* ***Dartmouth & District Conservative Club***
* **Records Management Guidelines**
* **Introduction**
* Maintaining business records in a systematic and reliable manner is essential to comply with legal and regulatory requirements, such as data protection, tax and employment. It also reduces the costs and risks associated with retaining unnecessary information.
* These records management guidelines have been developed to help properly manage our records. They set out:
* what records are;
* how records should be classified and stored;
* how long different classes of record should be retained; and
* how records should be disposed of.
* **Responsibility and application**
* The Secretary is responsible for these guidelines.
* These guidelines apply to all employees, temporary and agency workers, other contractors and volunteers.
* These guidelines do not form part of any employee’s contract of employment and we may supplement or amend them with additional policies and guidelines from time to time. Any new or modified policy will be circulated before being adopted.
* **What are records?**
* For the purposes of these guidelines, records are documents, communications and other materials that are written, recorded or otherwise machine readable. Records can exist in different formats including electronic, paper, book, facsimile, film, videotape, audiotape, and other formats available through existing and emerging technologies.
* Voicemail, text or instant messages do not constitute records, except those that have been recorded and retained for business or regulatory purposes.
* There are two types of records: business records and short-term records.
* Business records:
* business records are records created or received in the course of running the club which:
* document a business-related event or activity;
* demonstrate a business transaction;
* identify individuals who participated in a club activity;
* support a club-related event, activity, or transaction; or
* are needed for other legal, business, or compliance reasons.
* business records must be properly classified, stored, retained and disposed of in accordance with this policy.
* Short-term records:
* short-term records are those with no enduring business or operational value, and which are not considered to be business records.
* short-term records, including any personal files, emails or other documents on company premises or systems, may become business records if they are relevant to a legal or business matter of the club.
* **Creation of records**
* The person who wrote, created or is the primary custodian of a record is responsible for ensuring it is retained and destroyed in accordance with these guidelines.
* All records and other communications pertaining to the club’s business are to be appropriately and accurately worded. You must act responsibly, lawfully and professionally when creating records regarding our business activities and/or on our systems.
* The creation of records that are misleading, intentionally false, fraudulent, sexually explicit, abusive, offensive, harassing, discriminatory, profane, defamatory, unethical, or that violate any laws, regulations or internal policies is prohibited.
* **Classification and mark-up of business records**
* Some business records require greater levels of protection than others and should be classified as confidential. It is not possible to list every possible type of record which may need to be, and you should consider the following questions and exercise your judgement.

|  |  |
| --- | --- |
| Does the record include personal data? | See our Data Protection Policy for a definition, but as a general guide, this is data which identifies or can be used to identify an individual (the ‘data subject’).Records that contain personal data must be classified as confidential.  |
| Are we under an obligation to store, transmit, or delete the information in the record in a certain manner?  | This obligation could be imposed by a regulator or a contractual agreement with a supplier or customer.If the answer is “yes” the record must be classified as confidential. |
| What is the potential impact if the record is inadvertently disclosed, corrupted, lost or destroyed? | Classify records as confidential if inadvertent disclosure or loss would have an adverse impact on: * an individual
* our reputation or
* any of our members, suppliers or other partners.
 |
| Is the record in the public domain? | If the record is in the public domain for legitimate reasons, eg not as a result of breach of confidence, the record should not be classified as confidential. |

