

Records Management in Charities:

A Toolkit for Improvement



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The toolkit was produced by the British Academy Research Project 'Digitising the Mixed Economy of Welfare in Britain' in partnership with Charity Finance Group. This toolkit was funded by the British Academy and a UCL Public Policy Engagement Grant. The Digitising the Mixed Economy of Welfare in Britain is based at UCL Institute of Education and directed by Dr Georgina Brewis. The project aims to:

- Promote awareness of the importance of voluntary organisations' archives
- Provide support and guidance on preservation and digitisation of archives
- Build partnerships between the voluntary sector, academics and archivists to facilitate good practice

www.voluntarysectorarchives.org.uk

www.cfg.org

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Foreword

Welcome to *Records Management in Charities: A Toolkit for Improvement*. I am delighted that Charity Finance Group (CFG) has been able to partner with the fantastic team working on the *Digitising the Mixed Economy of Welfare in Britain* project. I am sure that this toolkit will be an invaluable resource in enabling charities to improve their records management policies.

Records management is a core area of a charity's financial operations – so much more than simply knowing what money is coming in and where it is being spent. We operate in an environment where the regulatory burden is increasing, for example the GDPR which is in the pipeline. While compliance is important, effective record-keeping not only delivers efficiencies in terms of their staff time spent on locating, navigating and interpreting records but also helps manage risk. By taking steps to get their records in order, charities will be able to demonstrate that they're compliant, but, critically, ensure that they can quickly and easily find the information they need.

In an increasingly competitive funding environment it is not enough that charities know they do vital work, they also need to be able to prove it. Well-organised records can support this; preserving the evidence they need to demonstrate their impact over time. For example locating thank-you letters from donors for an annual report, or be able to easily access data collected from a previous survey of beneficiaries.

I'd like to take this opportunity to thank Dr Charlotte Clements of the British Academy Research Project, *Digitising the Mixed Economy of Welfare* in Britain. Without her vision and hard work, this toolkit would not exist. I also want to thank UCL for recognising the value of this project and for their very generous through their Public Policy Engagement Grant. It is tremendous that academic institutions are recognising the value of collaboration in developing solutions to the practical and logistical challenges faced by charities.

Caron Bradshaw
Chief Executive, Charity Finance Group

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Charity Finance Group has been a diligent partner and I am grateful to staff in events, marketing and policy for facilitating events and promoting this work. Particular thanks are due to Anjelica Finnegan and Heather McLoughlin for their help in writing the toolkit and running focus groups.

I am grateful to Bruno Longmore and his colleagues at National Records Scotland for talking me through the changes in Scotland following the Public Records Act 2011 which have informed the approach taken to this work.

I would also like to thank colleagues from The National Archives, including Meg Ventner, Stephanie Nield from Leonard Cheshire Disability and representatives from Charity Archives and Records Managers Group (CHARM) and Small Charities Coalition for providing feedback on the draft toolkit.

This toolkit was tested out in focus groups and a CFG London Members' Meeting. Finance directors, founders, trustees and staff of charities provided feedback, as did those working in training, consultancy and providing services to charities. Over fifty people, many of whom are from small and medium sized charities, provided helpful suggestions to ensure this toolkit can help smaller organisations, in particular, to improve their records management.

Introduction

Record keeping is an important but often overlooked part of running or working in a voluntary organisation. It is vital for good governance and necessary for complying with the wide range of regulations that apply to charities in England and Wales. While the toolkit is specifically written for organisations that need to comply with charity law in England and Wales, we hope that it will also be useful for groups and organisations that are not registered charities, or who are based outside England and Wales.

Good record keeping will:

- Show that you are complying with regulation.
- Provide evidence of how you have made decisions and demonstrate good governance and processes.
- Make day-to-day work more efficient as staff members, trustees and volunteers know where to find information.
- Make it easier to show the impact of your organisation.
- Build trust with donors, funders, regulators and the public as they know that organisations can provide evidence and be held accountable for their actions and decisions.

However, many organisations, especially small and medium sized ones may find it hard to know quite what the state of their records is. There is a lack of advice, training and knowledge about record keeping and a bewildering array of different regulatory requirements.

This toolkit will help you make sense of what you are currently doing and think about how you can improve. It will help you to identify issues and find solutions to fit the size and scope of your organisation. This toolkit does not assume that you can immediately put in place a perfect system for managing records and information. Instead, it offers you some tools and guidance to help you continually improve your practices, policies and processes.

The toolkit comes in two main parts:

- 1). A self-assessment questionnaire which you can use to think about what you are currently doing and might need to do in future
- 2). A step-by-step guide to putting together a records management improvement plan with additional resources

To use this toolkit, firstly complete the self-assessment questionnaire. This has five sections. This will give you an idea of the actions that might be required or areas where you need to do some more work. The second part offers a step-by-step guide to collating your action points, assessing your biggest risks and prioritising what to do next. By the end of this toolkit you should have a good idea of the things you need to do next, and in the longer term to improve your record keeping. If you have any questions or feedback on the toolkit, contact us via the contact form on our website www.voluntarysectorarchives.org.uk, where you can also complete the toolkit online.

