



LEWIS COUNTY RECORDS MANAGEMENT POLICY

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1. PURPOSE

The purpose is to establish a countywide policy and standard procedures for managing records according to the provisions of RCW 40.14 (concerning the preservation and destruction of public records) and all other state and federal statutes and regulations which govern agency records keeping practices, including the systematic identification and disposal of obsolete records; transfer of historically valuable records to the State Archives system; removal of non-current records from active office storage; protection and security backup of records essential to agency authority and operations; disaster preparedness; insurance of records systems integrity and accessibility; and effective compliance with public disclosure compliance.

This Policy provides requirements for the creation, maintenance, use, and disposition of Lewis County records so that County information assets are:

- Current, accurate and easy to use
- Managed to support County processes and objectives
- Open and accessible to County Staff and the public

- Demonstrate and document compliance with laws, regulations, and standards
- A record of the County's past is preserved

2. REFERENCE

- RCW 40.14, Preservation and Destruction of Public Records
- WAC 434-662, Preservation of Electronic Public Records
- WA Secretary of State - Managing County Records
- Lewis County Employee Handbook
- Lewis County Public Record Act Compliance Policy

3. APPLICATION

This Policy applies to all Lewis County employees and volunteers and all Lewis County records, regardless of format.

Failure to comply with this Policy may result in disciplinary action up to and including termination from County service.

4. GUIDANCE

4.1. RESPONSIBILITY / AUTHORITY

a. Public Records Officer: The County's Public Disclosure Manager is the designated public records officer. The Public Records Officer is responsible for the County's Records Management program; providing advice, support, and direction to Record Liaisons & Coordinators and County Staff in managing County records; overseeing the off-site storage of paper records and the transfer of archival records to the State Archives.

b. Records Liaisons: Department Directors designate Records Liaisons to assist and comply with the Public Records Officer's directions and manage department records. Individual departments are responsible for securely maintaining records for the retention period indicated on the retention schedule. Department responsibilities include ensuring the physical safety of records and ensuring that confidential records are protected from inappropriate release and the day-to-day management of records, both paper and electronic.

c. County Staff and Volunteers: All employees and volunteers who create and use public records are responsible for proper retention of their physical and electronic records.

4.2. DEFINITIONS

a. Archival Record: Public records which may possess enduring legal and/or historic value and must be transferred to Washington State Archives when no longer needed for County business and legal requirements.

b. Disposition: The actions taken when records are no longer needed for County business and legal requirements. Possible disposition actions include transfer to the Washington State archives and destruction.

c. Public Record: Any document or recorded information regardless of physical form or characteristics that has been prepared, owned, used, or retained by the County including, but not limited to:

- Electronic records
- Physical records
- Any computer software generated records (example – any file that was created using a Microsoft software product)
- Databases
- Digital Sound or Video recordings
- Email
- Maps
- Microfilm
- Paper records (handwritten or typed)
- Photographs
- Printed versions of electronic records
- Texts and Instant Messages
- Voicemail
- Webpages and Social Media

d. Retention Schedule: Requirements adopted by the Washington State Local Records Committee that:

- Specify the length of time each type of record should be retained by the County, and;
- If it should be disposed of or transferred to the State Archives at the end of the time specified.

e. Transitory Records: Temporary in nature, no longer needed for any office purpose and retention of which is of no value. These records do not set policy, guidelines or procedures of general applicability, and are not legal advice, certification of a transaction, or a receipt. These records communicate information, but are not essential to fulfillment of statutory obligations or documentation of county office functions. Example: Drafts and comments on drafts of pleadings, contracts, materials, and legal advice are transitory records)

f. Washington State Archives: The State Archives provides centralized records management services to state and local governments. It is responsible for assisting government agencies to comply with Washington State's laws pertaining to the creation, maintenance and disposition of public records.