* Mark-up of business records:
* records classified as confidential must be marked ‘Confidential’ in one or more of the following ways:
* in the document header or footer;
* in the subject line of an email and/or the top or bottom of the body of the message;
* by way of a watermark in the Word, Adobe, PDF or other version of the document; or
* by way of a stamp on the hard copy.
* **Retention of business records**
* Business records must be retained as long as required by relevant laws and regulations and in accordance with our business needs.
* Retention periods:
* our Records Retention Policy sets out how long records will normally be held and when the record will be destroyed.
* business records should not be disposed of or destroyed before the relevant retention period expires.
* business records should not, however, be kept longer for than the relevant retention period unless the retention period for that particular record has been suspended, as described at section 10 below.
* where more than one retention period applies to a record, it should be retained in accordance with the longest retention period,
* if a record type is not listed in the Records Retention Policy and is not a short-term record (see 3.5 above), contact the Secretary for guidance.
* the following are not subject to the Records Retention Policy:
* IT system backups - these are designed for operational restoration purposes and are not to be used for the retention of business records; and
* emails of former employees that do not constitute business records - these may be retained for transitional or other business purposes, but are to be disposed of within 1 year of the date of employee’s leaving, except as may be required under a litigation hold (see section 10.2).
* Retention - drafts and duplicates:
* draft or duplicate copies of business records should be retained only while they are needed for valid business reasons and never longer than the applicable retention period in the record retention schedule.
* you should not send draft or duplicate records to an off-site storage facility without the approval of the Secretary.
* Retention - format
* most business records can be retained exclusively in electronic form and hard copies do not usually need to be retained.**[** The exceptions to this are:**]**

|  |  |
| --- | --- |
| deeds relating to registered or unregistered land | The deeds are proof of ownership of and/or may be required to deal with queries on title |
| share certificate | A share certificate is prima facie evidence of ownership |
| any registrable document, such as a document to be registered with HM Land Registry | The original should not be destroyed until the registration is complete and confirmed |
| [insert document description] | [explain why the hard copy cannot be deleted] |

for these types of record we must retain the hard copy and the electronic version.

* contracts and other legally binding records can be retained exclusively in electronic form, so long as the electronic record:
* accurately reflects the original, and
* is in a form that is capable of being retained and accurately reproduced for later reference throughout the required retention period.
* you should check with the Secretary before retaining contracts or other binding records solely in electronic form.
* **Storage of records**
* All records covered by these guidelines must be managed and stored in accordance with its terms.
* Business records must be stored on our premises or at a secure location or website approved by us to provide physical or electronic storage facilities.
* **Removal of business records**

You may remove business records from our premises only for legitimate business purposes and must return those records when no longer needed off-site for business purposes.

* **Destruction of business records**
* Business records must be destroyed at the end of the relevant retention period, unless the retention period has been suspended under section 10.
* As a general rule, short-term records should be retained for no longer than 90 days. While they may be captured by routine backup processes, they should not be specifically stored at an off-site storage facility.
* Periodically, you should determine whether you have records in your control that should be discarded or destroyed pursuant to this policy.
* If you have questions or concerns about retaining any records beyond the scheduled retention periods, you should contact the Secretary before disposing of the records in question.
* **Suspending the destruction date**
* If a claim, audit, investigation, subpoena or litigation has been asserted or filed by or against us, or is reasonably foreseeable, we have an obligation to retain:
* all relevant records, including those that otherwise would be scheduled for destruction under the Records Retention Policy; and
* records that otherwise could have been disposed of as short-term records.
* On learning of an actual or reasonably anticipated legal action, the Secretary will notify relevant staff to suspend disposal and destruction of applicable records. This is known as ‘litigation hold’.
* If you become aware of an actual or anticipated claim, audit, investigation, subpoena or litigation, you must immediately report the matter to the Secretaryand discontinue any scheduled disposal pending confirmation of whether litigation hold is required.
* You must carefully and diligently comply with any litigation hold notices. In particular, you must not alter, dispose of, discard or destroy any records that are subject to litigation hold. You must also continue to retain any and all such records until the Secretary issues a notice indicating that the litigation hold has been lifted and that the retention and disposal of such records should resume in accordance with our Records Retention Policy.
* **Failure to comply**
* We take compliance with these guidelines very seriously. Failure to comply puts both staff and the Club at risk. The importance of these guidelines means that failure to comply with any requirement may lead to disciplinary action, which may result in dismissal.
* Staff with any questions or concerns about anything in this policy should not hesitate to contact the Secretary.
* **Monitoring and review**

The Secretary has overall responsibility for these guidelines and will monitor compliance with them regularly to make sure they are being adhered to.