole process.

The Freedom of Access Act (FOAA) is a state statute that is intended to open the government of Maine by guaranteeing access to the "public records" and "public proceedings" of state and local government bodies and agencies.

Transparent and Open Government: FOAA and Public Records

Stated In A Different Way….

Maine’s Freedom of Access Act was enacted with the intent that government actions “be taken openly and that the records of public actions be open to public inspection…”

Definition of Public Records for FOAA

The definition of public records in FOAA is very broad:

- Information in printed or electronic, written, graphic or mechanical format
- In the possession or custody of an agency
- Received or prepared for use with government business

Except for certain types of information that is designated as confidential by law

What is a FOAA Request

A FOAA Request is simply a request for a public record. There is not an official form or process by which a FOAA request must be made. And there is no legal requirement that the request be in writing or made to a particular person. The Department, however, may and generally does ask that the request be made in writing and that it be as specific as possible.

Now let's look at the 6 step process for responding to FOAA requests.

The 6 step process for responding to FOAA requests.

1. Acknowledge the request
2. Clarify what records are being requested
3. Estimate the time needed to respond and the cost
4. Search for responsive records
5. Notice of denial to confidential records
6. Provide access

There is a five day time limit for acknowledgment or denial

How Do I Comply With FOAA?

If you do receive a FOAA request, immediately contact your agency FOAA representative or your supervisor to begin to coordinate the response.

As a state employee, you are creating records every day. **Never delete or destroy public records without referring to the applicable retention schedule.** Manage your public records so that reasonable due diligence will uncover all relevant documents in a FOAA search.

Further Information

State FOAA website

Final Words

Thank you for taking this Records Management Training. As a state employee, your involvement in Records Management is a daily responsibility and vital component for all of us working together towards an agency-wide comprehensive Records Management system.

We covered basic information but you will need to review the latest versions of the General and Agency Schedules to know your specific responsibilities concerning records retention. Contact our staff or visit our website for further information.

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Maine State Archives: Please visit our website for further information on Records Management Training and Resources http://www.maine.gov/sos/arc/records/state/

Get Credit

To receive acknowledgement for this Records Management Training:

Click on the Get Credit button below, answering the review questions and filling out your name and other requested contact information. Submit this form to verify that you have read and understand the content of this training. The form will go to the Records Management Department at the Maine State Archives and they will record your training completion.

THANK YOU!

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