

CHICAGO HOUSING AUTHORITY
RECORDS MANAGEMENT POLICY

Effective as of December, 2014

This policy provides guidance for the CHA's management and staff who have responsibility for records on how to maintain, store, make accessible, and dispose of CHA records. All CHA employees, contractors and agents, who create, maintain, and store records on behalf of the CHA, are responsible for understanding and complying with this policy, the related record retention schedule, and the CHA's Records Management Procedures referenced in this policy.

POLICY SUMMARY

A record is any documented material, regardless of physical form, that is generated or received by the CHA in connection with transacting business. Documentary material containing personal information, such as an appointment calendar, may also be considered a record.

CHA records that are created by the CHA or its agents should be for CHA business purposes and should be managed responsibly throughout their life-cycle. Responsible management of records includes labeling each record according to its nature when appropriate (i.e. drafts, confidential, attorney/client privileged), and identified with their type (vital or historic) and their life cycle stage (active or inactive), and maintained, stored, tracked, and disposed of in accordance with this policy and the CHA's Records Management Procedures. Responsible management of records also refers to making reasonable efforts to ensure that records are secured to prevent unauthorized access, damage, or loss.

Records that are related to the CHA's legal obligations should be retained for certain periods of time, as required by the U.S. Department of Housing and Urban Development (HUD) and by the Local Records Commission of Cook County (LRCCC) pursuant to state law and regulations, specifically including those laws and provisions comprising the State of Illinois' Local Records Act, 50 ILCS 205, *et seq.* Therefore, records should be maintained in accordance with the CHA's established retention schedule (attached). The retention schedule lists and describes the types of data and associated records that exist within the CHA and specifies the length of time each type of record should remain in active storage, in inactive storage, and if or when it may be disposed of and/or destroyed.

As the delegate of the Chief Executive Officer, the Knowledge Manager has overall responsibility for developing a Records Management Program and Procedures for the CHA, including a systemic defined manner for storing and disposing of records, that is in compliance with applicable federal, state, and local laws and regulations, as well as the CHA's need to preserve records for historical and reference purposes. The CHA's Records Management Procedures should provide for the effective and efficient administration of records throughout their life cycle. The Records Management Program and Procedures should also include complete and accurate tracking of all transactions which occur in relation to a particular record including, but not limited to, its creation; classification (i.e. vital, historical, and/or confidential); changes in description, contents, etc.; transfer from active to inactive storage; activity levels, including patterns of use; retention schedule changes, and disposal.

The Knowledge Manager also has overall responsibility for the implementation of the CHA Records Management Program and Procedures and for establishing controls to ensure the proper physical tracking, maintenance and management, usage monitoring, retention, and disposal of CHA records. The Knowledge Manager will do this in consultation with the CHA Retention Committee, comprised of the Executive Office, the Office of the General Counsel, and the Executive Vice Presidents. The CHA Retention Committee will specifically have oversight on the establishment of retention schedules, and reviews and approvals for the disposal of records.

As a general rule, retention schedule reviews and updates will take place once a year, including a review of the records management implementation and process measurements; inactive records will be sent to storage at least once a year, and disposal approvals and actual disposal of records will take place up to twice a year.

Executive Vice Presidents have a responsibility for ensuring that records for their respective departments are secure, yet accessible for authorized retrieval. They are also responsible for ensuring that their respective departments, agents and contractors comply with all records management laws, regulations, and the CHA's Records Management Program and Procedures. Designated officers of the CHA reserves the right to review CHA records at any time to confirm compliance with this Records Management Policy.

Record Liaisons are the departmental contacts responsible for the overall management and maintenance of active and inactive records, assisting in identifying inactive records ready for storage, and making inactive stored records available for required reviews. The Records Liaisons are also responsible for the proper completion of documentation for inactive records sent to and retrieved from storage, consistent with the instructions and guidance from the Knowledge Manager.

