


Policy Title:	Record Retention		
	OFFICE OF THE CHIEF INFORMATION OFFICER	Category	Information Technology
		Administrative Policy #	400-IT-Record Retention
		Revision #	N/A
		Review Frequency	As Needed – no less frequently than triennially
Administrative Division	Information Technology	Reviewed By	Chief Information Officer
BOWC Approval		Last Reviewed/Update Date	
Implementation Date		Resolution #	23-

1. AUTHORITY

Michigan Records Reproduction Act (MCL 24.401 et seq.)

City of Detroit in Executive Order No. 2019-1.

2. OBJECTIVES

- 2.1. To set forth retention schedules that specify how long records are to be kept to satisfy the Detroit Water and Sewerage Department’s (DWSD) legal, operational, and historical requirements.

3. PURPOSE

- 3.1. The purpose of this policy is to ensure that records created, received, or maintained by DWSD employees or other authorized persons in the course of DWSD business and that relates in any way to DWSD’s mission, functions, operations, or activities are maintained and retained in compliance with state and local law and as may be deemed in the best interest of DWSD.
- 3.2. In some instances, DWSD may require records to be retained for a period of time that exceeds state or local law.

4. DEFINITIONS

“Contractor records” means ownership and retention of records created by consultants, service companies, or other contractors hired by DWSD to provide specific services and that relate to DWSD’s mission, objectives, or business operations are to be governed by contractual provisions.

“Copies” or “Duplicate records” are copies of records other than the official copy.

“Data retention” means the saving of historic and/or inactive files on disk, or other mass storage media for the purpose of keeping it for compliance or legal reasons, for a defined period of time. ITS is not responsible for and does not manage Data Retention. Data Retention is determined and managed by Application Owners in conjunction with legal and regulatory requirements. Data retention is also subject to the litigation hold process as directed by Office of General Counsel.

“Non-records” means books, periodicals, catalogs, newspapers, newsletters, and other publications or library materials acquired by the DWSD solely for reference purposes; unused or undistributed stocks of DWSD publications; blank business forms; unused copies

of form letters; unsolicited brochures, flyers, advertisements, mass mailings, email messages; or other records unrelated to DWSD business.

“Official copy” or “Official record” means the copy of the record that must be kept for the indicated period of time to satisfy legal, operational, and historical requirements. In most cases, the official copy of a record is the copy held by the DWSD unit business that is principally responsible for the operation or activity with which the record is associated.

“Personal papers” means information-bearing objects of a private nature that pertain solely to an employee’s personal activities and interests and that have no relation to the employee’s assigned duties or to DWSD’s mission, goals, objectives, or business operations. Examples of personal papers include:

- Documents or computer files that were created by an employee before joining DWSD and that were not used subsequently for DWSD business.
- Documents or computer files relating to personal affiliations and memberships, including participation in the activities of professional associations, educational institutions, accrediting bodies, and advisory boards.
- Diaries, journals, and calendars that pertain exclusively to personal appointments, activities, or other personal matters.
- Email messages, text messages, correspondence, and notes that are unrelated in any way to DWSD business.
- Papers or computer files relating to volunteer work or community service that an employee may undertake without DWSD involvement.
- Family photographs.
- Diplomas, training certificates, and citations unrelated to DWSD business.

“Record Retention Manual” means the guidance manual prepared by the Security Archives Data Management business unit.

“Records” means computer files, databases, images, email, and other digital information stored by cloud-based services or on DWSD servers, personal computers, mobile devices, or removable magnetic, optical, or solid-state media; paper documents; video recordings; audio recordings, including recordings of phone calls; photographic films and prints, including photographic negatives and motion picture films.

“Retention Period” means the period of time that the records are to be kept to comply with legal and regulatory requirements, to ensure that information is available to support DWSD’s operations, and to preserve information of historical value.

“Transitory documents” means drafts, notes, outlines, and working papers and may be developed during the transaction of DWSD business or the preparation of DWSD records.

5. SCOPE

- 5.1. This policy applies to official and duplicate copies of records.
- 5.2. This policy applies to drafts, notes, working papers, and other transitory documents that are created, received, or maintained in the course of DWSD business.
- 5.3. This policy does not cover data retention for compliance or legal purposes.
- 5.4. This policy does not apply to non-records.

6. RESPONSIBILITIES

6.1. Chief Information Officer (CIO)

- 6.1.1. The Chief Information Officer (CIO) is responsible for publishing this policy; communicating this policy to all employees; for review, approval and publishing of divisional standards; and updating this policy as necessary.
- 6.1.2. The CIO, or delegate, is responsible for interpreting and enforcing this policy.

6.2. Management

- 6.2.1. Management is responsible for monitoring work areas for compliance and addressing any incident(s) of noncompliance and alerting the Chief Information Officer and/or Human Resources when a violation has occurred.

6.3. Employees

- 6.3.1. DWSD employees must consult both the general schedule and the applicable business unit schedule in the Record Retention Manual to determine how long to retain records in their custody or under their supervisory control.

7. POLICY

7.1. Ownership of DWSD Records

- 7.1.1. All records created, received, or maintained by DWSD employees in relation to the Department's mission, goals, objectives, operations, events, or programs are the property of the City of Detroit.
- 7.1.2. No DWSD employee has, by virtue of his or her position, any personal or property right to or property interest in such records, even though he or she may be named as the creator, recipient, or custodian of them.
- 7.1.3. In some circumstances, a DWSD employee may be authorized to download or remove DWSD records temporarily from a DWSD digital repository, office, file room, or other storage location for the purpose of performing specific duties for DWSD. The employee must return such records promptly when that purpose is fulfilled or at any earlier time when instructed to do so.
- 7.1.4. Employees may not take any DWSD records or copies of such records when they retire, resign, or otherwise terminate employment unless DWSD grants permission to do so.
- 7.1.5. Employees who have been authorized to remove records from a DWSD digital repository, office, file room, or other storage location must return them when they retire, resign, or otherwise terminate employment.
- 7.1.6. Where a contractor is designated as the owner of specific records, DWSD reserves the right to inspect, copy, or audit records related to its programs, operations, and activities.
- 7.1.7. DWSD's record retention schedules and guidance documents do not apply to personal papers. If information about personal matters and DWSD business is included in the same record, however, the record is considered a DWSD record.

