



## **RECORDS & INFORMATION MANAGEMENT (RIM) POLICY**

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# Records & Information Management (RIM) Policy

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<b>Related Documents</b>	Records & Information Management (RIM) Manual Records Retention Schedule

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## **1. Background & Rationale**

### **1.1 Background**

The Records & Information Management (RIM) Policy replaces the previous Records Management Policy that was approved by the Board of Retirement on March 13, 2008.

### **1.2 Rationale**

LACERA recognizes that we conduct the business of the people, and that information and records are assets, vital for both ongoing operations and also in providing valuable evidence of business decisions, activities, member information, and transactions.

## **2. Purpose**

The purpose of the RIM Policy is to (1) establish an efficient organization-wide records management system for identifying, maintaining, retrieving, preserving and destroying records, (2) ensure that records are adequately protected, (3) preserve LACERA's history, (4) ensure that records that are no longer needed or of no value are destroyed at the appropriate time, (5) comply with all applicable local, state, and federal laws and regulations, and (6) provide guidance for the Managers, Staff, and other constituencies with respect to their responsibilities concerning document retention and destruction.

## **3. Authority, Application & Compliance**

### **3.1 Authority**

This Policy has been authorized by the Board of Retirement and is available to all staff. It has been developed in consultation with the Legal Office and will be revised, as provided in Section 3.4. Ownership of the Policy rests with the Records and Information Management (RIM) Unit in the Administrative Services Division whom are responsible for LACERA's compliance with Policy Requirements and Recordkeeping Standards.

### **3.2 Application**

All staff must comply with this Policy in their conduct of all business for LACERA. This Policy applies to records in all formats, including electronic records. See section 4.1 for the definition of a record.

### **3.3 Compliance**

Compliance with this Policy will be monitored by the RIM Unit (with the support of Management). Failure to comply with this Policy, particularly, disobeying any preservation/litigation hold could result in possible civil or criminal sanctions. In addition, for Staff, it could lead to disciplinary action including possible termination.

### **3.4 Policy Updates**

The RIM Unit will update this Policy as needed if there are any changes in the business or regulatory environment. Minor changes or updates such as contact information, grammatical errors and online references do not require review/approval by the Operations Oversight Committee and Board of Retirement. This Policy will be reviewed by the RIM Unit and the Legal Office on an annual basis.

## **4. General Provisions**

LACERA records, regardless of physical form or characteristics, shall be retained in accordance with the applicable guidelines including internal, state, and federal regulations. Records that do not need to be retained shall be destroyed after the requisite retention period has passed. A log or other documentation of records destruction will be created to track compliance with periodic audits for regulatory compliance. Pending or potential litigation may require a “hold” or suspension of regularly scheduled destruction of records or other information.

### **4.1 Definitions:**

**Non-Record Material:** “Non-record material” consists of library material, publications not produced by LACERA, blank forms,

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and other materials that do not record the position or operations of the organization.

### **Final Record:**

A “Final Record” reflects the final, official record position or activities of an organization related to the specific content of the record.

### **Record:**

A “Record” is any information, regardless of physical form or characteristics, that is created, received, or maintained because of law, regulation, or in the normal course of LACERA business AND is kept as evidence of that activity. Records include, but are not limited to the following: writings (Word, Excel, PowerPoint, and PDF), emails, films, tapes, electronic or computer based information, or data compilations in any format or medium, graphical images, and voice or data transmissions. Records can be stored in a variety of storage media, such as microfilm, microfiche, diskette, optical disk, CD-ROM, videotape, hard drives, local and system level drives, cloud, and paper.

### **Electronic Communications:**

Electronic Communication is the sending and receiving of electronic messages, regardless of the technology platform, using any type of electronic device, such as a computer, mobile phone or a tablet.

### **Draft Record:**

A “Draft Record” does not yet reflect the final, official position or activities of an organization and are subject to change before completion.

