Administrative Policy No. 05.04

Subject: Records Retention

Information Contact: Agency Records Officer
Services and Enterprise Support Administration
MS 45805 (360) 664-6048

Authorizing Source: Title 40 RCW
Chapter 42.56 RCW
Chapter 434-610 WAC
Chapter 434-615 WAC
Chapter 434-626 WAC
Chapters 434-635 through 434-690 WAC
Requirements for the Destruction of Non-Archival Paper
Records After Imaging

Effective Date: July 6, 2007

Revised: September 28, 2017

Approved by: Original signed by Sharon Swanson
Senior Director, Policy & External Relations

Sunset Review Date: September 28, 2021

Purpose

This policy establishes requirements and guidelines for implementing the records retention program in the Department of Social and Health Services (DSHS). Key elements include:

1. Methods for following state records management, destruction, and retention requirements.

2. The role of DSHS Forms and Records Management Services (FRMS) in the records management process.

3. The roles and responsibilities of DSHS employees in the records retention process.

Scope

This policy applies to all DSHS employees.
Definitions

Disposition: To change the custody, location, or nature of DSHS records including transfer, microfilming, duplication or destruction.

Division of Archives and Records Management: A division within the Office of the Secretary of State that sets statewide policy for records management, disaster records recovery, records preservation, and historical records management.

DSHS Records: Any document or recorded information regardless of physical form or characteristics created, sent, organized or received by the agency in the course of public business including paper documents, e-mail, drawings, graphs, charts, video tapes, photographs, phone records, data compilations, planners, calendars, diaries, draft documents, Electronically Stored Information (ESI), and Metadata.

Agency Records Officer: The person responsible for the agency records management and retention program per RCW 40.14.040 and Chapter 434-626 WAC.

Electronically Stored Information (ESI): DSHS records stored in an electronic format. Email is one type of ESI. Other types of ESI may include records created using programs such as: Microsoft Word, Excel, Access, Publisher, PowerPoint, SharePoint, Adobe Acrobat, and web-based social media including, but not limited to, blogs and micro-blogs (such as Twitter), social networks (such as Facebook), and video sharing (such as YouTube). ESI can be located in databases and on network servers, backup tapes, personal digital assistant (PDA) devices, thumb or flash drives, compact disks (CD), digital video disks (DVD), floppy disks, work computers, cell phones, laptop computers or any other electronic storage device used to do DSHS work. ESI also includes any DSHS records that employees store on personally owned electronic devices that were used to do DSHS work, such as home computers, laptops, cell phones, or PDAs.

Essential Records: DSHS records vital in an emergency and necessary for the reestablishment of normal operations after any emergency. This includes all records needed to protect assets, obligations and resources necessary to provide continuity, preservation, and operation of the agency.

General Records Retention Schedule: A schedule listing and assigning minimum retention periods to individual records series, which is approved for all state government agencies, or particular types of agencies, by the State Records Committee. General records retention schedules provide the agencies they cover with continuing blanket authority for the disposition of commonly-held records according to their assigned retention periods.

Imaging: Converting paper documents into digital documents. Approval is required to destroy the paper documents per Chapter 434-663 WAC.
Metadata: Data about data. Software programs automatically create metadata about the history, tracking or use of an electronic record. Different types and elements of metadata are available for different types of records. Metadata may include how, when, and by whom a record was created, received, accessed, and/or changed, how it is formatted, and where it is located. Examples of metadata include, but are not limited to: document properties; hidden rows, cells and formulas in Microsoft Excel; track changes, comments and markups in Microsoft Word; and blind carbon copy (bcc) in e-mail. Some types of metadata are visible, such as file size and date of creation, but many other elements of metadata are not visible or are embedded in the record. Printing an electronic record typically does not reproduce all elements of metadata.

Public Records Requests: The process to seek access to public records, including client records, held by the Department unless covered by other law, such as RCW 13.50.100 and Chapter 70.02 RCW. See Administrative Policy 05.02.

Records Coordinator: The person appointed by administration or division management to assist the Agency Records Officer with the records management and retention duties of their administration or division.

Records Inventory: A descriptive listing or survey of record series held by an office that includes title, types of files in the series, and a description of significant subject content.

Records Retention Schedule: A State Records Committee approved list of records which establishes legal records retention and disposition requirements, includes both the General Records Retention Schedule and unique DSHS Records Retention Schedules.

Records Transmittals: A form that lists and describes the record content of boxes sent to the State Records Center.

Retention Period: The minimum amount of time required for the retention of DSHS records according to program needs and requirements approved by the State Records Committee.

Source Records: Records in which data collected is first recorded.