Thank you.

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Contents

Foreword	2
Acknowledgements	3
Introduction	4
Record keeping and regulation: what do you need to know? What do you need to keep?	6
What records might you have?	7
Record keeping and charity regulation	8
Toolkit Part One: Self-Assessment	13
Section One: Records management function	14
Section Two: Policies	16
Section Three: Roles, responsibilities, training and awareness	21
Section Four: Systems for creating and keeping records	24
Section Five: Records maintenance and disposal	28
Toolkit Part Two: Making and Implementing your Records Management Improvement Plan	32
Action points from self-assessment	32
Further resources	38
Glossary of Terms	40

Record keeping and regulation: What do you need to know? What do you need to keep?

There are a lot of different rules and regulations covering the work of registered charities in England and Wales. Many of these require charities to be able to provide evidence of good governance, processes and decision making. This evidence is often stored in the records of the organisation, and it can be confusing to figure out which regulations require organisations to keep records, what they want kept, and for how long.

What are 'records'?

Records are the documents which are generated by the work of the organisation. These documents can be current, used for the current day-to-day running of the organisation. They can also be historical, showing how an organisation made decisions in the past. Not every document should be retained for permanent preservation, but those that are preserved are commonly known as archives.

Collectively, records should reflect the work of an organisation. They might be organised by the functions or activities of different departments and directorates, but overall they should tell anyone who consults them, who you are, how you are run and what you do.

Who is responsible for a charity's records?

There are a variety of parties who have responsibility for a charity's records:

- **Trustees**

As persons with the overall legal responsibility for ensuring that a charity is well-run, trustees play a vital role in ensuring that the organisation is a responsible record-keeper. Principle six of 'Good Governance: A Code for the Voluntary Sector' (2010, Second Edition) explicitly states that this is the responsibility of trustees to provide good governance and leadership through:

"complying with any applicable legal or regulatory requirements concerning membership records"

The Charity Commission expects trustees to be responsible for complying with these regulations, and has statutory powers allowing them to intervene where trustees fail to perform this role.

- **Executive Committee Members and Senior Management**

Trustees are supported in their role by other executives and those in senior management, through their delegated powers to oversee the work of the charity, both on a day-to-day and longer term basis. This includes records management and sits alongside any powers they may hold or responsibilities they have to ensure regulatory compliance.

- **Staff**

Staff are responsible for ensuring that the correct records management policies and procedures are followed, as well as training and supervising volunteers in records management best practice.

- **Volunteers**

Volunteers need to ensure that they create and store records in accordance with the organisation's records management policy.

What records might you have?

Below we have included some examples of the types of records you might have, listed under different functions performed by the organisation. This list is not exhaustive.

Type of Record
Governance
Minutes of governing bodies
Trust deeds
Constitution
Charity Commission schemes of management
Annual Reports
Membership records
Correspondence (including emails)
General administrative documents (day to day management and governance)
Policy and subject files
Case files
Visitor books
Records of special projects or committees
Finance and Resources
Annual accounts
Trust accounts
Fundraising appeals, accounts, and literature
Property records
Deeds
Tenders, specifications, architectural plans and drawings, photographs relating to major projects e.g. new buildings and extensions
Inventories
Logbooks
Correspondence (including emails)

Staff and work

Personnel files for key members of staff

Publications

Newsletters/magazines

Press releases

Records from events including: invitation cards, publicity material, photographs

Calendars

Documents/correspondence generated by users, beneficiaries and other stakeholders

Scrapbooks and newspaper cuttings

Appropriate personal papers from founders, activists, donors, officials, users or volunteers (if they provide useful additional information on the organisation's history and governance). This might include diaries, correspondence (including emails), study notes, photographs, press cuttings

Record keeping and charity regulation

The Charities Act 2011 and The Charities (Protection and Social Investment) Act 2016

This legislation sets out the function and responsibilities of charities and gives the legal basis for the Charity Commission. Under these laws, records may be required for the following:

- Preparation of Annual Reports
- Preparation of the annual submission to the Charity Commission (including financial data)
- Demonstrating to the Charity Commission (amongst others) that the organisation is well-run and has suitable governance arrangements
- To provide evidence to the Charity Commission in the event of an enquiry into the charity – this could mean any information which Commissioners deem to be relevant.

Charities have a legal duty to comply with requests for information from the Charity Commission, and the Commission expects this information to be readily available. If information is not available, the Commission has the power to ask why. One defence afforded to charities is that records have been securely destroyed according to a records management disposal policy. However, organisations would be wise to err on the side of caution when deciding what to dispose of.

Reporting Serious Incidents

The Charity Commission also requires organisations to report serious incidents, which can include fraud, theft, and money laundering. Other examples of serious incidents that should be reported could be financial loss, terrorism, or failure to safeguard beneficiaries. It is the responsibility of the charity's trustees to ensure that an incident has been reported, though the report itself can be done by a member of staff. The Commission might need to offer regulatory advice, conduct an investigation, or use safeguarding powers to mitigate the serious incident and protect the charity's assets.

