

## Health and Safety Executive Board Paper

<b>Meeting Date:</b>	3 November 2004	<b>Open Gov. Status:</b>	fully open
<b>Type of Paper:</b>		<b>Paper File Ref:</b>	01.10.02.0124/0021
<b>Exemptions:</b>	none		

### HEALTH AND SAFETY EXECUTIVE

#### The HSE Board

#### Information retention and disposal

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#### Issue

1. HSE's policy for retaining and disposing of information - its data, documents and records – needs updating, clarification and agreement.

#### Timing

2. A decision is required today to meet target times for implementing COIN and FOI (freedom of information). Other projects depend on this decision.

#### Recommendation

3. The proposal is that HSE should keep electronic information for seven years following completion of the activity it covers. This would be a standard retention period, and there will be few variations.
4. It is recommended that the Board agrees the policies including those for COIN (paragraphs 8-11 and annex 1) and for EDRM (electronic documents and records management) (paragraphs 12-15 and annex 2), and notes the actions required (paragraphs 18-19)

#### Background

5. A number of projects and initiatives indicate the need to clarify our policies for managing the whole life of information, especially its retention and disposal arrangements.
  - The COIN Design Authority has identified the need for a COIN data retention framework to contain the overhead of managing and interpreting ageing data, to ensure that HSE relies only upon data relevant to its operations, and to improve systems' performance and stability

- Implementing the space standards in accommodation projects has required staff to review and declutter paper.
  - Implementing arrangements for the FOI Act in January 2005 has encouraged staff to ensure HSE only holds copies of documents and records relevant to its business, and that we identify and bear down on local and personal collections of documents, which may contain duplicates.
  - The pilot work on EDRM (electronic documents and records management) systems needs similar policies on retention and disposal to be established before staff start using the system. The policies need configuring into the software.
  - The National Archives are proposing new arrangements for 'macro' appraisal and review of collections of electronic records, including retention and disposal. The approach to retention for longer periods is being reviewed.
6. These initiatives have also shown there is uncertainty about HSE's policies and retention arrangements. Staff are keeping more information than is necessary. Disposing of information at its life's end is not routine across HSE.
  7. Together these initiatives identify the need for a clear statement of our policy, to be incorporated in our business systems. Without clear policy and leadership, HSE will not improve its capacity to manage its information in an environment of increasing public openness.

## **Argument**

8. When the HSE board approved the COIN full business case in June 2004, a commitment was made to return to the Board with proposals to manage data and information in COIN, including data too old to be migrated to COIN.
9. The COIN Design Authority considered that the appropriate length of time for a transaction record (e.g. an incident record, safety case assessment, investigation record, prosecution record) in the live system should be three years. It also considered that the appropriate length of time for a transaction record in the warehouse should be seven years.
10. Exemptions for some functions in the Operating Directorates were agreed by the Design Authority where these rules did not fit with the existing business logic. For example, retention of the current and previous Safety Case and Reports were more appropriate criteria for permissioning regimes. Also, while documents relating to prosecutions would be reviewed after seven years – with a presumption for disposing of them – limited, key data about prosecutions would be retained for much longer.
11. The key recommendations of the COIN Design Authority, now agreed by the COIN project board, are at Annex 1.

### **This paper proposes the HSE Board approves them.**

12. HSE staff are uncertain about what records should be kept about all our business. Rather than prescribe solutions for every process in HSE or prescribe that we keep everything, the EDRM project will help staff judge which documents and records should be kept, and which should not. It is proposed that documents should be captured as records where the activity that created them:
  - Approves or authorises actions, or
  - Signifies a policy change or development, or
  - Relates to significant projects or activities being carried out, or
  - Contains advice or provides guidance, or

- Constitutes formal communications between staff and outside recipients about official business, or
  - Demonstrates accountability, or
  - Demonstrates compliance with the law
13. In its preparations for implementing FOI and EDRM, the Information Management Unit has consulted HSE staff to establish a records plan. This has retention policies for printed and electronic records for all of HSE's functions, in line with those proposed for COIN. There is consensus that:
- Records should not be kept for any longer than is required
  - Where there is a statutory requirement to keep types of records for a set period, that period is adopted as the minimum retention period for that class of record
  - The business need for keeping a record for a set period should be considered – balancing the risk that HSE staff would need to recover old records to review activities against the cost and effort of managing them for a longer period
  - Risks associated with loss of access to a record should be taken into account. The activities covered by this approach would include litigation, the life of high-risk installations, managing for civil contingencies etc.
  - Data Protection guidelines suggest that personal data should be kept no longer than necessary
  - Certain classes of strategic records such as HSE board papers should be kept for longer periods because they form part of the nation's history
14. In the review of the proposed records plan, an assumption made was that the 'record' was usually a completed collection of data and/or documents, covering the lifetime of an activity - such as a project or the financial cycle. Staff identified that they want the opportunity to review records before disposal to ensure that those whose value has increased over time can be retained for a longer period, and this control can be built into an EDRM system.
15. It is proposed that HSE should adopt seven years from the closure of a folder as the standard retention period for electronic data, documents and records. The key retention and disposal periods of the records plan – including some variations - are at Annex 2.