The Records Management Program and Procedures applies to all operating and functional areas of the CHA. It also provides a guideline for CHA affiliates who will define and manage their own records programs. The CHA Records Management Program and Procedures should cover all records, both in hardcopy and electronic format, produced by the CHA. This Policy applies to the CHA, including all staff, employees or equivalent personnel, as well as to all of CHA's vendors, agents and contractors (and their respective subcontractors or agents), including Private Property Management firms, HCV administrators, construction management firms and other firms or individuals fulfilling or performing CHA core functions.

TYPES AND STAGES OF RECORDS

When records are identified as vital, historical, and/or confidential, it provides direction in how these records should be handled throughout their life cycle.

Historical Records

Historical records / permanent records are official records worthy of temporary or permanent preservation because of their historic or research value. Historical records provide information regarding the CHA's policies, philosophies, performances, history, and people. Examples are minutes, resolutions, ordinances, plat maps, policies and annual reports, blueprints and surveys, photos, litigation, and real estate records and leases. These records will usually be ineligible for destruction because they are designated as having legal or historical significance to the CHA.

The CHA should maintain a Historical Management System that provides guidance on how to maintain, use, and retain CHA historic records, specifying how to catalog, secure, preserve, and ensure accessibility to historical material. The Historical Management System should also assign responsibilities for administering these functions.

Vital Records

Vital records are official records that are considered essential to the operation of the CHA and cannot be recreated. Without them the CHA's business would be significantly impaired or could not survive a catastrophe. These records may be essential to the continuation of the CHA's operation, to its legal or financial status, or they may be necessary for fulfillment of obligations to residents, employees, and/or outside interest. Vital records should be identified so that they can be protected and kept until the expiration of their retention periods, if any. Vital records may be disposed of upon receiving the required approvals established in this policy and the CHA's Record Management Procedures.

The CHA should maintain a Vital Records Program that includes a list of all records identified as necessary to protect assets, protect legal and financial status, preserve rights and obligations of employees, customers, citizens, and ensure the continuity of business operations, as well as the procedures and practices to be followed to protect those records. The vital records list should include those records considered vital by the CHA overall as an organization, as well as those records vital to individual departments or divisions.

The Vital Records Program should be fully aligned with the CHA's objectives, priorities, and attitude toward exposure to risk and a business impact analysis, and implemented in cooperation with the CHA's emergency response planning team. It should include procedures to permit effective use of selected records in an emergency. Those records supporting priority processes should be readily available in an appropriate form and medium at a location identified in the CHA's Business Continuity Plan. Where appropriate, duplicate sets of vital records will be stored in a physical location separate from the original and where physical protection is at least equivalent to that of the originals.

Confidential Records

Confidential records are records containing information that is exclusively for the use and information of the CHA in the performance of its duties and is required to be kept confidential. Such information includes, but is not limited to, sensitive personal information such as social security numbers, medical or credit histories, employment, personal references, criminal records, and the information acquired by the CHA from applicants, tenants, their family members, or any third party concerning the applicants or tenants. Special care should be taken to secure confidential records from unauthorized access. Confidential records may be disposed of only upon receiving the required approvals established in this policy and the CHA's Records Management Procedures. Confidential records approved for destruction are to be shredded following the procedures established in this policy and the CHA's Records Management Procedures.

ACTIVE AND INACTIVE RECORD PERIODS

Records are either in their active or inactive period. Together, the active and inactive time periods add up to the retention period for the record.

Active records are regularly referred to and used to conduct the CHA's daily operations. The active period reflects the time period during which the record is expected to be maintained in the office files of the Office of Record (the department responsible for maintaining the record). At the end of the active period, records can be moved to inactive storage at the Records Center.

Inactive records are not needed for current use or reference, but should be kept for legal, tax, audit, or historical purposes. Generally, inactive records will be kept off-site and may be accessed frequently. The inactive period identifies the time period during which the record will be maintained in off-site storage at the Records Center.

ACTIVE RECORDS

At their inception, records are active, meaning that they are regularly referred to and used to conduct the CHA's daily operations.

