

1. INTRODUCTION

Many records created, managed and used by government agencies need not be retained permanently. By definition, transitory records have a temporary nature; however they are still public records, which in section 2. (1) of the *National Archive and Public Records Law, (2015 Revision)* [NAPRL] are defined as:

“information, in any form, created, received, or maintained by a public agency in the course of, or as evidence of, a transaction or activity effected or undertaken in the conduct of its business or affairs;”

This factsheet is intended to provide advice for agencies in managing and disposing of transitory records (paper and electronic), and it is to be used in conjunction with the *“Disposal Authorisation for Transitory Records: Administrative Schedule No. 8”*. The disposal authority delivers a consistent and standardised government-wide approach to the management and destruction of these records. Identified therein are the common series (types) of transitory records that agencies may create, manage or use and sets the retention period and disposal action, i.e. what happens to the series at the expiration of retention.

The basic recordkeeping principles of authenticity, accessibility, reproducibility and security apply to transitory records, and they can also be requested under the *Freedom of Information Law (2015 Revision)*. As a public record, this also means that the unauthorised destruction of a transitory record, without a Cabinet approved disposal authority, would be in contravention of section 6. (2) (b) of the NAPRL.

2. WHAT IS A TRANSITORY RECORD?

Transitory records need only be retained for a short term so as to enable the completion of a routine action or final record, and agencies do not have any financial (e.g. audits) or statutory (e.g. FOI requests) requirements for keeping these records, and neither are they necessary for the ongoing business of the agency.

The table below lists the types of transitory records as noted in the disposal authority and identifies some examples for each; however, *it is by no means an exhaustive list*. If you have any questions regarding the identification of transitory records, please contact CINA at cina@gov.ky

Series and examples of transitory records
<p>External Advertising and Promotional Materials</p> <p><u>Examples:</u></p> <ul style="list-style-type: none"> • Spam/junk letters and email, flyers and brochures. • Training courses or seminar announcements. • Product catalogues. • Survey requests.

Appointment Diaries, Calendar Entries, Duty Rosters

Examples:

- Schedules of meetings, events or appointments.
- Completed appointment logbooks.
- Rosters listing duties performed by each staff member.

Copies

Examples:

- Photocopies of paper records, including circulation copies.
- Reference copies of digital image records (e.g. photographs) and printouts where the electronic version is the official record.

Facilitative Records

Examples:

- “FYI” or “cc” messages that do not require any action and do not pertain directly to agency functions.
- Input and source records used to create, update, or modify the records in an electronic medium and are no longer required.
- Photographs of a poor quality, or repetitive content, and are no longer required.
- Voice mail messages that have been actioned.

Routine Communications

Examples:

- Circulars and newsletters of low importance, requiring no action from agency.
- Requests for updated details and information, e.g. mailing addresses, opening hours, etc.
- Seasonal greetings, including greeting cards.
- Communication slips, e.g. telephone messages, “with compliments”, etc.
- Notices of office closures, e.g. for staff meetings and retreats, public holidays, etc.
- Notices of disruption in office services or operations, e.g. telephones down, no Internet access, etc.
- Notices of promotional offers or services from government affiliated agencies, e.g. loan promotions.
- IT notices regarding upcoming system maintenance, general computer tips, etc.
- Social media and instant messaging posts, e.g. blogs and tweets.

Working Drafts and Materials

Examples:

- Draft agendas and minutes, including personal notes where official minutes exist.
- Audio recordings and handwritten or typed notes used to prepare final records.
- Preliminary statistics, calculations or figures.
- Background research and unused reference material.

3. WHAT ISN'T A TRANSITORY RECORD?

The format and storage medium (e.g. paper vs. electronic) of a record does not determine whether or not it's transitory, rather it is the content and context in which it was created or used. Based on the

information in the record and how the record has been used, or not used, each agency will have to decide as to whether the record has a “temporary usefulness”. Adversely, if the record is of significant business value, it should be managed in accordance with the relevant administrative or operational disposal authority.

A few examples of non-transitory records are noted below. For a more comprehensive list of exclusions, please refer to the “*Disposal Authorisation for Transitory Records: Administrative Schedule No. 8*”.

Examples of non-transitory records:

- Documentation of decision making and policy development
- Logbooks required as evidence of attendance
- Copies of:-
 - Minutes from committee or boards on which the agency is a member
 - Cabinet Papers
 - Reports that fulfil statutory requirements, e.g. annual reports
- Circulars requiring further action from the agency
- Drafts with significant changes or annotations.

