



Los Angeles County
BOARD OF SUPERVISORS POLICY MANUAL

| Policy #: | Title: | Effective Date: |
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| 3.040 | Records Management and Archive of County Records | 05/13/1958 |

PURPOSE

Provides departments with general records management and archiving guidelines in the creation/receipt, use, retention, and disposition of official County records.

REFERENCE

May 13, 1958, Board Order [Synopsis 46](#)

[Government Code Sections 26201; 26202; 26205; 26205.1; and 12168.7](#)

October 3, 2006, [Board Order No. 16](#)

[Policy No. 6.112](#): Secure Disposition for Computing Devices

[April 30, 2013, Board Order No. 71](#)

[Los Angeles County Code, Chapter 2.32 – Registrar-Recorder/County Clerk](#)

[June 14, 2016, Board Order No. 33](#)

[2014 General Records Retention Schedule](#)

POLICY

County Records Management and Archives Program

The Registrar-Recorder/County Clerk's Records Management and Archives (RMA) is responsible for developing and administering records management and archiving protocols and guidelines. The RMA shall take steps to publish and disseminate record retention schedules and other records management protocols and guidelines to assist County departments in discharging their records management and archives responsibilities.

Definition of Official Public Record

An official public record is a thing, based on its content and regardless of its medium, which constitutes an objective lasting indication of a writing, event, or other information,

which is in the custody of a County officer and is kept either (1) because a law requires it to be kept or (2) because it is necessary or convenient to the discharge of the County officer's duties and was made or retained for the purpose of preserving its informational content for future reference. (64 Ops.Cal.Atty.Gen 317.)

An official public record, as defined herein, relates to record retention and destruction purposes and differs from the definition of a public record under the California Public Records Act (Govt. Code § 6250 et seq.) in that the latter is construed broadly.

The definition of official public record may include all records maintained in County and applicable County contractor offices, storage areas, electronic systems, and electronic storage devices. These storage devices include networked servers, mainframes, data warehouses, storage area networks, electronic data interchanges, imaging and document management systems, personal computers, laptops, internal or external hard drives, magnetic tapes, optical disks, and any other system or device used to perform County business.

As a general rule, official public records are County property regardless of how or where they are stored, and they will remain the property of the County until their eventual disposition. Employees and third-party contractors shall not donate, sell, nor take sole physical control or possession of County records produced by the County. This includes records that have already met their retention period and are set for disposition. However, certain exceptions may exist. Thus, when any questions arise relating to this subject matter, County Counsel should be consulted.

The following examples are not considered to be official public records (i.e. non-records):

- 1) Duplicates of an official record made solely for convenience or reference
- 2) Working papers, notes and drafts
- 3) Transitory and informal communications used to develop an official record, unless they are specifically required to be retained by the RMA, law or regulation
- 4) Stocks of publications and blank forms
- 5) Material intended solely for reference or exhibition
- 6) Material with no requirement for retention under the RMA

Non-records have no retention period and thus may be disposed of at any time unless they are responsive to a Litigation Hold or a Public Records Request.

Record Retention and Disposition

The Board of Supervisors has authorized the RMA to develop and administer a comprehensive records management program. As part of this program, record retention schedules and disposition guidelines have been established. Record retention schedules must be initially approved by the Board of Supervisors and may be modified periodically thereafter upon approval by the RMA pursuant to County Code Section 2.32.370(B).

Record Retention

There are two types of records retention schedules - (1) General Records Retention Schedule and (2) Departmental Records Retention Schedule. Both schedules provide minimum retention periods for maintaining official County records. Once an official public record has met its minimum retention period, the process of disposition should begin.

- (1) General Records Retention Schedule (GRRS)

The GRSS provides retention periods for official public records most commonly found throughout County departments. The GRRS does not cover program specific records produced by departments. The GRRS may be modified periodically by the RMA in conjunction with the affected departments, if necessary. Any subsequent modification to the GRRS must be approved by the RMA.

(2) Departmental Records Retention Schedule (DRRS)

A DRRS issued by each individual County Department and sets forth retention periods for official public records exclusive to each department. Any modification to a DRRS must be approved by the Department Head, County Counsel, and the RMA before the revised schedule goes into effect.

Records Not Included in a Retention Schedule

If a department identifies a document that may qualify as an official public record but is not found in the GRRS or a DRRS, it should consult with the RMA to determine whether that document type should be incorporated into the appropriate records retention schedule.

Record Disposition

Disposition refers to the final stage in the management of a record, where an official public record has met its retention period and may be destroyed.

Prior to the destruction of an official public record, the following criteria shall be considered:

- Is the record subject to a Litigation Hold or a Public Records Request?
- Does the record have a specific administrative or fiscal function?
- Does the record have a specific historical/archival value?

Departments are to review their official public records periodically, including those stored with County contractors, and dispose of them in adherence to the applicable schedules provided that the record is not subject to any of the considerations stated above.

Litigation Hold and Public Records Request

Departments must not destroy any public record where a litigation hold is issued by County Counsel or the record is the subject of a Public Records Request. All inquiries regarding legal hold policies/procedures as well as Public Records Request responses should be directed to County Counsel.

Administrative and Fiscal, Value

A department may retain an official public record past its minimum retention period for operational purposes where it can demonstrate that the record meets an extraordinary administrative or fiscal need.

Historical/Archival Value

Official public records with archival value are to be preserved because they contain information of continuing and enduring value to the County, provide valuable research data, or document the history and development of the County and its departments. Archival records may be in any format and media, including paper, electronic,

photographs, motion picture film, videos, and sound recordings.

Departments should appraise their official public records periodically, prior to destruction, to determine if the records possess any archival value that warrants permanent retention. Archival record guidelines shall be provided by RMA.

Retention of Vital Records

Departments will assist the RMA in identifying Vital Records. A Vital Record is essential for the ongoing operation of County Business.

Vital Records are those records that contain information critical to the operation of the County and require immediate recovery and access during or immediately following a natural disaster or other event disrupting normal operations. Such records include those that contain information protecting the County's legal/financial interests and status.

Departments should identify records specifically designated as Vital Records and include them as part of each department's disaster recovery and business continuity planning. Necessary steps should be taken to protect and safeguard those records to ensure availability.

Contracted Services that Store Official County Records and Non-Records

The County retention schedules apply to all records, regardless of medium, data and/or information that may be stored on purchased, leased, or rented electronic storage equipment and devices that are geographically located within the County, or external to the County's boundaries.

Departments will include prescriptive language in dealings/agreements with contractor(s) that maintain, process, and/or store record of the County to ensure that the data and information is appropriately destroyed in accordance with the County's record retention schedules and guidelines.

Contractor(s) must dispose of non-records as instructed by each individual department.

Policy Exceptions

There are no exceptions to this policy.

RESPONSIBLE DEPARTMENT

Registrar-Recorder/County Clerk

DATE ISSUED/SUNSET DATE

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