- 7.1.8. Employees who have personal papers in their offices or on DWSD's computer systems must identify and clearly label those materials as such. DWSD records and personal papers must not be co-mingled.
- 7.1.9. DWSD reserves the right to prohibit employees from using DWSD resources to create and maintain all or specific personal papers.

7.2. Record Retention Standards

- 7.2.1. DWSD records must be retained and disposed of in accordance with retention periods and practices specified in the Department's record retention schedules and in any related guidance documents that DWSD has issued or may issue in the future.
- 7.2.2. DWSD's retention schedules and guidance documents specify how long records need to be kept for legal reasons and to satisfy operational and historical requirements.
- 7.2.3. The DWSD retention schedules and guidance documents are the Department's only approved sources for record retention and disposition.
- 7.2.4. DWSD's retention schedules and guidance documents will comply fully with requirements issued by the Records Management Services unit of the Michigan Department of Technology, Management, and Budget and with all other applicable laws and regulations.
- 7.2.5. DWSD records will be destroyed when the time periods specified in the retention manual elapse in order to reduce the cost of storing, indexing, and handling the large quantity of records that would otherwise accumulate.
- 7.2.6. DWSD records with elapsed retention periods will be destroyed in a manner that is safe and appropriate to the content of the records and to the media on which the records are made. Records that contain confidential information will be destroyed in a manner that completely obliterates their contents and renders the records unreadable and unusable.
- 7.2.7. DWSD will not destroy any records that are considered relevant for pending or ongoing legal proceedings, government investigations, and audits. When circumstances warrant, the General Counsel will issue a written directive that formally suspends the destruction of specific records until further notice.
- 7.2.8. DWSD employees must comply fully and consistently with the Department's retention schedules and guidance documents for DWSD records in their custody or under their supervisory control. DWSD employees who are aware of or suspect any violations of this policy should immediately report such conduct to their supervisors, who will work with the DWSD records management program to determine whether a problem exists and how it can be corrected.

7.3. Official Copies and Duplicate Records

- 7.3.1. The Records Retention Manual is divided into two parts:
 - Part 1 is a general schedule. It provides retention guidance for commonly encountered records that are held by multiple DWSD business units.
 - Part 2 contains schedules that provide retention guidance for records that are maintained by specific DWSD business units.

- 7.3.2. If the general schedule and the business unit schedule conflict with each other, the business unit schedule takes precedence.
- 7.3.3. The general schedule and business unit schedules provide retention guidance for official copies of DWSD records.
- 7.3.4. Where a particular type of record is listed in a business unit schedule, that business unit is responsible for retaining the official copy. If a type of record is not listed in a business unit schedule, that business unit is not responsible for the official copy.
- 7.3.5. For commonly encountered records listed in the general schedule, the originator's copy is the official copy for retention purposes. For committee records, project records, and other records that may have multiple originators, the official copy is held by the DWSD business unit or employee that is principally responsible for the activity to which the records pertain.
- 7.3.6. Where the retention period for a given record series is "while useful," official copy determination is irrelevant. Any copy of such records can be discarded when it is no longer needed.
- 7.3.7. Additional copies of DWSD records may be created for reference or distribution. Copies other than the official copy are considered duplicate records for retention purposes. They should be discarded at the earliest opportunity when they are no longer needed for the purpose for which they were created.
- 7.3.8. Duplicate records must not be retained longer than the official copy of a given DWSD record. This retention rule applies to duplicate records in all formats.

7.4. Paper vs. Electronic Records

- 7.4.1. Official copies of DWSD records may be maintained in paper, photographic, or electronic form.
- 7.4.2. Retention periods specified in the general and business unit schedules apply to official copies regardless of format.
- 7.4.3. DWSD business units will determine the appropriate format for the official copy of a given record based on the circumstances in which the record is created, received, and used.
- 7.4.4. Electronic records may be printed for filing or retention, but that practice is neither required nor practical given the large quantity of electronic records created and received by DWSD employees.

7.5. Documents of Transitory Value

- 7.5.1. Transitory documents are not listed in the general retention schedule or in business unit schedules. They have no business value that warrants retaining them beyond their moment of immediate usefulness.
- 7.5.2. Transitory documents should be discarded at the earliest opportunity after their purpose is fulfilled.
- 7.5.3. This retention guidance applies to drafts, notes, outlines, working papers, and other transitory documents in all formats.

7.6. Revision of Record Retention Manual

- 7.6.1. If a business unit disagrees with the prescribed retention period for a specific record type, the business unit must request a revision to the retention manual. The DWSD records management program will evaluate the request and work with the business unit to determine a new retention period.
- 7.6.2. Business units must notify the DWSD records management program about records that are omitted from the record retention manual. Such records must be kept until they are added to the manual.
- 7.6.3. All revisions to DWSD retention manual will apply retroactively. If a revision decreases the retention period for a given record type, records that would have been kept under the old retention period will become eligible for destruction according to the new retention rule.

7.7. Reasonable and Necessary Accommodations

- 7.7.1. Management may take reasonable and necessary actions to accomplish the intent of this policy.

8. PROCEDURES

- 8.1. The CIO will publish a Record Retention Manual, which is attached and incorporated into this Policy by reference.