4. HOW TO MANAGE TRANSITORY RECORDS – RETENTION AND DISPOSAL

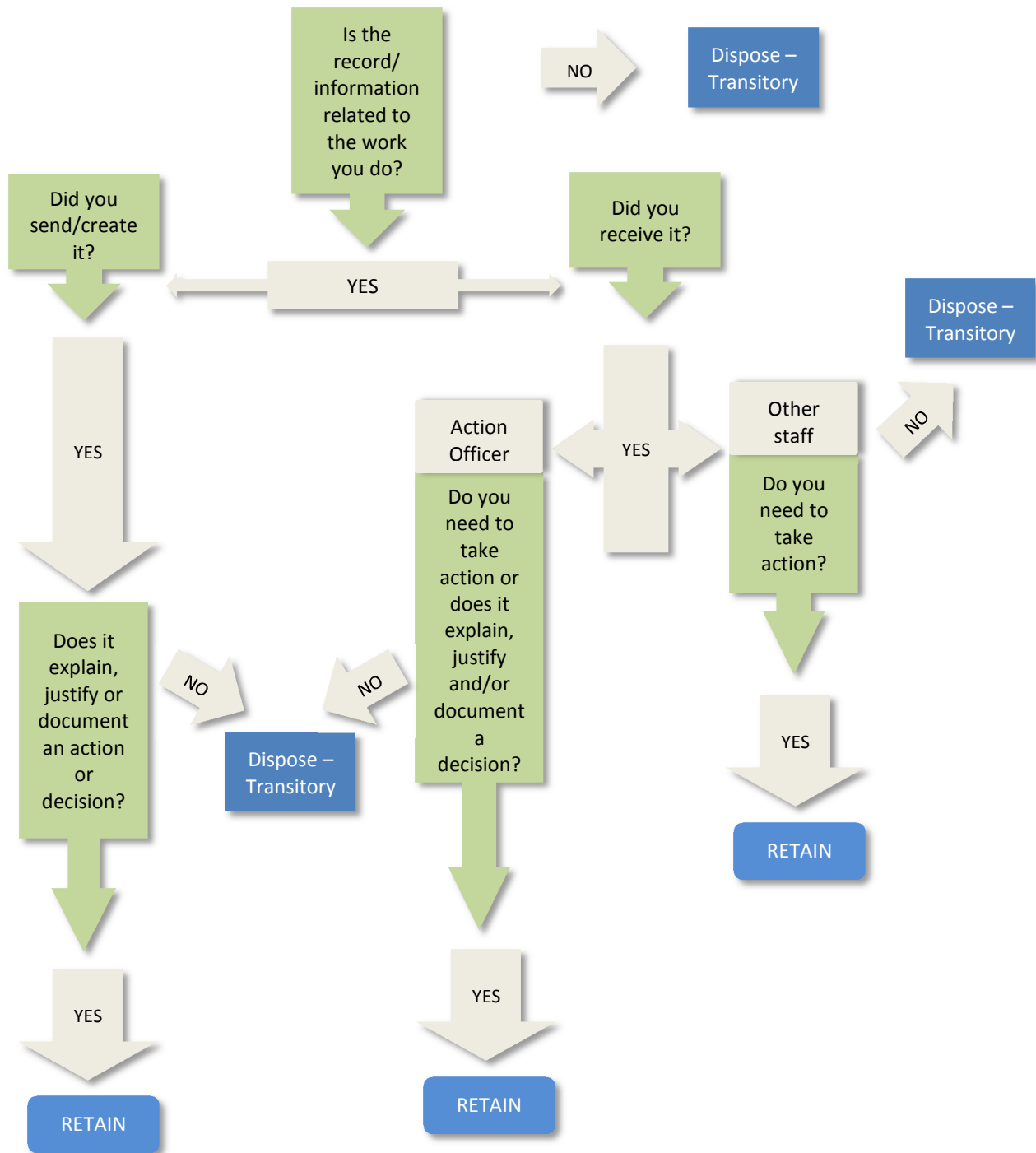
All transitory records as listed in the disposal authority have the same retention period and final action, i.e. “Destroy when reference ceases”. This has been broadly defined to allow for flexibility, as the required timeframes will vary in accordance with each agency’s business needs and operational requirements. However, it is strongly recommended that agency staff consult with senior management and colleagues in determining if the retention has expired, prior to proceeding with destruction. The general rule of thumb is to consider if all critical work tasks have been accomplished, if the record is no longer needed for accountability purposes and has no operational, legal, financial or historical value to the Government and community at large.

Despite their temporary nature, these records must be kept accessible and stored securely until the retention has expired. Unlike other public records, transitory records can be destroyed as part of your agency’s normal administrative practice, i.e. the process does not have to be verified by CINA. However, the destruction process and method utilised should be appropriate to sensitivity and security. In addition, the records should not be destroyed if they are subject to an FOI request, or needed for legal or financial purposes (e.g. audits).

Below is an *Information Management Decision Tree* which should assist with determining if the record/information is transitory in nature

and can be disposed of, or needs to be retained in your agency’s records and information management system.

INFORMATION MANAGEMENT DECISION TREE



Note: the "Disposal Authorisation for Transitory Records: Administrative Schedule No. 8" excludes any and all administrative and operational transitory records as noted in the Cabinet approved "Disposal Authority governing the operational records of [your agency]".