Charities with good records management procedures will find it much easier to provide the level of information required by a serious incident report to the Commission. The Commission also recognises that charities that are working in high-risk areas, e.g. overseas or with vulnerable beneficiaries may have numerous, similar incidents to report. The Commission recommends that a charity should make periodic reports highlighting all serious incidents in the prescribed time period. The current Charity Commission guidelines outline how and where an organisation can report an incident.

Data Protection Act 1998

The Data Protection Act 1998 will apply to some information held by most charities. For example, personal data collected about donors and beneficiaries will be covered, along with information about staff and volunteers. Data protection guidance requires data holders to have clear policies and processes governing how personal data is collected, stored and used. It might apply specifically, for example, to how organisations can use donor data to ask for further donations or sell data on to other organisations.

On 25 May 2018, the new General Data Protection Regulations (GDPR) will come into effect in the UK. Organisations should make sure they keep abreast of changes by checking the Information Commissioner's website and using its guidance: <https://ico.org.uk/for-organisations/data-protection-reform/>

A summary of GDPR which might be useful for charities can be found here:

<http://www.theheritagealliance.org.uk/tha-website/wp-content/uploads/2017/04/EU-GDPR-2018-Impact-on-the-Heritage-Sector.pdf>

Statement of Recommended Practice (SORP)

This covers the practice that should be followed in preparing charity accounts and making sure they comply with regulations. It is important to note that organisations should be keeping records which show why an organisation made spending decisions, or decided to carry out its work in a specific way. Keeping documents that contain information about decision making and spending reduce the risk of fraud and show that the organisation uses resources effectively.

The Fundraising Code

The Fundraising Regulator now requires all organisations which fundraise to follow a code of practice. Part of this tells organisations to be clear about what data is kept on donors and how it can be used, directly relating to data

protection. It is your responsibility to keep data secure and give donors control over how it can be used. The Fundraising Code, available online, requires organisations to produce an annual report outlining their approach to fundraising and compliance with the Code. Keeping good records on the fundraising function of a charity is vital in ensuring that organisations can demonstrate compliance with the Code.

Other potential regulations that may impact record keeping

Depending on the kind of work an organisation does, and the services it delivers, charities may also be subject to a range of other regulation e.g. on safeguarding, employing paid staff, managing premises etc. The evidence you need to show compliance with regulation, and indeed to carry out much day-to-day work, is in your records. Having organised and well-managed records means that you can respond quickly and efficiently to requests for information which may come from a range of regulators, funders and stakeholders.

Other types of investigation and inquiry might also have statutory powers to request that charities produce information. For example, the Independent Inquiry into Child Sexual Abuse issued a memorandum halting the possible destruction of pertinent records. It also demanded that residential and other services for children (including those run by charities) collated and produced documents for the inquiry.

Whilst it does not affect charities at the moment, it is likely that Freedom of Information legislation will soon be extended to some charities, especially those that deliver services under contract to local or national government. Charities that do public work which affects the environment are also subject to the Environmental Information Regulations 2004, and must respond to public requests for environmental data. By implementing a records management improvement plan now, organisations can make sure that they do not face a greatly increased regulatory burden should they ever find themselves subject statutory requests for information. Both the Information Commissioner's Office and The National Archives provide comprehensive advice about establishing records management programmes.

The table below highlights key issues that are addressed by statutory requirements and which rely on the evidence kept in the records of voluntary organisations, providing basic guidance on the kind of records that might need to be kept, and for how long:

Key Issue	What sort of evidence is needed?	Where is this information found?	How long should these records be kept for?	What law/ regulation is applicable?
Governance	Decision making, positions of responsibility, processes and procedures	Minutes of meetings (Board minutes and subcommittees); accounts; Annual Reports; other relevant reports and policy documents	Permanently - these records provide evidence of the development of the organisation	Charity Commission requirements, Freedom of Information, potential use as evidence or for future regulation

Key Issue	What sort of evidence is needed?	Where is this information found?	How long should these records be kept for?	What law/ regulation is applicable?
Effectiveness /Impact	Decision making, records of long term impact, processes and procedures	Reports /monitoring of services; Annual Reports; policy documents; correspondence	Having a long term evidence bank of the achievements of the organisation is a good idea for demonstrating that a charity meets its aims and can be used in bidding for funding	Charity Commission public benefit requirements,
Donor Data	What data is held on donors, what they have agreed to regarding future contact and data sharing. Data security policy and processes. Fundraising projects and policies	Donor databases and CRM software, records generated by fundraising function of the organisation	Depends on protocols agreed with donors – but policies etc. should be retained for at least seven years once they are no longer current	Data Protection Act, financial reporting, Fundraising Regulator requirements
Safeguarding	Policies, staff and volunteer checks (Disclosure and Barring Service checks, formerly Criminal Records Bureau checks)	Within Human Resources and Policy functions. This could potentially cover staff and volunteer personnel files as well as service user case files	There is a balance to be struck in having evidence that you have taken steps to make sure personnel are suitable to work with vulnerable service users and protecting the data of staff and volunteers (as per principle 5 of the Data Protection Act). Your organisation may need to assess the risks on each side and seek expert advice.	Data Protection Act, potential use as evidence or for future regulation or investigations. Relevant safeguarding legislation of supervising authorities

