DiT

Directorate of Information Technology
Direction des Technologies de l'Information

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

DIRECTORATE GENERAL OF ADMINISTRATION

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Council of Europe
Records and Archives Policy

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1. Introduction

Records are one of the Council of Europe's key assets. This policy is a contribution to their governance, complementing the Data and Information Management Policy of the Council of Europe with provisions relating specifically to records and archives.

The purpose of the policy is to ensure that the records of the Council of Europe are properly created, managed and safeguarded, so that they comply with regulatory and financial requirements, satisfy administrative and business needs, and that records of long-term or historical value are identified and preserved.

This policy replaces the previous archives policies.[1]

2. Scope, goals and objectives

The objective of this policy is to provide the framework needed for the effective management of records at the Council of Europe. The goal is to achieve an environment which enables the Organisation to attain its strategic goals, and where records and archives can be leveraged to further the mandate, knowledge and visibility of the Council of Europe.

All Council of Europe staff and affiliated personnel (trainees, experts, consultants, contractors, etc.) are bound by this policy.

3. Business drivers

Records provide evidence of activities, keep track of decisions and transactions, establish rights and obligations, allow for continuity in the event of a disaster, ensure compliance with regulatory requirements, are a source of information and reference, contribute to the knowledge base of the Council of Europe, and preserve its collective memory.

Managing records effectively means protecting them against loss (physical and intellectual), unauthorised access, accidental or malevolent changes, inaccessibility due to deterioration, decay or technological obsolescence, and deleting information that is outdated, irrelevant or no longer needed. Records management helps to identify records that matter, and lowers the risks of information disclosure, information overload and infringement of rights and regulations.

Consequently, records management serves the accountability of the Council of Europe towards its members, partners and the wider public, increases its efficiency and cost-effectiveness in conducting business, and supports knowledge sharing, paving the way to a learning and innovative Organisation.

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[1] Council of Europe, Archival policy, 2009 (DGAL 136); Council of Europe, Council of Europe Archive Policy, 2001 (appendix to RAP-INF(2001)6).

4. Guiding principles

4.1 General principles

4.1.1 Council of Europe records

Records are any documents created or received by the Council of Europe in the course of its activities, that provide evidence of decisions or action taken, regardless of their form, medium or storage. Records are the property of the Council of Europe.[2] This applies to all records created or received by staff members and affiliated personnel in connection with, or as a result of, the official work of the Council of Europe.

4.1.2 Information life cycle management

Records are to be managed throughout their entire life, during the phases of creation/acquisition, capture and identification, storage, active use/access, preservation, elimination/reuse.

4.1.3 Regulatory compliance

Regulations and policies in force at the Council of Europe, including those on personal data protection, have an impact at any phase of the life cyle. They are to be taken into consideration in any application or repository in which records are created, managed, stored or deleted, as well as in the Council of Europe's and individual entities' retention and disposal schedules.

4.1.4 Digital record-keeping

Information that originates digitally is managed and kept digitally. It is recommended that records received or sent in paper form, e.g. signed letters, should be digitised to ensure seamless access and management.

4.1.5 International standards

Records management activities at the Council of Europe shall be guided by internationally agreed standards that can serve as good practice, such as the ISO standard 15489 on Records management, etc.

4.2 Capture

4.2.1 Safeguarding records

Records shall be captured and stored in a way that preserves, over time, their integrity, authenticity**,** reliability, usability and, where appropriate, their confidentiality.

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[2] Except those which are merely deposited at the Council of Europe.

4.2.2 Probative value of digital records (Legal evidence)

The probative value of digital records is ensured, as long as they are registered and declared as records in the Council of Europe's electronic records management system, which is certified for records management. This also holds for digitised records (e.g. scanned versions of signed letters or memoranda), with the exception of legally binding documents such as contracts and procurement records, for which the signed original with wet signature is still required.[3]

4.2.3 Permanent digital records

Records to be retained permanently, whether for business needs or for their historical value, must be registered and declared as records in the Council of Europe's electronic records management system.

4.3 Security / Access

4.3.1 Security

Records must be protected against the risks of unauthorised access (unauthorised viewing, amendment and deletion).