The State Archives is also a facility for the permanent preservation of County records of historic value that are no longer needed for County business.

g. Washington State Digital Archives: The State Digital Archives permanently preserves local government electronic records of historic value that are no longer needed for County business.

4.3. Retention, Disposition, and Destruction

- a. County records should be retained for the minimum required retention as specified in the Retention Schedule and then promptly dispositioned, unless they are still needed for County business, ongoing litigation, or outstanding public disclosure requests. Departments should annually inventory their records for any that have met their minimum retention.
- b. Infrequently accessed paper records that have not reached the end of their retention period should be stored electronically to save space and reduce costs.
- c. Departments should contact the Public Records Office staff for guidance on disposition of records with archival value (paper or electronic), as noted on the retention schedules.
- d. Records essential to the continuity of County services and/or are necessary to protect the assets, obligations, and resources of the County require extra care. These records should be adequately backed up and recoverable in the event of a disaster.
- e. Secondary copies are generally kept for administrative use and can be discarded when that purpose has been fulfilled.
- f. Transitory records can be discarded when their purpose has been fulfilled.
- g. Confidential or sensitive records, including non-paper media, must be reduced to an illegible or unrecoverable condition when destroyed.
- h. Electronic records must be retained in electronic format and remain usable, searchable, retrievable, and authentic for the applicable retention period. Printing and retaining a hard copy is not a substitute for the electronic version.
- i. When destroying or transferring records to the State Archives Office, offices and departments shall submit to the Public Records Officer copies of the destruction or transfer log.

4.4. Texting and Instant Messaging

All texts and instant messages related to County business are public records. This includes all texts and instant messages sent and received on County devices and any County business texts and instant messages stored on personal devices. These records should be managed according to the applicable retention schedule and may be subject to disclosure under the Public Records Act.

All employees have records management responsibilities for business-related texts and instant messages they send and receive and may be asked to identify records responsive to public disclosure or discovery requests.

The following is intended to help manage the business-related messages sent or received on County and personal devices, including but not limited to phones, tablets and laptops.

- a. Employees may use texting/instant messaging for transitory messages only. Examples include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication.

- b. Text messages may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text message, (e.g. social security numbers, credit card numbers, passwords, etc.).
- c. Transitory messages should be deleted as soon as possible.
- d. If a text message needs to be retained pursuant to a retention schedule, employees must transfer the messages to the County's network and/or devices.

4.5. Sending and Receiving Emails on Employee-owned Devices

Employee-owned devices (PCs, laptops, tablets, mobile phones, etc.) may be used to send and receive work email so long as the messages are sent through the County's email system. See the Employee Handbook for more information regarding the use of employee-owned devices.

4.6. Personal Email Accounts

Use of personal email accounts for conducting County business is prohibited, except in special circumstances in which an employee or volunteer has no reasonable alternative or has specific permission from their supervisor and/or volunteer liaison to use personal email. In the event email related to the conduct of County business is sent from or received at a personal email address, it should be immediately copied and/or forwarded to the County email system so that the communication is searchable by records staff and retained pursuant to records retention schedules.

4.7. Location of Records

Lewis County records are those that are made or received by the County in connection with the transaction of public business. For this reason, County records are required to be saved and retained in County files or on County-owned devices or systems, including hosted solutions.

4.8. Legal Holds

Records involved in litigation, or reasonably anticipated or foreseeable litigation will be placed on legal hold and must be preserved until the legal hold is released by the County's Prosecuting Attorney's Office.

4.9. Public Records Requests

If records requested by a member of the public are scheduled for destruction, the records must be retained until the request is fulfilled.

4.10 Training

Upon adoption of this policy, County employees will be required to attend training on this policy and acknowledge in writing that they are aware of this policy and procedures, have received the necessary training, understand their responsibilities and know how to comply with the policy.

New employees will be given training on this policy within one month of their hire date. At least annually, Department Directors & Managers will be responsible for reviewing this policy with all department employees and maintaining records of attendance.