Key Issue	What sort of evidence is needed?	Where is this information found?	How long should these records be kept for?	What law/ regulation is applicable?
Risks e.g. closure, fraud, whistleblowing	Financial data, records of decision making	Accounts; Annual Reports; minutes of meetings;	At least seven years, though it would be wise to keep some data permanently to show source of long term assets and changing financial structures.	Data Protection Act, Charity Commission requirements in the case of an investigation, in case of potential future regulation or litigation
Access to information (i.e. by those about whom data is held)	Information about donors, beneficiaries, service users and their families	Case files, fundraising databases	As long as a data subject (person the data is about) might want to access this information	Data Protection Act, Environmental Information Regulations, in case of an investigation, potential litigation or a subject access request from the data subject

As is evident from the above, records are vital to many areas of regulation and the daily work of any organisation. Given the piecemeal nature of the regulatory landscape, however, it is best to consider pursuing an overall strategy for managing records within specified guidelines. Understanding the present context and considering risks are vital to drawing up and implementing a records management improvement plan. The next section will address this in more detail.

Toolkit Part One: Self-Assessment

This questionnaire will help you to evaluate the current situation in your organisation with regards to managing information and records. It is broken down into five sections for ease of use.

In each box tick the answer that applies to your organisation and use the comment box to outline your reasons or give evidence for your answer. This space can also be used to think about how to identify and mitigate the risk of current practices in areas that you have not developed plans for yet. At the bottom of the box there is space to write down any follow up actions required.

Once you have completed the self-assessment you can collate your follow up actions and these can form the basis of your action plan for implementation and improvement of formal records management policies and plans

An example of how you might complete a question is provided below:

Q6: Is the policy formally endorsed by senior managers and/or trustees within the organisation?



Comment:

The policy has been written and is stored (insert location). It has been seen by the HR director, but not formally signed off.

Action Required? Yes/ No

Present the policy to Senior Management Team Meeting for sign off

Section One: Records management function

This section asks you to think about how to make records management part of the structure of your organisation and a specified function within it. This means making sure records management has adequate resources and has people who are responsible for making sure the organisation keeps good records.

Q1: Is records management a specific and formal function within the organisation, with clear objectives?



Comment:

Action Required? Yes / No

Q2: Does the records management function bring together responsibility for records, regardless of format (e.g. paper and digital) from when they are created to when they might need to be disposed of?



Comment:

Action Required? Yes / No

Q3: Does the records management work have sufficient resources (e.g. dedicated staff, storage and budgets) allocated to it?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q4: Is there a review mechanism in place to review records management policies and plans, including their objectives and resources, ensuring that they continue to improve and be effective?

yes

no

partially

not applicable

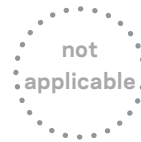
Comment:

Action Required? Yes / No

Section Two: Policies

This section invites you to consider what policies you need to put in place to make sure everyone in the organisation knows how to do their part in making sure records are created, well managed during their lifetime, and if appropriate, disposed of.

Q5: Is there a policy statement on records management within the organisation?



Comment:

Action Required? Yes / No

Q6: Is the policy formally endorsed by senior managers and/or trustees within the organisation?



Comment:

Action Required? Yes / No

Q7: Does the policy include reference to other relevant policies and regulatory requirements, such as the Data Protection Act and data security policy?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q8: Does the policy specify the roles and responsibilities of those involved in overseeing and carrying out records management activities, including details on how actions and decisions are documented?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q9: Does the policy include a retentions schedule, clearly defining which records should be kept long term (after they have passed out of daily use) to reflect the work and decision making of the organisation? Does it cover paper and digital records, and how they should be arranged and transferred to long term storage?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q10: Does the policy define the criteria for disposing of records, outlining how to dispose of records in a secure manner (which is recorded and auditable) and telling the organisation who is responsible for making sure this is done?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q11: Are staff, trustees and volunteers aware of the policy, and is it readily available for them to consult?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q12: Does the policy cover access to encrypted or password protected material?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q13: Does the policy cover correspondence, including emails?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q14: Are there procedures in place to review and revise the policy, e.g. every three years or when introducing new technology?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Section Three: Roles, responsibilities, training and awareness

In order to make sure the organisation has a comprehensive plan for managing its records, different people in the organisation will need to be involved. Senior management and trustees will have a key role in making sure the organisation takes records management seriously. In larger organisations, it will be necessary to make sure there are skilled records management positions. In smaller organisations, this work may be part of a role with other responsibilities. In either case, support will be needed.

All staff will have a role to play in knowing what to do with the records they create and use. Organisations may also wish to give responsibility for managing records and championing good practice to someone within each unit, department or directorate of the organisation.

