

SALT LAKE COUNTY
COUNTY-WIDE POLICY
ON
GRAMA DISPOSAL OF RECORDS

Reference --

Government Records Access and Management Act (GRAMA), Utah Code Annotated, Subsections 63G-2-103(22)(a-b),

Utah Administrative Services Code, Public Records Management Act, Utah Code Annotated, Subsection 63A-12-105(3)(a)

Salt Lake County Ordinance 1190 - Records Management, Subsections 2.82.030.G, 2.82.030.L, 2.82.130.A, 2.82.150.A-B

Salt Lake County Ordinance 1598 – Section 2.81 Security of Personal Identifiers

Salt Lake Countywide Policy HIPAA Security Requirements 1510

Salt Lake Countywide Policy on Information Technology Security Payment Card Industry Data Security Standard Policy 1400-7

Purpose –

This policy establishes justification, responsibility and standards for proper disposal of records created or maintained in any format after the official retention period has expired. The Director of the Records Management & Archives division is responsible to monitor compliance and Records Coordinators should coordinate compliance of their agency; ultimate responsibility for compliance, however, rests with the agency's director. County employees, knowingly disposing of county records in violation of this policy, may be subject to disciplinary action and criminal prosecution, including termination of employment. (See Records Management Ordinance, subsection 2.82.130.A)

This policy offers recommendations for appropriate disposal of non-records containing non-public information.

1.0 Justification

- 1.1 Retention Schedules used by Salt Lake County are approved by the Salt Lake County Government Records Access and Management Policy Administration (GRAMPA) or adopted as previously approved by the State Records Committee. County records are controlled by the Retention Schedules. The schedules establish the length of time records must be maintained in order to provide appropriate access for administrative, legal, fiscal, audit, or historical, functions. (See Countywide Records Policy and Procedure 2070, Record Retention Scheduling Process.)
- 1.2 GRAMA requires the prompt and appropriate disposal of records that have reached the end of the established retention period.

- 1.3 County records that must comply with federal law, regulations or industry guidelines must also meet established retention periods and follow authorized records disposal.

2.0 Records Stored in the Records Center

- 2.1 The Records Center is responsible for disposal of records in its custody that have completed the required retention. Disposal is performed in a controlled accessible process that ensures proper disposal of the records and prevents unauthorized accessibility.
- 2.2 The Records Center notifies the agency having proprietorship prior to the disposal of records. This allows the agency opportunity to defer the disposal until litigation, audit, or regulatory processes have been completed. It also allows for re-appraisal of the records due to changed retention requirements and/or archival review due to potential historical value of the records.
- 2.3 The Records Center uses approved methods and industry best practices to document the disposal of all records. All records documenting the disposal process are retained permanently and available for agency review upon request.
- 2.4 County Records Management will provide guidance for disposal of unique record formats that require special handling upon request by the agency.

3.0 Non-Electronic Records Stored by County Agencies

- 3.1 Agencies may request the disposal of their own records when the following requirements are satisfied:
 - 3.1.1 the record has been scheduled on the County Retention Schedule;
 - 3.1.2 the disposal process is specified in written standard operating procedures that comply with approved disposal guidelines and are approved by the department director.
- 3.2 Records of county agencies may be disposed of by the following methods:
 - 3.2.1 Records classified as Public may be recycled by disposing of them in appropriate bins conforming to county guidelines, or they may be shredded.
 - 3.2.2 Records with classifications other than Public should be shredded or transferred to the Records Center for disposal. Agencies who wish to use recycling companies to destroy non-public records must coordinate their practices with the Records Management & Archives division. They must have a policy in place that ensures confidentiality of the material.
 - 3.2.3 Records for shredding must be shredded at a width of no more than ¼ inch or shredded with a cross-cut shredder.
 - 3.2.4 Agencies who subcontract records disposal services must ensure compliance with these policies.

4.0 Electronic Records Disposal

- 4.1 Disposal of Physical devices containing records
 - 4.1.1 Agencies that have electronic media ready for disposal that contains records must ensure that 1), the records contained have met retention, or 2) the records have been migrated to a new media prior to destruction. Examples of electronic media include hard drives, tapes, disks, or other fixed or removable media.
 - 4.1.2 Agencies must ensure the media is completely destroyed by using an authorized record disposal service that meets AAA NAID Certification requirements. The service must provide a certificate of destruction and serial number documentation.
 - 4.1.3 Agencies that do not shred their electronic media must conform to the records disposal requirements of the Department of Defense DoD 5015.02 STD for Electronic Records Management Software Applications Design Criteria Standards, April 25, 2007. This standard requires that the data be wiped seven times to ensure is unrecoverable.
- 4.2 Disposal of records in electronic recordkeeping systems that have met retention.
 - 4.2.1 Electronic records that have met retention must be disposed of according to Department of Defense DoD 5015.02 STD for Electronic Records Management Software Applications Design Criteria Standards, April 25, 2007. This is considered the minimum standard in the industry. Electronic recordkeeping systems must provide a process to identify records that have met retention and be able to delete or remove them from the system according to industry guidelines.
 - 4.2.2 Prior to disposal, agencies must ensure those records that have met retention are not being held for litigation or audit purposes.
 - 4.2.3 Agencies disposing of records from electronic recordkeeping systems must ensure that a tracking system or internal audit trail is kept of records that are disposed from the system. Agencies should work with their Information Services personnel to ensure that records backed up to disk systems or to tapes are also deleted from the systems.
 - 4.2.4 Agencies using electronic systems that do not have the capability of disposing of electronic records from the system must ensure that the paper copies of the records are maintained as the record copy.

5.0 Disposal of Non-Records

- 5.1 Non-records, whether electronic or non-electronic, are those as per the definition of a non-record under GRAMA.
- 5.2 Non-Records, whether electronic or non-electronic, are not controlled by GRAMA and may be destroyed at any time without formal documentation.
- 5.3 When non-records contain non-public information, it is recommended that they are disposed of according to the guidelines in 3.2.2 and 3.2.3 of this policy.

6.0 Training and Education

It is the responsibility of the Records Management & Archives division to provide current information on records disposal processes through records management training and website resources.

APPROVED and PASSED this 26 day of March, 2013.

SALT LAKE COUNTY COUNCIL

Steve DeBry, Chair

ATTEST:

Sherrie Swensen, County Clerk

APPROVED AS TO FORM:

District Attorney's Office

Date