



Department
of Health

Legacy records management

Department of Health Records Office: governance and service delivery

July 2015



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Target Audience: Managers and financial departments responsible for records management compliance and any colleagues within records management for organisations that have inherited Legacy records from former Primary Care Trusts (PCTs) and Strategic Health Authorities (SHAs) abolished in 2013. Contains context for colleagues and organisations with an interest in records management for the named abolished organisations.
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Department of Health Records Office: governance and service delivery

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Accompanying documents:

Services provided by the Department of Health Records Office – published July 2015

Form for registering contact details with the Department of Health Records Office – published July 2015

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The Departmental Records Office (DRO)

Introduction

The Department of Health's Departmental Records Office (DRO) provides records management services from our site in Burnley, Lancashire. Our services are primarily aimed at the Department of Health, but extend to a number of Arm's Length Bodies (ALBs) who are reliant on us to provide records management services.

Our aim is to ensure that the owners of records comply with their records management obligations and data protection legislation. We do this by providing a range of services to records owners, which are delivered by the team and/or third party contractors. We have extensive expertise in all areas of records management and are happy to provide advice and guidance on a wide range of policy and service delivery topics.

Background

In 2013, the Secretary of State for Health agreed to take responsibility for operational management of Legacy records that were owned by the former Primary Care Trusts (PCTs) and Strategic Health Authorities (SHAs). This management has been transferred to; and completed by the DRO.

What are Legacy Records?

When all the PCTs and SHAs closed, their records needed to be transferred. Examples include patient records for health visitors, deeds of properties or financial records. In most cases the records are owned by a new organisation, but they are stored in a contract that was inherited by the Department of Health. The challenge for the DRO is to make sure that the right people have the records they need, and that they take responsibility for them.

Legacy Records Management and Services

Further information relating to Legacy records management and service can be found in the accompanying document, 'Legacy Records Management – Services provided by the Department of Health Records Office'.

Governance and Service Delivery

Governance

Dealing with Legacy records is an ongoing process and the DRO has continued to consult with Information Governance Leads to determine optimum methods of reporting progress against commercial and governance objectives whilst liaising to ensure records owner's views are reflected in our work programme.

We have been working closely with The National Archives (TNA) to work out the best methods of addressing the requirements of the Public Records Act and this will also be an ongoing process. Issues that have been raised and addressed include the potential change to the reduction of maximum retention periods.

Service Delivery

It is of vital importance that organisations let us know their key contacts for this area of work. This is so the DRO can be assured that requests for service can be appropriately fulfilled. It will also ensure that we have an understanding of how organisations will meet costs which DRO will recharge.

The accompanying '*Form for registering contact details with the Department of Health Records Office*' document (formerly named 'Annex A') should be used to supply this information. A completed copy should be returned to drolegacyteam@dh.gsi.gov.uk, to ensure continuity of service.

Requesting Services

The majority of accounts that we manage will have material stored which is owned by different organisations. We have a duty of care to ensure the appropriate access controls are in place but these will often depend upon the capability of the supplier. In most cases we will act as a broker between the records owner and the supplier, to ensure that only appropriate requests are provided to the supplier to deliver.

Where a supplier has the capability to implement security and access controls around a defined collection of records, it should be possible to allow nominated individuals to access services directly from the supplier.

Services can be commissioned by the DRO by emailing drolegacyteam@dh.gsi.gov.uk. The type of services which can be delivered will be dependent on the contractual arrangement with the supplier and their capabilities. It will typically include:

- Recall of articles stored and having them delivered to a nominated address
- Request pick up of articles which are being returned to storage
- Request the destruction of articles following retention destruction date being met
- Request copies of inventories

There will be differing service levels which apply depending on the supplier and their contractual arrangements which underpin the delivery of storage and retrieval services. If you have a requirement to undertake a specific project, you should email the DRO via drolegacyteam@dh.gsi.gov.uk and a member of the team will contact you to take your request forward.

Service Exceptions

As an organisation, you are responsible for notifying the DRO in a timely manner if we have commissioned a service from a supplier for you and;

- Articles delivered as part of a service have been damaged or not supplied
- The service requested has not been delivered on the expected delivery date
- A service request has been fulfilled but the wrong article has been delivered

Payments for Services

The DRO will meet the costs of services provided by the supplier. The costs will be apportioned to the records owners and an invoice will be raised by DRO. The invoices raised by us will include VAT at the prevailing rate but you should seek advice within your own organisation about whether the VAT we levy can be reclaimed. We are unable to provide advice on this issue.

The accompanying *'Form for registering contact details with the Department of Health Records Office'* document (formerly named 'Annex A') includes a section relating to invoicing. We require this information to ensure any invoices are sent to the correct address and department.

We will deliver a single invoice on a timescale agreed between DRO and your organisation, with a minimum of one invoice per financial year. Ideally, quarterly invoices will be issued but consideration has to be taken in the timing of the release of this, and accompanying documents. If you have asked us to request the delivery of a project with a supplier, we can invoice the costs of those separately as they may need separate financial approvals depending on the value of the project.

If you require a Memorandum of Understanding (MoU) in order to raise a purchase order, please let us know via drolegacyteam@dh.gsi.gov.uk.

If there is a disputed invoice, please contact the email address above and provide a reason(s) for dispute. The DRO will then respond as soon as possible. If there is an extended period of unpaid invoices, we may suspend delivery of further services to your organisation.

Commercial Oversight

The DRO are major purchasers of records management services and we have therefore looked to understand organisations commercial priorities and operational requirements. We are aware that a number of organisations will have previously settled on a commercial strategy for their records management requirements and we would be seeking to consolidate the records we are holding into those arrangements.

The DRO have strived to simplify commercial arrangements that exist but due to the volumes of records, accounts, organisation and suppliers, there is no single solution to this. When looking to simplify any details, we need to consider:

- Whether there are business benefits in consolidating records together in a single commercial arrangement
- The requirements that the business has services for the future
- The affordability of the chosen option
- The current commercial arrangement and any contract expiration dates
- The retention period of the records stored and the associated date of the requirements to store paper records.