Q15: Is there a designated senior manager or trustee with responsibility for overseeing records management throughout the organisation?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q16: Have individuals been identified to implement the records management policy and procedures?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q17: Has secure and suitable storage (including that required for digital records) for records management work been identified?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q18: Do the job descriptions and training of staff doing records management work reflect the duties and skills required for this work?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q19: Does induction training for staff, trustees and volunteers include awareness of how they should create, use and preserve records on a day-to-day basis, including email where appropriate?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q20: Are there processes in place to co-ordinate and review the work, training and support of those doing records management?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Section Four: Systems for creating and keeping records

Establishing a new records management system will take time, but it has clear benefits for the organisation in the form of efficiency and demonstrating regulatory compliance. Once you have determined the policy needed and resources required, it is time to consider how a records management system will be implemented and maintained.

What you keep, how and where is up to you to decide and will depend on the size of the organisation and the resources available. It may be worth investing in an Electronic Records Management (ERM) system or you may find it easier to arrange things yourselves.

In the process of determining what to retain, it is vital to think about the larger regulatory environment. For charities, it is especially important both to demonstrate good governance and to possess an auditable trail of evidence that shows how decisions were made. For example, robust records management processes and procedures will help you to understand if your organisation is creating and retaining records that would be required if you were subject to an inquiry by the Charity Commission, Information Commissioner's Office, or Fundraising Regulator.

This section helps you think about the activities involved in records management.

Q21: Has the organisation carried out an audit or survey to identify the paper and digital records it currently has?



Comment:

Action Required? Yes / No

Q22: Have records been arranged according to a classification scheme, index or catalogue which reflects the functions of the organisation? Have end users been consulted about this scheme?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q23: Are records appropriately titled, and is metadata collected to allow for easy searching? E.g. metadata might include dates of records (needed for disposal policies), links between records of different formats or from different departments

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q24: Has the data owner or data subject been identified where this is not the organisation?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q25: Is there a system for filing correspondence, including emails?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q26: Have records which need to be restricted (such as those containing personal data) been identified and is clear guidance given about who can access them?



Comment:

Action Required? Yes / No

Q27: Does the records management system take into account legislation and regulation that your organisations has to abide by? E.g. from the Charity Commission, Fundraising Regulator etc.



Comment:

Action Required? Yes / No

Q28: Is there a system for review, monitoring and feedback to see how well the system is working and if people are using it correctly?



Comment:

Action Required? Yes / No

Section Five: Records maintenance and disposal

In drawing up your records management policies and plans you will need to think about records that you might need to dispose of, or indeed those that merit permanent preservation. Keeping some records permanently is vital for good governance and business continuity. However, there are also records that can be securely disposed of once they pass out of use, have been kept for the period required (e.g. accounting requirements to keep some records for seven years) or for data protection reasons.

In this section, the self-assessment tool asks you to think about maintaining and preserving records that you need to keep long term, deciding what to dispose of and making sure this is done in a secure and auditable way.

Q29: Does the organisation's business continuity or disaster management plan include records maintenance?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q30: Are there safeguards to prevent fraudulent amendments to records?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q31: Is there a process for identifying records that are at risk of loss due to software/hardware obsolescence and migrating them?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q32: Where records merit permanent preservation are there processes to identify and store them, including provision for third party deposit where appropriate?

yes

no

partially

not
applicable

Comment:

Action Required? Yes / No

Q33: Do you have a retentions and disposal schedule (for identifying what records need to be kept and for how long)? Does this policy reflect the requirements of different regulations such as the SORP, Charity Commission and Data Protection?

yes

no

partially

not applicable

Comment:

Action Required? Yes / No

Q34: Is there a process for disposing of records that is a) secure, b) timely and c) leaves an auditable record of what has been disposed of?

