



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
County Manager



**Date:** October 24, 2013  
**Board Meeting Date:** November 5, 2013  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** John L. Maltbie, County Manager

**Subject:** Records Retention and Destruction Schedule and Policy

**RECOMMENDATION:**

Adopt a Resolution:

- A) Approving the Countywide Records Retention Schedule; and
- B) Directing the County Manager to work with County departments to develop and review department-specific records retention schedules and to develop policy and procedures for the implementation of department-specific records retention schedules by June 30, 2015

**BACKGROUND:**

The County keeps a wide range of records, both in electronic format and physical copy. The responsibility for maintenance of these records lies with departments and individual managers, who must maintain records in accordance with applicable laws and operational needs. Some departments have enacted department-specific records retention policies and schedules to guide this effort, though this is not a consistent practice across all departments. Pursuant to Government Code section 26202, each county's Board of Supervisors must approve a records retention schedule authorizing the destruction of records that are no longer necessary or required for county purposes.

**DISCUSSION:**

It is essential for the County to create, receive, maintain and make available accurate and reliable records. Consistency in recordkeeping through a standardized records retention and destruction process improves efficiency, accuracy, reliability, and transparency of government operations. It also ensures that staff can locate records when needed, keep records useable for their required lifespan, and control costs to store and retrieve records. In addition, good recordkeeping practices reduce the exposure of the County to the legal, financial or political risks associated with poor recordkeeping (both under and over-retention). Unnecessary retention of obsolete

records can be expensive in space and filing equipment and may expose the office to costly litigation and discovery requirements.

The proposed records retention approach before your Board includes the approval of a records retention schedule and direction to the County Manager to establish procedures for the implementation of County and department-specific records retention practices. It is anticipated that all County departments will have department-specific records retention schedules in place by June 30, 2015. This initiative will create a uniform, structured approach to records retention in order to achieve the following goals:

- Lower the cost of operating County government by reducing the amount of time, storage space, and materials necessary to conduct the County's business;
- Assure compliance with applicable legal, historical, administrative, and fiscal requirements for recordkeeping as set forth in federal, state, and local statutes;
- Provide access for County employees and members of the general public to all records stored and maintained by the County.

#### Countywide Records Retention Schedule

The Countywide records retention schedule governs the retention of official records of County business. It applies to administrative records that multiple departments are likely to maintain, and does not supersede any specific legal requirement pertaining to a specific record type. The schedule is structured as an itemized list of categories of records, including how long each record type is required to be retained, the reason for retention and disposition.

The schedule does not authorize destruction of records that could be deemed relevant to current or pending litigation. All records deemed relevant are to be placed on a Legal Hold and destruction is to be suspended until after the matter has been wholly or partially resolved and legal counsel releases the Hold and issues instruction to return to routine records destruction.

At the end of the retention period, records shall be destroyed. If designated for permanent retention, records may be transferred to an archival facility where they will be preserved permanently. Confidential records must be destroyed in such a manner that the information can no longer be reconstructed. Non-confidential records may be discarded or recycled in accordance with established procedures.

#### Records Retention and Management Process

In order to keep the Records Retention and Management efforts up to date, it is recommended that Department Open Data Coordinators also be designated as Department Records Coordinators in order to streamline the management and sharing of information. Coordinators will be help guide future records management efforts.

**FISCAL IMPACT:**

There is no fiscal impact associated with acceptance of the Records Retention Schedule.