4.3.2 Access rules and regulations

Rules and regulations governing access and declassification are registered in the Transparency Database. Any exceptions, as well as specific access provisions are indicated in entities' retention and disposal schedules.

4.3.3 Public access to Council of Europe documents

Council of Europe documents are made publicly accessible in line with the rules and regulations registered in the Transparency Database. It is recommended to provide a reasonable level of description for classified documents too, in order to allow implementation of the Procedure for granting public access to documents.

4.3.4 Internal documents

For internal documentation (as defined by Resolution(2001)6), the following access rules apply:
− Any internal document without a specific access classification level is by default "internal", accessible to all internal users, i.e. currently serving staff, excluding retired staff members, trainees and on-site suppliers.[4]

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[3] The physical copy storage obligation shall be reviewed in the coming years; the objective is to achieve paperless records management.

[4] At the European Court of Human Rights and the European Directorate for the Quality of Medicines and HealthCare, any internal document without a specific access classification level is by default "confidential".

- Archived internal documents are declassified after 30 years, making sure the Council of Europe data protection regulation is respected. Any deviation from this general declassification rule must either be covered by a specific rule or regulation (see 4.3.2 above), or indicated in the retention and disposal schedule of the entity concerned.

4.3.5 Accessibility of records

To ensure that records remain accessible and retrievable over time, it is essential that they are identified and understood. This requires an adequate level of description ("metadata").

4.4 Retention / Disposition

4.4.1 Retention rules apply to all information

All information is subject to retention rules. Retention and destruction actions are to be applied to documents and records, whatever their format and wherever they are stored (applications or repositories on the premises or externally in cloud services).

4.4.2 Retention and disposal schedules

A retention and disposal schedule inventories the documents of an entity (i.e. body or administrative unit) according to the entity's business activities, and indicates how long they are kept, what final action (disposition) to take, who has access to them, how and where they are stored and – for those to be kept permanently – archived.

The retention and disposal schedule is thus the primary tool for records management control. It facilitates records classification and filing, retention management and storage, as well as access and confidentiality. It also specifies the collection policy of the entity, identifying records of historical value.

The Council of Europe Common Retention and Disposal Schedule covers recurrent and typical activities and serves as a general corporate retention policy. An entity (i.e. body or administrative unit) with activities going beyond this schedule, or following specific rules, should have its own comprehensive schedule.

The entity's schedule is drawn up in co-operation between the entity and the Directorate of Information Technology (DIT).[5]

4.4.3 Destruction

Records scheduled for destruction must be disposed of in accordance with the timetable in the applicable retention and disposal schedule and the archiving procedures in force. Any exception must be authorised by a hold order. Reasons for holds on records destruction include, but are not limited to, new regulations, audit requirements and anticipated or pending litigation.

Copies (in any medium) of the records concerned are to be destroyed too.

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[5] Except for the European Court of Human Rights and the European Directorate for the Quality of Medicines and HealthCare.

Destruction of classified records must be carried out in a secure manner.

4.5 Archiving

4.5.1 Central Archives

The Central Archives consist of permanent records of the Council of Europe, which are of historical value. As a permanent historical collection, they contain material created or received by the Organisation in the conduct of its activities, and preserved as evidence of the activities and responsibilities of the Council of Europe, or because of the information they contain. The Central Archives document the Council of Europe's history.

The European Court of Human Rights and the European Directorate for the Quality of Medicines and HealthCare maintain their own archives, which complement the Central Archives of the Council of Europe. Both bodies also manage their own repositories for records, records management tools and storage locations.

All other departmental archives are governed by agreements between the entity concerned and DIT, in the form of retention and disposal schedules.

4.5.2 Archiving of digital records

Permanent textual records are archived in the Council of Europe's records management system. Permanent audiovisual records are archived in the media asset management system.

4.5.3 Archival formats of digital records (Digital preservation)

Digital preservation is ensured for a limited set of formats set out in the separate document Recommended Archival Formats. Digital preservation actions are only applied to records stored in the Council of Europe's records management system or media asset management system.

4.5.4 Archiving of paper documents

Permanent paper records are transferred to the Central Archives in accordance with the Archiving procedures in force.[6]

4.5.5 Access to archives

Access to the Central Archives is provided by DIT in accordance with Council of Europe rules. Preference is given to digital access.