yes

no

partially

not applicable

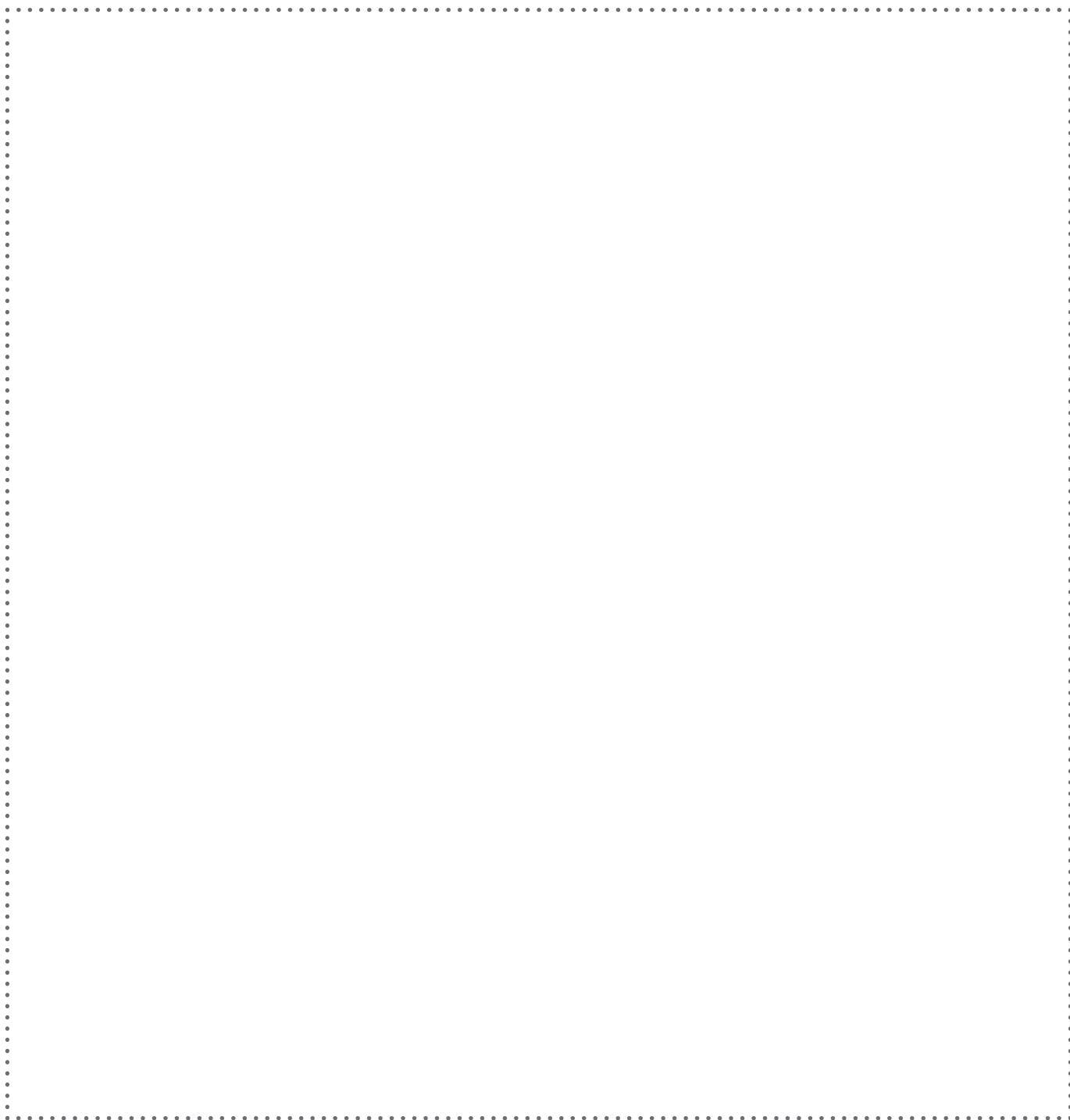
Comment:

Action Required? Yes / No

Toolkit Part Two: Making and Implementing your Records Management Improvement Plan

Action points from self-assessment

Pulling the actions together from your self-assessment will give you some idea of the kind of work you need to do make your records management improvement plan. Below you can collate your action points:

A large rectangular area enclosed by a dotted line, intended for collating action points. The area is empty, providing space for the user to write or paste their action points.

Now that you have your list of action points, you have some idea of what aspects of records management you are doing well and what can be improved.

Do not feel overwhelmed if you have a long list of action points.

The idea of this toolkit is to **work iteratively to improve your record keeping in a logical way**. To help you make a plan for what to do next we have broken down the drawing up of your improvement plan into four steps.

One: Assessing risks and auditing records

Many organisations undertake risk assessments and they can be used here to help you figure out how your biggest risks can be addressed by better record keeping, or what the priorities for your improvement plan are.

If you do not have a risk assessment, you could use the information at the beginning of this toolkit on record keeping and regulation to help you think about where you are at most risk of non-compliance with the law. You may also have identified your own priorities based on the area that you work in.

The next thing to think about is the current state of your records. You may have some idea of this already from the self-assessment, but it is also a good idea to conduct an audit of the information you hold. In addition to listing the areas of work you do, and documents you have, you might also want to think about the following questions:

- What format is information in?
- Is information protected by passwords?
- Is information backed-up securely?
- Are physical records safely stored away from major environmental hazards?
- Are records in good condition or do they require active preservation?
- Is material held in obsolete forms?
- What are our biggest challenges in managing information at present?

On the next page is a table for you to collate this information and assign it a priority based on a traffic light system. Information should be collected from a range of people to make this as comprehensive as possible. You could include this exercise in any regular risk assessment undertaken within the organisation.

Risk or work area	Relevant actions from self-assessment	Risk or priority level high medium low
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  
		  

You can use this table to help you work out the priorities for your records management plan. For example, this could be informed by items that you have labelled as red or amber in your risk assessment. You might also want to revisit the key issues highlighted at the beginning of the toolkit (summarised below) and think about which of these areas you most want your records management improvement plan to help with.