State Records Center: The section of Division of Archives and Records Management that provides secure storage for paper records which must be available for administrative, audit, legal, or fiscal reasons for a specified period.

State Records Committee: The committee that approves, modifies, or disapproves state agency recommendations on retention schedules for public records per RCW 40.14.050.

Unique DSHS Records Retention Schedule: A schedule, listing and assigning minimum retention periods to individual records series, which is approved for a specific agency by the State Records Committee. A records retention schedule provides continuing records disposition authority to the agency for which it is approved.
Policy

The law requires DSHS and its employees to keep DSHS records for a specific period under approved record retention schedules. Failure to keep records under the approved record retention schedules, or failure to stop destruction of records when there is notice of potential lawsuit, or an active lawsuit, audit, or public records request, could subject the employee and DSHS to penalties and fines. For matters involving records relating to an active or potential lawsuit, see Administrative Policy 05.05. For public records requests, see Administrative Policy 05.02.

1. The Agency Records Officer shall:
   
a. Implement records management and retention requirements from the Division of Archives and Records Management.
b. Work with the State Records Committee to produce and revise unique DSHS Records Retention Schedules.
c. Review and approve record transmittals for accuracy prior to submitting to State Records Center for processing.
d. Review established record schedules biennially to maintain complete and accurate information.
e. Review process on record disposal procedures to maintain cost efficiency and timeliness of disposal.
f. Assist Records Coordinators with records disaster preparedness and recovery plans to include annual review of essential records.
g. Conduct agency-wide records inventory.
h. Monitor and approve disposition for all DSHS records submitted to the State Records Center.
i. Approve destruction of paper-based source records after they have been converted to a digital format by imaging (scanning). Please note: Imaged records become the official document once an imaging approval is obtained through the Agency Records Officer.
j. Provide guidelines for on-site records destruction under Division of Archives and Records Management requirements.
k. Provide quality training and consultation to Records Coordinators and department staff regarding state records management, destruction, and retention requirements.

2. Forms and Records Management shall assist the Agency Records Officer by posting approved, current record retention schedules on the DSHS Records Retention Intranet and the DSHS Records Retention Internet websites.

3. Division directors or their designees shall:
   
a. Require division employees to comply with procedures established by the Agency Records Officer, Division of Archives and Records Management, and State Records Committee.
b. Appoint an employee as Records Coordinator and notify the Agency Records Officer in writing.

c. Require division employees to be trained and knowledgeable regarding both the General Records Retention Schedule and unique DSHS Record Retention Schedules, and disposal requirements that apply to the DSHS records they generate and use.

d. Require that disposition of DSHS records within their division is conducted according to timelines in the General Records Retention Schedule and unique DSHS Record Retention Schedules unless there is notice of a potential lawsuit, or there is an active lawsuit, audit, or public records request.

4. Records Coordinators shall:

   a. Comply with procedures established by the Agency Records Officer, Division of Archives and Records Management, and the State Records Committee.
   b. Assist the Agency Records Officer with records inventories.
   c. Review their unique DSHS Record Retention Schedules annually and forward revisions to the Agency Records Officer.
   d. Identify essential record series, establish office procedures for their preservation and protection, and forward a list to the Agency Records Officer.
   e. Establish procedures for compliance with the General Records Retention Schedule and unique DSHS Records Retention Schedules record retention schedules including regular or periodic records disposition.
   f. Notify FRMS of any office name or functional change to maintain current forms and records information and scheduling.
   g. Secure approval for disposition of DSHS records not listed on a retention schedule.
   h. Provide consultation and assistance to administrative staff on records retention compliance requirements.

5. All DSHS employees shall:

   a. Take DSHS Records Management 101 mandatory training annually.
   b. Consult with the Agency Records Officer on all matters relating to the maintenance, retention, transfer and/or destruction of public records in accordance with RCW 40.14.040.
   c. Comply with retention procedures established by this policy, division policies, the Agency Records Officer, Division of Archives and Records Management, and the State Records Committee.
   d. Keep DSHS records the employee is responsible for until the records have met the end of their approved retention period or have been imaged in accordance with the Requirements for the Destruction of Non-Archival Paper Records After Imaging.
   e. Keep ESI in its original electronic format with metadata intact. (Printing and keeping a hard copy of ESI is not a substitute for the electronic version unless specifically approved by the State Records Committee.)
f. Keep any DSHS records created, sent, organized, received or stored on DSHS or non-DSHS resources according to the retention schedule regardless of physical location.
g. Prior to the destruction of any DSHS records, determine if those records need to be kept for a public records request, lawsuit, audit, or program requirement.
h. Obtain approval from the Agency Records Officer before disposing of DSHS records not listed on a retention schedule.

Resource

DSHS Records Retention Intranet Website