

CITY OF BROOKHAVEN RECORDS MANAGEMENT POLICY AND PROCEDURES

PURPOSE AND SCOPE OF POLICY:

This policy and procedure provides for the systematic review, retention, and destruction of documents received or created in the transaction of City of Brookhaven (“City”) business. This policy is designed to ensure compliance with federal and state laws, regulations, and City ordinances. The purpose of the policy and procedures is to eliminate accidental or innocent document destruction of records and to facilitate City operations by promoting efficiency and reducing unnecessary storage of documents.

The City of Brookhaven retains and preserves vital records of its business and operations to preserve any historical record of the City, to ensure current and future operations, and to comply with its legal obligations as specified by the Georgia Records Act, O.C.G.A. §50-18-90 - § 50-18-103 and the State Record’s Retention and Disposition Schedule which can be accessed at www.georgiaarchives.org.

This policy is in conjunction with Chapter 2, Administration, Section 2-3 Document Retention, of the City of Brookhaven Code of Ordinances. The City adopts the Secretary of State’s record retention schedules and the City Clerk shall coordinate all records management for the City.

This policy is in conjunction with the Georgia Open Records Act O.C.G.A. §50-18-70 and City of Brookhaven Open Records Policy and Procedures adopted by Mayor and Council July 7, 2015.

DEFINITIONS:

“APPROVED RECORD’S RETENTION AND DISPOSITION SCHEDULE” - The approved State of Georgia’s Record Act, O.C.G.A. 50-18-90 through 103 and the State’s Record’s Retention and Disposition Schedule for the City of Brookhaven. It can be accessed via internet at www.georgiaarchives.org.

“RECORDS” – Under the Georgia Records Act, O.C.G.A. § 50-18-90, et seq., “all records created or received in the performance of duty and paid for by public funds are deemed to be public property and shall constitute a record of public acts.” “Records” means all documents, papers, letters, maps, books (except books in formally organized libraries), microfilm, magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by (the City). For practical purposes, a record is anything containing information reflecting City business transactions regardless of format (paper, digital, photographic, recordings, etc.). Typical records include official publications, fiscal data, incoming/outgoing correspondence including email, website postings, meeting minutes, reports, and maps.

“RECORDS CENTER/ROOMS” - the facilities used to provide centralized and secure storage for non-current and permanent City records.

“DEPARTMENT” - any department, division, commission, authority, committee, task force, or similar entity of the City.

“DEPARTMENT RECORDS SCHEDULE” – records schedule from each department listing all record types that corresponds with the State of Georgia’s Records Retention and Disposition Schedule.

“DIRECTOR” - the person who is in charge of a department of the City that creates or receives City records.

“ESSENTIAL RECORD” - any City record necessary to resume or continue operations of the City in an emergency or disaster; recreate the legal and financial status of the City; or to protect and fulfill obligations to the citizens of the City.

“PERMANENT RECORD” - any City record for which the retention period on a Records Retention and Disposition Schedule is given as permanent.

“RECORDS DISPOSITION” - the removal or destruction of a City record from a department or from a non-current records storage center and for a City record that has passed its minimum legal retention period and no longer has value to the City, or for a permanent City record, transfer of the record to *RECORDS CENTER (ROOMS)* for archival accession.

“RECORDS INVENTORY” - the process of locating, identifying, and describing in detail the records of a department.

“RECORDS COORDINATOR” - a person designated by each Director/Chief to implement the Records Management Program in their department.

“RECORDS MANAGEMENT” - the creation and implementation of systematic controls for City records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation and disposal, for the purpose of achieving adequate and proper documentation of the policies and transactions of City government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping

requirements that ensure City records are created to adequately document the City's business transactions.

“*RETENTION PERIOD*” - the minimum time that must pass after the creation, recording, or receipt of a City record, or after the fulfillment of certain actions associated with a City record before the record is eligible for disposition.

OWNERSHIP OF CITY RECORDS:

As defined in O.C.G.A. § 50-18-102(a), all records created or received in the performance of duty and paid for by public funds are deemed to be public property and shall constitute a record of public acts. Every City record is the property of the City of Brookhaven. No City officer or employee has any personal or property right to a City record even though they may have developed or compiled the record. The unauthorized alteration, destruction, deletion, removal from files, or use of a City record is prohibited. A City record exempted from public disclosure under State or federal law is not made subject to disclosure by its designation as City property under this section.

PASSWORD PROTECTED ELECTRONIC RECORDS:

Only confidential documents may be password protected as long as the creator of the document provides his/her supervisor with the password.

RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, PENDING LITIGATION OR PENDING AUDITS:

The destruction of a City record involved in a pending request under the Open Records Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved Records Retention and Disposition Schedule.