Key issue	What laws/regulation is applicable?
Governance	Charity Commission requirements, Freedom of Information Act, potential use as evidence or for future regulation
Effectiveness/Impact	Charity Commission public benefit requirements,
Donor Data	Data Protection Act, financial reporting, Fundraising Regulator requirements
Safeguarding	Data Protection Act, potential use as evidence or for future regulation or investigations. Relevant safeguarding legislation of supervising authorities
Risks e.g. closure, fraud, whistleblowing	Data Protection Act, Charity Commission requirements in the case of an investigation, in case of potential future regulation or litigation
Access to information (i.e. by those about whom data is held)	Data Protection Act, in case of an investigation, Environmental Information Regulations, potential litigation or a request from the data subject

Two: Policy development

The next step for most organisations will be to develop or revise policy and processes to guide implementation. It might be the case that some of the elements exist in other policies you already have and they simply need drawing together, or you may need to write a policy from scratch. When developing a policy the size and scope of your organisation will be very important as it will dictate the human and financial resources you have to do this work. It is important to be realistic about what you can achieve and to think about this as a foundation on which you can build further improvement. As well as thinking about the policy content consider how to make sure that everyone in the organisation knows about it. In particular make sure everyone knows what their individual role is in keeping better records.

When putting together your policy, bear in mind the following points:

- Be realistic about what you can achieve given the size, scale and resources of the organisation.
- Decide on clear priorities for work to be undertaken now and consider what might wait until you have some basic policies, systems and processes in place.

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- Getting senior management or trustee buy-in for this work is essential. You may need to put together a case for the regulatory and business benefits of doing this work and present it a Board or senior management meeting.
 - It is important to ask for adequate resources in terms of money and staff time to do this work. This is legitimate spending on improving governance and regulatory compliance and should be adequately resourced. It will result in efficiencies down the line.
 - If you are a large enough organisation, you may wish to convene a working group of people with relevant responsibilities chaired by a senior manager to steer the initial project of drafting and implementing a new policy.

You may wish to consult some of the further resources at the end of the toolkit for more information.

Three: Implementation with (a) current and (b) legacy records

When you come to make changes to how you approach records you are likely to have two sets of plans to make. Firstly, you will need to make a plan for what you do now, with records you are currently using and generating. Secondly, you will need to make plans for records that are ready to be consolidated into permanent or long-term storage. Further guidance on archiving for voluntary organisations is available at: www.voluntarysectorarchives.org.uk

Implementation will depend on the size of the organisation, the type of work that it does and the resources you have available. Think about:

- Making a project plan for handling your current records and a separate plan for legacy records (those no longer in daily use). Make sure your plan has realistic objectives and timescales.
- Whether you need to buy software for managing your records (called Electronic Records Management (ERM) systems) or whether you can use a system of files and folders.
- Whether it is appropriate for you to get a consultant or company to help you get your system in place.
- How you will back-up data off-site. Small charities might benefit from finding a local buddy to partner with to hold encrypted or password protected back-ups of each other's data.

Four: Monitoring, review, feedback and maintenance

The final thing to do to consolidate your new plan is to commit to an ongoing process of improvement. Technology, staff and organisational needs will all change and it is important to acknowledge that your records management needs will change too.

You will need to monitor how well your plan and policies are working and provide opportunities for staff, trustees and volunteers to give feedback. Unless you have a system that is working for everyone in the organisation, it is likely that it will not be fully used and records may be left on the hard drives of computers, deleted with emails or lost in other ways.

Remember these are vital records which tell everyone about your organisation, what you do, what you have achieved and why the public should trust you. It would be a good idea to:

- Provide an opportunity for people to tell you how you can make the system work better for them and see how it is actually being used.
- Use this information to work out if and how to change your plans and policies.
- Schedule a time to either review policies formally or complete another self-assessment questionnaire.

If you have the resources, you might also consider keeping a track of the work via performance measures, but for small organisations this will be unnecessary. You can write the date of your self-assessment and the due date of your next review in the box below:

Date of self-assessment	
Date of next review (max 3 years)	

Further Resources

Good Governance: A Code for the Voluntary and Community Sectors Second Edition (2010) <http://www.governancecode.org/wp-content/uploads/2012/06/Code-of-Governance-Full1.pdf>

Charity Commission Publications <https://www.gov.uk/government/organisations/charity-commission/about/publication-scheme>

Charities SORP <http://www.charitycorp.org/>

Charity Finance Group Resources Page <http://cfg.org.uk/resources.aspx>

Countering Fraud Guidance <http://cfg.org.uk/resources/Publications/~media/Files/Resources/CFDG%20Publications/CounteringFraud2016.pdf>

Rethinking Risk Guidance <http://cfg.org.uk/resources/Publications/~media/Files/Resources/CFDG%20Publications/Rethinking%20Risk%202016.pdf>

Fundraising Regulator Code of Fundraising Practice (version 1.3, 2016) <https://www.fundraisingregulator.org.uk/wp-content/uploads/2016/06/Code-of-Fundraising-Practice-v1-3.pdf>

Information Commissioner's Office <https://ico.org.uk/>

For Charities <https://ico.org.uk/for-organisations/charity/>

ICO Helpline 0303 123 1113 (local rate – calls to this number cost the same as calls to 01 or 02 numbers)

Voluntary Sector Archives www.voluntarysectorarchives.org.uk/resources

This website also contains draft guidance on how to set up and maintain an archive containing records that have passed out of daily use, but which need long term preservation

National Records Scotland: Resources and guidance on how to comply with the Public Records Act 2011 <https://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources>