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[6] The European Court of Human Rights and the European Directorate for the Quality of Medicines and HealthCare have their own archiving procedures.

5. Roles and responsibilities

Records management concerns everybody at the Council of Europe who creates, receives or handles information. It is a common endeavour, guided centrally by DIT and supported by a network of records and archive correspondents. This section does not apply to the European Court of Human Rights and the European Directorate for the Quality of Medicines and HealthCare, as their roles and responsibilities are distributed differently.

5.1 Each entity (i.e. body or administrative unit)

- Is responsible for managing its records, including archiving, according to the procedures in force
- Captures relevant records into the records management system or – where applicable – transfers them to the Central Archives
- Appoints an archive and/or records management correspondent[7]
- Prepares its retention and disposal schedule in co-operation with DIT
- Applies its retention and disposal schedule and takes action on records at the end of their retention period (destruction or archiving, in co-operation with DIT)

5.2 Records and archive correspondents

Records and/or archive correspondents are the principal point of contact between the entity and DIT for any questions related to records management and archives.

In particular, the correspondent

- Liaises with DIT and participates in the records and archive correspondents' meetings
- Participates in drafting and updating the entity's retention and disposal schedule
- Acts as a key user for the records management system
- Coordinates the management and archiving of his/her entity's paper and electronic records

5.3 Directorate of Information Technology (DIT)

- Sets up records management and archiving policies and procedures
- Assists entities with their records management duties, provides training and arranges awareness-raising activities
- Manages the Central Archives and provides access
- Is reponsible for the Organisation's retention and disposal schedules and the appraisal of records
- Ensures the long-term preservation of records
- Provides a corporate records management system and media asset management system
- Keeps a register of corporate rules and regulations affecting records management, including rules governing access and declassification
- Monitors compliance with this policy

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[7] Whether the correspondent is appointed at the level of the body, directorate, department, division or unit depends on each entity's requirements and resources. This should be handled with flexibility. High-level correspondents may not be familiar with the work of specific entities and should therefore be supported by contact persons in those entities.

6. Resources

To implement this policy, the following elements are required:

➢ An administrative entity dedicated to the central management of records and archives, in co-operation with entities, and staffed by information professionals (currently Information Life Cycle Section in DIT).[8]

➢ An action plan to implement the policy, once it is adopted, in the form of a records management programme consisting of specific records management projects or activities.

➢ A budget in line with the action plan.

7. Follow-up

Five years at the latest after the adoption of this policy, an evaluation should be carried out to see whether an update is required.

8. Definitions

➢ Appraisal

The process of establishing the value – business value and historical value – of a record.

➢ Digital preservation

Actions required to maintain access to digital records and keep them readable and usable over time beyond the limits of media failure or technological change.

➢ Disposition

Action to be taken at the end of a record's life cycle (destruction or permanent retention).

➢ Historical value

The significance or usefulness of records beyond their primary business value (for example for understanding the past), which justifies their continued preservation. The enduring value is linked to the information that these records contain.

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[8] The European Court of Human Rights and the European Directorate for the Quality of Medicines and HealthCare have their own administrative entities dealing with these functions.

➢ Record

A record is any document, regardless of its format, created or received by an organisation in the course of its activities, that provides evidence of decisions or action taken.

➢ Retention and disposal schedule

Records management tool which inventories an entity's documents and records, according to its activities, and which provides instructions for their management throughout their life cycle (e.g. how long to keep them, where they are stored, what final action to take, who has access).

9. Related information

Committee of Ministers, Procedure for granting public access to documents issued with a security classification, 1998

Committee of Ministers, Resolution Res(2001)6 on access to Council of Europe documents, 2001

Council of Europe, Transparency Database on Document Access and Declassification

Directorate of Information Technology, Archiving procedures at the Council of Europe, 2014

Directorate of Information Technology, Council of Europe Common Retention and Disposal Schedule, 2017

Directorate of Information Technology, Council of Europe Metadata Policy, 2012

Directorate of Information Technology, Data and Information Management Policy of the Council of Europe, 2013

Directorate of Information Technology, Recommended Archival Formats, 2017

Directorate of Information Technology, Role and legitimacy of Archive Correspondents, 2012

Retention and disposal Schedules currently in force at the Council of Europe