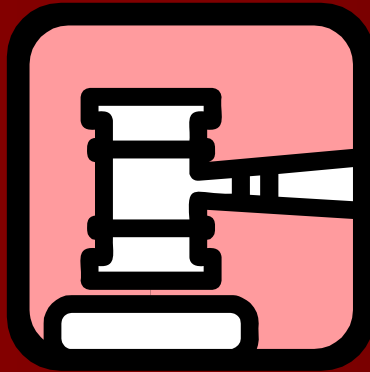


Records and the Law

FOI Presentation to Chief Officers

28th September, 2007



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Cayman Islands National Archive

Outline

- Recorded information
- Aims
- Application and provisions
- Who does what?
- Practical preparations and priorities
- Challenges



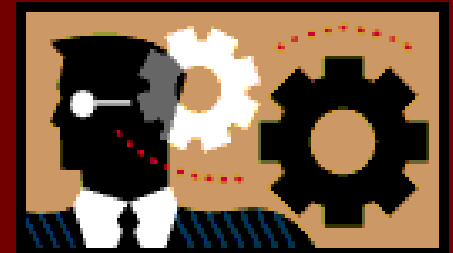
Why are records important?

- Recorded information is a strategic asset
- Administrative, legal, core business reasons
- Records management reflects community expectations
- Records management helps maximise the use and value of records, and minimise the costs



National Archive and Public Records Law, 2007

- 4-year project
- Published May 14th, 2007
- Assigns powers and responsibilities for managing public sector records
- All aspects, actions, formats
- Identifies some of the tools that must be developed



Aims of the National Archive and Public Records Law, 2007

- Framework for legally compliant creation, maintenance and disposal of records
- Duties and powers of National Archive:
 - Set standards, train, advise, monitor
 - Authorise disposal
- Duties and powers of Records Advisory Committee
 - Review disposal schedules
 - Advise Governor in Cabinet

Aims of the National Archive and Public Records Law, 2007 (cont'd)

- Duties and powers of all public agencies
 - Create, maintain and dispose of records in compliance with standards
 - Develop file plans and disposal schedules

Application of the National Archive and Public Records Law, 2007

- Entire Public Sector
- All formats and types of records
- Current and legacy records



Provisions of the National Archive and Public Records Law, 2007 (cont'd)

- Section 5: creates a high-level Records Advisory Committee to review and make recommendations to Cabinet regarding records disposal schedules and related matters.

Provisions of the National Archive and Public Records Law, 2007 (cont'd)

- Section 6: mandates the creation and maintenance of full and accurate records of public agencies' business and affairs, and places the responsibility on the most senior officer in each agency.

Provisions of the National Archive and Public Records Law, 2007 (cont'd)

- Section 7: assigns the responsibility for developing records management standards to the National Archivist, and directs every public agency to create, manage and dispose of its records in accordance with these standards.

Provisions of the National Archive and Public Records Law, 2007 (cont'd)

- Section 8: instructs each agency to draw up a records disposal schedule in order to identify the projected life of its operational public records.

Provisions of the National Archive and Public Records Law, 2007 (cont'd)

- Section 11: makes it an offence to dispose of records without proper authorisation.

Who does what?

- National Archive:
 - Records Policy Unit
 - Develop and communicate standards
 - Conduct training
 - Provide advise
 - Monitor and report compliance
 - National Archivist
 - Approve disposal

Who does what? (cont'd)

- Public agencies:
 - Assign staff responsibilities
 - Support training and skills development
 - Develop record keeping tools
 - Seek advice when needed
 - Report on accomplishments

Who does what? (cont'd)

- Records Advisory Committee:
 - Review disposal schedules
 - Advise Governor in Cabinet on disposal schedules
 - Perform other functions as assigned
- Auditor General/Internal Audit:
 - Audit compliance

Agency priorities

- Assign responsibilities and allocate resources
- Support staff training
- Implement existing administrative file plans and disposal schedules
- Develop a file plan for your operational records based on CINA training
- Develop a disposal schedule for your operational records based on CINA training

Priority #1

- Develop a FILE PLAN!
- Without a file plan you can not:
 - Meet FOI requirements
 - Destroy records
 - Meet disaster preparedness expectations
 - Use RMS and transfer records to the new Government Records Centre (expected 2008)
 - Implement EDRMS

Connections with FOI?



- FOI Publication Scheme requires a file plan to be available for access by the public
- Code of Practice requires compliance with records management rules
- Good records management reduces costs and increases efficiency of FOI implementation and ongoing administration

Support available from CINA

- Training, advice
- Administrative file plan (finance, HR, etc.)
- RMS - New records centre
- Intranet
- RM newsletters
- Standard job description for Information Managers
- Close cooperation with FOI Coordinator and committees



More help from CINA:

- National Archive's intranet site:
<http://cina.gov.ky/recordsmanagement.htm>
<http://cina.gov.ky/trainingsessions.htm>
- Records Policy Unit:
Sonya.Sherman@gov.ky
- Telephone:
949-9809 x 117