NCVO Know-How Non Profit <https://knowhownonprofit.org/>

National Cyber Security Centre guidance pages <https://www.ncsc.gov.uk/guidance#atglance>

Data Protection

Information Commissioner's Office *Data Protection* <https://ico.org.uk/for-organisations/guide-to-data-protection/>

Data Protection Reform <https://ico.org.uk/for-organisations/data-protection-reform/>

Data Protection: Subject Access Code of Practice <https://ico.org.uk/media/for-organisations/documents/1065/subject-access-code-of-practice.pdf>

The National Archives Data Protection Act <http://www.nationalarchives.gov.uk/information-management/legislation/data-protection/>

Charity Finance Group: Protecting Data, Protecting People (2013) http://www.cfg.org.uk/resources/Publications/~media/Files/Resources/CFDG%20Publications/Data_Protection2013.ashx

Environmental Information Regulations

Information Commissioner's Office *Environmental Information Regulations* <https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>

Freedom of Information

Information Commissioner's Office *Freedom of Information* <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

The National Archives *Freedom of Information Act* <http://www.nationalarchives.gov.uk/information-management/legislation/section-46/>

Professional Societies and Associations

Archives and Records Association <http://www.archives.org.uk/>

Information Records Management Society <http://www.irms.org.uk/>

Standards

British Standards 0025-4:2007 Effective records management. How to comply with BS ISO 15489-1

International Organization for Standardization ISO 15489-1:2016 *Information and documentation – Records Management – Part 1: Concepts and Principles*

Records Management

Buzzacott, *Retention of Accounting Records and other Corporate Records* <http://www.buzzacott.co.uk/getattachment/64ced867-bdc1-4906-862e-6b6fdea1a64e/retention-of-accounting-records-%281%29>

Margaret Crockett, *The No-nonsense Guide to Archives and Recordkeeping* (London: Facet Publishing, 2015)

Digital Preservation Coalition, *Digital Preservation Handbook*, (Second Edition, 2015) <http://handbook.dpconline.org/>

Patricia C. Franks, *Records and Information Management* (London: Facet Publishing, 2013)

Andrew Hamer, *The ICSA Guide to Document Retention*, 3rd edition (ICSA, 2011)

Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000 <http://webarchive.nationalarchives.gov.uk/20150730125042/http://www.justice.gov.uk/downloads/information-access-rights/foi/foi-section-46-code-of-practice.pdf>

Julie McLeod and Catharine Hare eds., *Managing Electronic Records* (London: Facet Publishing, 2005)

The National Archives *Disaster Planning Risk Management* <http://www.nationalarchives.gov.uk/documents/information-management/disaster-planning-risk-management.pdf>

How to Manage Your Information <http://www.nationalarchives.gov.uk/information-management/manage-information/>

Tim Padfield, *Copyright for Archivists and Records Managers* Fifth Edition (London: Facet Publishing, 2015)

Elizabeth Shepherd and Geoffrey Yeo, *Managing Records: A Handbook of Principles and Practice* (London: Facet Publishing, 2003)

Kelvin Smith, *Planning and Implementing Electronic Records Management* (London: Facet Publishing, 2007)

Glossary of Terms

Data Protection – The law protecting the privacy of individuals by regulating access to confidential information held on them by both private and public organisations. The current Legislation is the Data Protection Act 1998.

Digital Records – Any recorded information created, received and maintained in electronic/digital format by an organisation or individual in the course of its activities.

Electronic Records Management (ERM) - A digital environment for capturing electronic records and applying standard records management practices. Electronic Records Management supports the medium to long term information management needs of business. Software to provide an ERM system is available commercially.

Freedom of Information (FOI) –The law regulating public access to official information held by public bodies as defined in the schedule of the Freedom of Information Act 2000.

Functions –The activities of the record creator and for which the records were created to support. It is important to establish the functions which records are created to support particularly as in most institutions organisational change is common and can lead to records and records creators being split.

Metadata – a set of data that describes and gives information about other data. In records management it is information that puts a record in its context such as the date of creation, author, links to other records and departments.

Records – Recorded information (documents) regardless of form or medium created, received and maintained by an agency, institution, organisation or individual in pursuance of its legal obligations or the transaction of business.

Records Management – The procedures and practices employed to structure control and regulate records whatever their medium, electronic, paper or microform. The management of records ensures efficiency and economy in their use, storage and disposal and the selection of those of value for permanent preservation.

Retention Schedules/Instructions – A retention schedule is an analytical list of record series, arranged either under the functions carried out by the creating organisation or under structural headings of a departmental organisation. The main purpose of the schedule is to record and implement the appraisal decisions which have been made, so that these decisions can be routinely put into effect. A secondary purpose may be to set out a list of the records series in a way which will illustrate the organisation's activity. This is also sometimes called a disposal policy or schedule because it tells you when you can securely dispose of certain material.

Third Party Deposit – This is the process by which an organisation arranges for its records to be stored in a specialist archive. This means that records are cared for by the specialist archive, but a formal agreement to outline who now owns and can access the archive is often required.