POLICE DEPARTMENT AND COURT SERVICES DOCUMENTS:

The *Records Custodian* of the City of Brookhaven Police Department oversees the records in accordance to the Georgia Records Act, O.C.G.A. §50-18-90 - § 50-18-103 and State Records Retention and Disposition Schedule. The *Clerk of Court* oversees the records of the City of Brookhaven Municipal Court in accordance Georgia Records Act, O.C.G.A. §50-18-90 - § 50-18-103 and State Records Retention and Disposition Schedule. Both departments will partner with the Records Manager/City Clerk to ensure compliance with federal and state laws, regulations, and City ordinances pertaining to records management.

RECORDS MANAGER (CITY CLERK) DUTIES AND RESPONSIBILITIES:

In addition to other duties assigned by this policy, City ordinances, and State law, the Records Manager (City Clerk) shall:

1. Coordinate the City's Records Management Program and provide advice and assistance to Directors and Records Coordinators in its implementation;
2. Prepare the requirements, policies and procedures for the City's Records Management Program;
3. In cooperation with the Director and Information Technology Department (IT) staff, will identify essential records and establish a records disaster and recovery plan for each department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
4. Monitor retention/disposition schedules and administrative rules issued by the Georgia Secretary of State;
5. Disseminate information concerning State laws and administrative rules relating to City records to the Directors;
6. Direct Records Coordinators and other personnel in the conduct of records inventories;
7. Partner with the Information Technology Department (IT) to ensure that the creation, maintenance, preservation, scanning, electronic storage, destruction, and other disposition of City records are carried out in accordance with the requirements, policies, and procedures of the Records Management Program, this policy, City ordinances, and State law;
8. Develop procedures to ensure the permanent preservation of the historically valuable records of the City;
9. Provide uniform standards and efficient controls over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of City records. (i.e. The storage of documents are to be stored in boxes measuring 10"Hx12"Wx15"D The City Clerk shall maintain a Retention/Inventory/Disposal Log.)
10. Serve as the City's liaison to the Georgia Secretary of State for Records Management Program requirements; and maintain supplies for the storage of documents.

DEPARTMENT DIRECTOR DUTIES AND RESPONSIBILITIES:

Every Director shall:

1. Cooperate with the Records Manager/City Clerk and Records Coordinator in carrying out the policies, procedures, and requirements of the Records Management Program, this policy, City ordinances, and State law.
2. Cooperate with the Records Manager/City Clerk and Records Coordinator for the period of time the records are to remain in their department before moving to the record center or record rooms.
3. Notify the Records Manager/City Clerk within 24 hours of the discovery of any loss, theft, or damage to a City record;
4. Partner with Information Technology (IT) and Records Manager/City Clerk to ensure the ability to access records regardless of form or medium; Notify the Records Manager/City

- Clerk and Information Technology (IT) of proposed electronic record keeping systems to ensure compliance with electronic record keeping requirements established by the Records Management Program, this policy, City ordinances, and State law;
5. Partner with Information Technology and Records Manager/City Clerk to ensure electronic records in the director's custody are migrated forward as technology changes, for as long as the records are determined to have value, and to ensure that requests for funding for new systems or systems enhancements address requirements for backup, recopying, disaster recovery, security, public access, audit trails, and other record keeping requirements in accordance with the Records Management Program, this policy, City ordinance, and State law;
 6. Appoint a department Records Coordinator in accordance with this program.

RECORDS COORDINATOR DUTIES AND RESPONSIBILITIES:

The Records Coordinator shall be designated by the department's Director. A person designated as a Records Coordinator shall be thoroughly familiar with departmental policies and activities and have full knowledge of and access to all City records created and maintained by the Division/Department and by all officers and employees of the department. In cooperation with the Records Manager/City Clerk and Department Director, the designee shall coordinate and implement the requirements, policies, and procedures of the Records Management Program in the department.

RECORDS RETENTION AND DISPOSITION SCHEDULES:

The Records Manager/City Clerk in cooperation with Information Technology (IT) staff, Directors and Records Coordinators, shall follow the State's Record Management guidelines on Records Retention and Disposition Schedules. Each Department shall also have their departments' records retention schedule that corresponds with the State's Records Retention and Disposition Schedules or any other applicable schedules.

Records may not be destroyed prior to the time periods stated, however, they may be retained for longer periods for sufficient reasons. The State's Records Retention and Disposition Schedules are on the website www.georgiaarchives.org.

A City record whose retention period has expired should be destroyed unless an Open Records Request is pending on the record; the subject matter of the record is pertinent to pending litigation or a pending audit; the Director requests to the Records Manager/City Clerk in writing that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or the Records Manager/City Clerk sends written notification to a Director that the records must be held pending review for historical appraisal.