### **Vital Record:**

As part of the Records Information and Management Program and the Business Continuity Program, Vital Records are essential to the survival of the organization and are identified for protection from destruction in the event of a disaster. During the records inventory, which is

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conducted every five (5) years or when required, each Division will determine which records for which they are responsible contain information vital for continued operations should a disaster occur. LACERA's Vital Records include those documents that are critical for both ongoing operations and also in providing valuable evidence of business decisions, activities, member information, and transactions.

### **4.2 Roles & Responsibilities**

#### **All Employees:**

All employees are responsible for the creation and management of information and records as defined by this Policy including, but not limited to, safe storage, quick retrieval, records confidentiality, and appropriate records retention period for any record identified on the Record Retention Schedule.

#### **Deputy Chief Executive Officer (DEO)/ Assistant Executive Officers (AEO):**

The Deputy CEO/AEO is responsible for the visible support of, and adherence to, this Policy by promoting a culture of compliant records and information management within the organization and contributing to the development of strategic documents such as the records and information management framework and strategy.

#### **Chief Executive Officer (CEO):**

The CEO is ultimately responsible for the management of information and records within LACERA. The CEO promotes compliance with this Policy and delegates responsibility for the operational planning and running of the records and information program to his or her designee.

#### **Contract Staff:**

Contract staff should create and manage records in accordance with this Policy to the extent specified in the contract.

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### **Legal Office:**

The Legal Office is responsible, annually, for reviewing and approving any updates or changes to the retention schedule and RIM Policy, ensuring compliance with minimum retention periods pursuant to state, federal, and/or regulatory requirements; and communication of the implementation of “preservation hold,” “litigation hold,” or “Legal Hold” procedures that supersede an established retention schedule. The Legal Office will work with the RIM Unit on an ongoing in connection with implementation of this Policy.

### **Managers/Supervisors:**

Managers and Supervisors are responsible for ensuring Staff, including Contract Staff, are aware of and follow the records and information management practices defined in this Policy. They should advise the RIM Unit of any barriers to staff complying with this Policy. They should also advise the Unit of any changes in the business environment which would impact the records and information management requirements.

### **RIM Unit:**

Under the leadership of the delegated Division Manager, the RIM Unit is responsible for overseeing the management of records and information consistent with the requirements described in this Policy. This includes providing annual training, advice and general support to staff, overseeing the proper use of record destruction methodologies, records inventory, and ongoing maintenance of the Record Retention Schedule. Information management products and tools may be used in the execution of the RIM Unit’s duties and such tools may include data systems to assist in the creation of complete and accurate records, developing and implementing strategies to enable sound records management

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practices, monitoring compliance with the RIM Policy, procedures, and directives, and advising the Deputy CEO/AEO(s), Internal Audit, and the Legal Office of any risks associated with non-compliance. The RIM Unit will review the RIM Policy on an on-going basis to ensure organizational efficiency, as provided in Section 3.4.

### **Systems Division:**

Systems staff is responsible for supporting the RIM Program by maintaining the technology for LACERA's business information and records systems necessary for the implementation of this Policy, including appropriate system accessibility, security and back-up. Systems and RIM staff have an important joint role in supporting the organization to ensure compliance with LACERA's policies, procedures, and guidelines of the records and information management program.

## **5. Records as a Resource**

LACERA recognizes that its records are a vital asset to:

- facilitate information accessibility, and enhance operations by supporting program delivery, management and administration,
- deliver member services in an efficient, fair and equitable manner,
- provide evidence of actions and decisions and precedents for future decision making, and
- protect the rights and interests of the County of Los Angeles, LACERA and its members.

## **6. Benefits**

The RIM Policy ensures the reasonable and good faith retention of all records created by or under the control of LACERA, whether paper or electronic, that are necessary or advisable

to retain for: business operations; historical value; payment of member benefits; member service; accounting, audit, tax and financial purposes; compliance with applicable law; possible future use in litigation involving LACERA; and possible future use in an official proceeding, audit or other matters. A Legal Hold notice shall be issued by the Legal Office when it becomes necessary to preserve a record or other information which may not otherwise be retained or is scheduled or due for ordinary and appropriate destruction in accordance with this Policy.

