

**MEMORANDUM NO. 143B**

**TO:** All Agencies under the Mayor

**FROM:** Michael B. Hancock, Mayor

**DATE:** April 9, 2021

**SUBJECT:** City and County of Denver Records Management Program

This memorandum attachment to Executive Order 143 establishes the policy of the City and County of Denver concerning the management of official records. Executive Order No. 64 dated September 17, 2002, "Records Management," is hereby superseded by this Memorandum Attachment 143B.

- 1.0 Applicable Authority:** In addition to Executive Order 143, § 5.0, the applicable authority relevant to the provisions and requirements of this Records Management Program can be found in Article 1, section 2.2.10 and 2.9 3(8) of the Charter of the City and County of Denver (revised).
- 2.0 Policy:** The policy of the City and County of Denver is to economically and effectively manage the creation, distribution, organization, maintenance, use, and disposition of City and County Records, from creation to ultimate disposition, consistent with the requirements of the Colorado Open Records Act (CORA), Colorado Criminal Justice Records Act (CCJRA), City and County of Denver Municipal Codes and Ordinances, and accepted records management practices. City and County Records shall be created, maintained and disposed of in accordance with the provisions of this policy or authorized procedures.
- 3.0 Scope:** The scope of the Records Management Program includes:
  - Creation, receipt, maintenance and disposition of City and County of Denver Records;
  - Maintenance of approved records retention schedules;
  - Utilization of appropriate technology to facilitate records and information storage, retrieval, and disposition;
  - Utilization of procedures and guidelines to carry out these functions.The Program manages City and County of Denver Records in all formats, whether hardcopy, electronic or digital, that the City and County may use to maintain Records.
- 4.0 Objectives:** The objectives of the Records Management Program are to:
  - 4.1** Facilitate information governance at the City and County of Denver in accordance with the Information Governance Policy.

- 4.2 Facilitate access to information required to conduct City and County business and appropriate access to City and County Records by the public.
- 4.3 Maintain City and County Records for the duration of the approved retention period, including compliance with legal statutes and governmental regulations.
- 4.4 Identify vital records and ensure that they are protected and available in the event of a disaster or other major interruption to City operations. (*See* Executive Order 85 and the Disaster Recovery Plan for specific information.)
- 4.5 Dispose of City and County Records in accordance with approved records retention schedules or, in the case of records having historical significance, process them for long-term retention in coordination with the Denver Public Library or other agencies.

## **5.0 Definitions:**

- 5.1 City and County Records: All documents and information, regardless of physical form or characteristic and regardless of whether public access to them is open or restricted under the laws of the State of Colorado, created or received by the City and County of Denver. This includes “Records” as defined by CORA (*see* C.R.S. §§ 24-72-201 through 206) but is not limited to the statutory definition.
- 5.2 Vital record: Any City and County Record necessary to the resumption or continuation of the operations of the City and County of Denver in an emergency or disaster, or to the re-creation of its legal and financial status.
- 5.3 Permanent record: Any City and County Record for which the retention period on the records retention schedule is given as permanent.
- 5.4 Records retention schedule: A document prepared by or under the authority of the Records Manager under prior versions of this Executive Order, listing the titles (categories) of records maintained by the City and County of Denver, their retention periods, and other records disposition information that the records management program may require.
- 5.5 Agency records coordinator: That person or persons designated by an agency or department head to implement the records management program in that agency or department.

**6.0 Ownership of Records:** City and County Records are the Property of the City and County of Denver. No City and County of Denver official or employee has, by virtue of his or her position, any personal or property right to such records even though they may have created, developed or compiled them. The unauthorized destruction, removal, or use of City and County Records is prohibited.

**7.0 Establishment of the Records Management Working Group.** The Information Governance Committee (*see* Executive Order No. 143 at § 4.0) shall establish a Records Management Working Group to be responsible for implementation of the Records Management Program.

**8.0 Duties and Responsibilities:**

8.1 The Records Management Working Group shall:

- 8.1.1 Review and approve policies and procedures governing the records management program developed by the Records Manager.
- 8.1.2 Review the performance of the program on a regular basis and propose to the Information Governance Committee any necessary changes and improvements.
- 8.1.3 Review and approve records retention schedules submitted by the Records Manager.
- 8.1.4 Actively support and promote information governance and the Privacy Policy throughout the City and County of Denver.

8.2 The Records Manager shall:

- 8.2.1 Administer the records management program and assist agencies and departments in its implementation.
- 8.2.2 Plan, formulate, and prescribe record retention policies, systems, standards and procedures.
- 8.2.3 Prepare a Records Management Procedures Manual and perform on-site consultation.
- 8.2.4 In cooperation with Agency and Department Heads and Agency records coordinators, identify vital records and establish a disaster recovery plan for each agency and department to ensure maximum availability of the records and re-establish operations quickly with minimum disruption and expense.
- 8.2.5 Develop procedures to ensure the permanent preservation of the historically valuable records of the City and County of Denver.
- 8.2.6 In cooperation with Technology Services, establish standards for electronic storage systems.
- 8.2.7 Study the feasibility of and, if appropriate, establish a uniform filing

system and system and a forms design and control systems for the City and County of Denver.

- 8.2.8 Maintain records and provide reports to the Working Group on the volume of records destroyed under approved retention schedule, the volume of records stored, and the estimated cost and space savings from such disposal.
- 8.2.9 Coordinate with the City Attorney and develop procedures to ensure compliance with the Litigation Hold Policy.
- 8.3 Agency Records Coordinators shall:
  - 8.3.1 Facilitate compliance with the Information Governance Policy and records retention policies and procedures within their respective agencies, and work directly with the Records Manager.
  - 8.3.2 Ensure that employees comply with the requirements of the Privacy Policy, Records Management Procedures Manual, Records Retention Schedules, and other information governance policies and procedures.
- 8.4 Agency heads shall:
  - 8.4.1 Submit records retention schedules for records under their authority to the Records Manager.
  - 8.4.2 Be responsible for ensuring compliance with records retention schedules.
  - 8.4.3 Appoint an Agency Records Coordinator to work with the Records Manager.
- 8.5 The City Attorney shall approve for legality, prior to their submission for approval to the Information Governance Committee, all policies, systems, standards, procedures, manuals, plans, forms and reports developed by the Records Management Working Group.