**This paper proposes the HSE Board approves them.**

16. This approach has been developed in line with the COIN data retention policy, so that only information of ongoing use to HSE is retained, and information of little or no ongoing value is disposed of.
17. The existing standard policy of retention and disposal of printed records - that we review registered files nine years *after* they are opened – will be retained for existing printed records. There will be fewer to review as we migrate to electronic records.
18. Implementing these retention and disposal policies in the COIN and EDRM projects requires clear leadership, advocacy and direction from HSE's Board to the rest of HSE. Review and feedback mechanisms – still to be developed - will be implemented to ensure that the policy is being consistently implemented, and that variations are exceptional and agreed.
19. The retention and disposal policies will be kept under review to take account of legislative and central government changes.

## **Consultation**

20. The COIN data retention policy was developed and agreed with input from OPSD, FOD, NSD, RI, HID, CoSAS and BSD. The HSE Records Plan has been developed in consultation with all parts of HSE. Both projects have examined practices elsewhere in the public services. Advice from the National Archives for retention periods for generic business processes has been adopted in the Records Plan.

## **Presentation**

21. It is proposed to summarise the retention and disposal policies for the HSE Publications Scheme, which identifies the information HSE routinely holds and publishes.<sup>1</sup> Publicising our retention policy alongside the Scheme will generate some public enquiries during implantation of the FOI Act etc., and it is proposed to handle these enquires as part of the FOI implementation project. Some of these enquiries will come from pressure groups and journalists, and may require assistance from Communications Directorate.

## **Costs and Benefits**

22. For the public, adopting these policies helps HSE conform to the government's openness agenda.

## **Financial/Resource Implications for HSE**

23. The cost of implementing the COIN data retention policy has been included in the project business case and implementation plan. The cost of implementation for the EDRM project is still to be calculated, but is minimised by applying a policy that is comparable with the policy for printed records. EDRM systems help reduce the holding of duplicate documents including e-mails, and so bear down on IT storage costs. Staff have been asked to apply proposed retention periods when they declutter offices.

## **Action**

24. The Board is requested to approve the proposals:

- For COIN (paragraph 10 and annex 1)
- For the records plan (paragraph 14 and annex 2)

25. The Board is requested to note proposed requirements for managing printed records, leadership and reviews of this policy (paragraphs 16-18)

26. Following agreement today:

- The COIN project will proceed as planned, implementing the recommendations outlined at annex 1
- The FOI implementation project will publicise the HSE retention and disposal policy in the Publications Scheme.
- The EDRM project will implement the policies in the software configuration.

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<sup>1</sup> This is a requirement of the FOI Act, is a major enabler for implementing FOI and is already published on HSE's website.

## **COIN Data retention Key recommendations**

1. HSE will move from the position of gross-under management of data to the strong position of a rule-based approach.
2. The standard retention period for records reflecting events/activities will be 3 years in the live system, 7 years in the warehouse. The same framework should be applied for paper records.
3. The above periods will run concurrently from when the record was last amended; after which the record will be deleted from the live system, then 4 years later from the warehouse.
4. Records concerning clients (dutyholders, locations etc) will be retained in the live system and the warehouse until all events/activity records relating to the client have been discarded from the warehouse.
5. Data are retained beyond the 3/7-year rules by exception.
6. The principal exception to the above rules is Permissioning regime activity records for Safety Case/Reports where the current and previous records will be retained even where the 7 years deadline is exceeded.
7. Exceptions to the above rules have been granted for the operational intelligence (including linked Word documents) held in the OSD Wells system, OSD Safety Case System, the RI Safety Case assessment system and the RI CRISP1 system. The records will be retained indefinitely in the warehouse.
8. Recommendation 7 will be reconsidered under the wider review of HSE's Permissioning Regimes
9. Data not migrated to COIN from the 14 legacy systems within the scope of the data migration sub-project will be destroyed as part of the decommissioning strategy.
10. No local retention of the above legacy data should be permitted.

## A summary of retention and disposal periods in the HSE records plan.

In HSE's proposed EDRM system, retention and disposal periods are allocated against folders. As now, folders are set up to cover one project, one dutyholder, one event etc., or sub stages where the scope is extensive. Folders are closed when an activity is finished, or when a key stage in an activity is finished. The folders are created against a business classification scheme designed for HSE, which includes the records plan. Good practice recommends this follows a functional approach to HSE's business. HSE's functions are the least likely features of our business to change over time – as opposed to organisational structure, geography or subject responsibility.

The standard retention and disposal period of seven years following completion of an activity will be implemented across all functions with the following variations:

Function	Variations from standard period	Notes
1. Business support & management of the HSE and its directorates and divisions	Varying retention and disposal periods will be established following statutory requirements and generic advice from the National Archives. Most periods are shorter than seven years, but they start after completion of a financial cycle, a completed contract etc.	These are generic functions, common to all government bodies. It includes: business strategy, planning, audit and risk management, information management, personnel work, finance management, legal services, internal communications, IT, procurement, estate and accommodation, and supporting the Commission and Executive.
2. Policy and legislation development 3. Developing standards	For EU derived legislation, routinely reviewed after 10 years, a longer period can be agreed.	Applying the standard period of seven years following implementation of regulation or a standard enables staff to review ongoing retention requirements in the light of developments unknown when work started.
4. Regulatory functions	The COIN data retention recommendations recognise the need for longer periods for the permissioning regimes. When agreed, the same periods can be included in the records plan.	These are principally the functions managed using COIN
5. External communications	The National Archives recommends generic retention periods for handling enquiries, PQs and complaints.	
6. Research and scientific support	The consensus in HSE is that final reports and working papers should be retained for 15 years before review.	Other government organisations e.g. DEFRA and EA apply retention periods of varying length, but 15 years is common.
7. Data collection and statistics	No significant variations have been requested	