RIM's primary concern is the efficient and effective management of information. The guiding principle of RIM is to insure that information is available when and where it is needed, in an organized and efficient manner, and in a well-maintained environment. RIM is more than the retention schedule and the disposition of records; RIM also encompasses all the record-keeping requirements that allow LACERA to establish and maintain control over information flow and administrative operations. RIM seeks to control and manage records through the entirety of their life cycle, from their creation to their final disposition.

Other benefits of effective records management include:

- Space Savings
- Reduced expenditures for new filing equipment
- Increased efficiency in information retrieval
- Compliance with legal, administrative, and fiscal retention requirements
- Identification and protection of Vital Records
- Identification of records with research value
- Identification of records with historical value

## **7. Best Practices**

Best Practices, based on documented experience from a variety of recognized sources, are contained in the Policy, and will be maintained through the Policy review process, to help avoid problems and maintain high standards for Records and Information Management at LACERA. Best Practices, as documented in the Policy, extend to LACERA's general policy and

practices, codes of conduct, and related procedures, and are the basis of good Records and Information Management.

## **8. Elements of the Records & Information Management Program**

### **8.1 Storage**

Current hardcopy records should be stored in designated storage areas with access restrictions as appropriate to the level of confidentiality required.

Rarely used records or records no longer in use for official purposes that are still required to be retained in accordance with the current Retention Schedule should be forwarded to archive. Electronic records must be retained on LACERA's network. Records of short term value will be disposed of at suitable intervals by the Systems Division. Records of long term or archival value should be retained on LACERA's network.

### **8.2 Records Retention Schedule**

A Records Retention Schedule ("Schedule") is a control document that sets out the amount of time that LACERA needs to keep certain types of records in accordance with state or federal guidelines and as necessitated by business practices. The schedule applies to all records irrespective of the format in which they are maintained or the media upon which they are held.

A properly prepared and approved Schedule is LACERA's legal authority to do what needs to be done with records and documents entrusted to the organization's care. It certifies the life, care, and disposition of LACERA records.

A Schedule does not look at individual records but rather at the individual group, records series or collection of related records, and, for retention purposes, are evaluated together.

The Schedule will be reviewed annually in accordance with the Policy and amended as needed to reflect changing legal requirements, business needs or evolving practices. The authority for any changes made to the Schedule to conform to applicable state or federal laws and the necessity for business purposes is delegated to the CEO or his/her designee. Changes will be approved by the Legal Office prior to being made.

### **8.3 Electronic Communications**

LACERA Staff should send electronic communications relating to LACERA business utilizing LACERA's system whether the electronic communication is sent/received internally or sent/received externally. Sending and receiving electronic communication regarding LACERA business using a non-official electronic messaging account is strongly discouraged.

LACERA Staff may not create or send a record using a non-official electronic messaging account unless Staff 1) copies a LACERA email address of Staff in the original creation or transmission of the record; or 2) forwards a complete copy of the record to LACERA's email system after the original creation or transmission of the record.

Email messages are electronic records created and sent to, or received by, a user of a computer system. The email itself is a communication method of transmission of information. All "Final Records" and "Vital Records" created using the email system should be saved to an appropriate archival medium. It is each individual user's responsibility to apply the appropriate retention period from the Schedule to the subject matter of the email, including any attachments. Each user is responsible for the application of the proper retention period regardless of whether they are the sender or the receiver and regardless of whether the email is sent/received internally or sent/received externally.

For example, an email from a member to a Member Services Retirement Benefits Specialist regarding a member's account would be classified as a "Member Record" on the Schedule and must be stored indefinitely in the member's account per the Schedule.

Email messages that are not archived to an appropriate medium will remain in the email system for sixty (60) calendar days from inception date, and then moved automatically by the email system to the "Trash" folder; items in "Trash" will be deleted within fourteen (14) calendar days, from placement in the "Trash" folder, regardless of the inception date. Support can be obtained from the Systems Division with respect to the proper archiving of email messages.