DESTRUCTION OF RECORDS:

The Records Manager/City Clerk shall approve City records proposed for destruction on a regularly scheduled basis, according to the maximum retention and records disposition guidelines provided in the State of Georgia guidelines. No original record shall be destroyed without the review and concurrence of the Records Manager/City Clerk and the appropriate Director. The Records Manager/City Clerk is directed to supervise the destruction of records approved for final disposition on a regularly scheduled basis. Any City record, the subject matter of which is in litigation, shall not be destroyed until such litigation is final, including the expiration of any period for appeal or final adjudication.

Destruction Of Original Records That Have Been Duplicated - Original paper records that have been duplicated on microfilm, microfiche, scanning, data processing, or word processing equipment may be destroyed prior to the retention period specified in the records schedule without further approval provided the following three conditions are met:

1. The duplicate copy of the information contained in the original record is maintained for the specified time.
2. The original paper record has not been scheduled for permanent preservation.
3. The Records Management Officer has agreed to the destruction of the original paper record and the destruction is recorded.

Unscheduled Records – Records not on schedule can be destroyed at the department head’s discretion.

FINAL DISPOSITION – ELECTRONIC DOCUMENT MANAGEMENT SYSTEMS:

Disposition/destruction reports must be generated and submitted to the Records Manager/City Clerk for all electronic records removed within City-wide document management software systems in compliance with the Records Retention Disposition Schedules.

FINAL DISPOSITION – DESTRUCTION CERTIFICATE FOR PAPER DOCUMENTS:

Disposition of records must be approved first by the Department/Division Head in accordance to the State Records Retention regulations. A Certificate of Destruction Notice is to be sent to the Records Manager/City Clerk for final approval.

GUIDELINES AND PROCEDURES FOR STORAGE IN RECORD CENTERS (ROOMS):

The City Hall Records Centers (Rooms) serve as centralized records storage facilities for all departments except the Police Department and Municipal Court for storage of non-current City records and is under the direct control and supervision of the Records Manager/City Clerk. The Records Manager/City Clerk shall establish policies and procedures regulating the operations and use by City departments. The Police Department and Municipal Court record facilities are subject

to change in accordance to any new locations of City facilities and buildings, The Police Record Custodian and Clerk of Court may partner with the Records Manager/City Clerk.

RECORD CENTERS AND ROOMS SHOULD BE LOCKED AT ALL TIMES!

The following procedures should be followed:

- A. The Department's Record Coordinator, appointed by and under the direction of the Director/Division/Head, will be responsible for the coordination of the Department/Division's records storage in conjunction with the guidelines and procedures outlined in the Records Management Policy. The Records Manager (City Clerk) or designee (Deputy City Clerk) will witness receipt and approve all record storage deposits into the Record Centers (Rooms).
- B. Type of Storage Box- All records must be stored in one cubic foot size boxes (10x12x15). Any larger boxes are hard to handle and dangerous! Large boxes will not be accepted in the Record Centers.
- C. Packing of Box - Records may be categorized by date and item description. Disposition of records will be by year and type record. Please store records in similar categories and dates (years) unless otherwise approved by the Records Manager (City Clerk).
- D. Packing of Box - Leave enough room equivalent to "one hand's width" (about 1 inch) in each box when packing. Do not over-pack the box.
- E. Paperwork submittal- An entry form must be completed with record descriptions and signed by Department/ Division Head and Record Coordinator.
- F. Receipt of Records to Record Centers (Rooms) - All boxes of records must be inventoried, reviewed for retention schedule assignments, and logged in through the City Clerk's Office by appointment.
- G. The box should be numbered and labeled as follows: **Department, Box #, Record Type, Destruction Date, Retention #, and Records/Departments Owner Name**
- H. Record Disposition - A *Certificate of Disposition* documenting records to be destroyed are in compliance to the retention schedules will be sent to the Department/Division Head and Records Coordinator prior to any destruction of records for their signature of approval.
- I. Disposition of records must be approved by Department/Division Head and Records Manager (City Clerk) and in compliance with State Records Retention Regulations. A witness shall be present during the destruction of the records and will also sign the *Certificate of Disposition*.
- J. The *Certificate of Disposition* will become the permanent record.

ELECTRONIC MAIL (EMAIL):

The retention or disposition of E-Mail messages are to be maintained in accordance to the State Record's Retention and Disposition Schedule (www.georgiaarchives.org).

Emails are based on the information they contain or the purpose they serve. Because the content of E-Mail or on-line messages may vary considerably, no single retention period applies to all E-Mail messages. Therefore, message content must be evaluated to determine the length of time the E-Mail must be retained. Messages of short-term interest with no documentary or evidential value; for example, City event notices (holidays, parties, charitable campaigns) may be retained until no longer useful. An electronic message no longer required to be retained by the Records Retention and Disposition Schedule may be deleted.

An electronic message required to be retained by the Records Retention and Disposition Schedule may be deleted if a record copy has been made by printing the message or by transferring it to another system. The preserved copy of the message must include information about the transmission of the message, including the sender, the specific recipients (not just names of distribution lists), the date sent, and any attachments.