#### **8.4 Preservation/Litigation Hold**

Records should be kept for a period of time not exceeding the established retention period, unless under relevant litigation or potential litigation, audit, or investigation and are subject to litigation holds. If the Legal Office informs you, that LACERA records are relevant to litigation or potential litigation you must preserve these records until the Legal Office determines that the records are no longer needed. This exception supersedes any previously or subsequently established destruction schedule for those records such that records subject to a litigation hold should not be destroyed with the permission of the Legal Office. Further, if State or Federal Regulations specifies a longer retention period for any record identified on the retention schedule, State or Federal Regulations will supersede the Schedule, as monitored and communicated by the Legal Office. Legal Office will inform RIM Staff of any updates or changes that needs to be made to the retention schedule, ensuring compliance with minimum retention periods pursuant to state, federal, and/or regulatory requirements. Any questions concerning retention of records that may be relevant to litigation or a legal issue, regardless of whether they are subject to a litigation hold, the Legal Office should be consulted and will provide guidance.

#### **8.5 Access**

Records must be available to all authorized staff that requires access for business purposes. The Legal Office will determine which records are public and all public records requests shall be directed to the Legal Office.

#### **8.6 Contractors & Outsourced Functions**

All records created by contractors performing work on behalf of LACERA belong to LACERA and are LACERA records, subject to the terms of LACERA's contract with each individual contractor. This includes the records of contract staff working on the premises as well as external service providers.

Contracts should clearly state that ownership of records resides with LACERA, and instructions regarding creation, management, and access to the records created. The Legal Office must be consulted during the formulation of the contract.

## **8.7 Maintenance & Monitoring**

The location of all maintained records should be recorded and updated at every movement of the record. This ensures that records, as assets, can be accounted for in the same way that the other assets of LACERA.

The RIM Unit is responsible for ensuring that records and environmental conditions are monitored regularly to protect records. This includes checking temperature and humidity levels in dedicated records storage areas for paper records as well as regularly validating proper maintenance of records at offsite storage facilities.

The Systems Division is responsible for ensuring that digital records are stored, refreshed, and secured as required.

LACERA has implemented a number of security and Business Continuity measures, including information security policies, for safeguarding its information assets. Staff should abide by these measures at all times.

## **8.8 Transfer**

LACERA has an off-site storage facility for the storage of physical records that are infrequently used for business purposes but still need to be retained according to the Schedule. The RIM Unit is responsible for transferring these records to the facility.

## **8.9 Disposal**

LACERA has a defined Schedule for all Divisions. The RIM Unit recommends that disposal actions are assigned to records in all formats on creation to ensure they are managed appropriately. No LACERA records can be dispensed of unless in accordance with the Schedule. Approval and signed authorization for retention, destruction or transfer of records must be sought from the appropriate division manager before any disposal takes place.

Records shall be maintained for as long as the period stated in the Records Retention Schedule, which schedule is based on the minimum periods required by applicable state or federal law, and necessity for ongoing business purposes.

Unless a Legal Hold is in effect, destruction of records shall occur within one (1) month after the time period stated in the Records Retention Schedule has been met. Management will be contacted prior to the scheduled destruction for their final approval. Any request to extend the retention period of a document or a series of documents, must be made in writing to RIM staff providing business justification and approved by the Legal Office.

The RIM Unit will monitor and assure compliance with the disposal requirements of the Records Retention Schedule.

#### **8.10 PROCEDURES MANUAL**

The RIM Unit shall be responsible for preparing and maintaining a procedures manual that details the records management process and any delegated duties and defined terminology. This Procedures Manual shall include this policy and must be approved by the CEO. These Procedures may be modified at any time as deemed necessary, provided that the Procedures remain within the framework of this Policy.

In the event that there is a conflict between this Policy and the Procedures Manual the Policy shall prevail.