Filing System

Each department may determine its own filing system. However, once the filing system has been established, it should follow the maintenance procedures outlined in the CHA's Records Management Procedures, and it should be retained as records are sent to storage. An effective system of records management should be easy to secure, use, reference, and expand, as well as efficient, effective, and simple to maintain.

Physical Storage

Active records are to be kept in the office files for easy reference. However, active records should be managed responsibly, ensuring that reasonable measures are taken to protect them and avoid their unauthorized access, damage, or loss. The departments should strive to make files secure but readily accessible. Files should be locked to the extent that is reasonable for daily operations. Where files are kept unlocked, access to the area should be controlled.

Confidential records must be stored in a locked room or filing cabinet, to protect them from unauthorized access.

INACTIVE RECORDS

Transfer to Inactive Storage

Records transition from being active to inactive when they are no longer needed for current use or reference, but should be kept for legal, tax, audit, or historical purposes.

Transfers of inactive records to storage should be conducted via the CHA's Knowledge Manager, should follow the procedures outlined in the CHA's Records Management Procedures. An inactive record should be sent to storage only if it is the official record that is included on the retention schedule, and it has been properly approved for storage and properly labeled according to the CHA's Records Management Procedures. The official record is the master copy, usually an original, which is legally recognized as establishing some fact.

In order to improve efficiency and save valuable space and money, copies should be discarded when official records are transferred to storage. Confidential copies must be discarded in confidential bins or shredded. To help staff identify records that are not official records and therefore have no need to be retained past when they are actively used, the CHA encourages staff to identify copies as such when they are created.

As a general rule, inactive records should be transferred to storage at least a year. For rapidly accumulating records, it may be desirable to transfer records to storage more frequently. For those records with low volumes or accumulating more slowly, transfers may be less frequent than annual.

Tracking

The Knowledge Manager is responsible for the maintenance of a comprehensive list of records sent to storage, including the identification of the Office of Record and the classification of the record (i.e. vital, historical, and/or confidential).

The physical movement of records should be documented to ensure that each item can always be located when it is required.

Filing System

Each inactive record transferred to storage should be maintained consistent with the filing system previously established while the record was active. Collectively, all of the CHA's inactive records should be organized utilizing an efficient filing system that facilitates searches for specific records.

Physical Storage

Inactive records will be kept at the Records Center, which will usually be an off-site location. The Records Center will be the storage location for records until their life cycle ends and they are disposed.

Inactive records should be kept in a useful state until they are disposed of by destruction, transfer to archival storage by the CHA, or presentation to a third party when appropriate. They should be stored in a manner that facilitates access, while also protecting them from unauthorized access, physical damage,

and loss. The location and manner in which inactive records are stored should involve considerations established by a risk assessment and disaster planning including security, protection against fire and water, and environmental conditions.

ACCESS TO RECORDS

In order to support business requirements as well as the need to make records available for audits, litigation, and tax reasons, it is important that all records be accounted for and accessible until their destruction.

HUD and the Comptroller General of the United States, or any of their authorized representatives, and the contracted internal public auditor (IPA) should have reasonable access to non-privileged CHA books, documents, papers, and records which are pertinent to its operations, including the right to make audits, examinations, excerpts and transcripts. With respect to the IPA annual audit, the CHA should retain and make reasonably available for review all records until after it has received an audit report covering the period to which the records pertain and until it has cleared any resulting findings.

Unless exempted by federal, state, or local law, the CHA is also required to permit public access to its records as part of the respective Federal Freedom of Information Act (5 U.S.C. 552) and Illinois Freedom of Information Act, 5 ILCS 140, et seq. (collectively referred to as “FOIA”). All FOIA requests should be in writing and addressed to the Senior Vice President of Communications. The Senior Vice President of Communications must obtain approval from the Office of the General Counsel before releasing records to the public. Upon receiving approval from the General Counsel, the Office of Communications has responsibility for releasing records to the general public, after appropriate redactions have been made consistent with FOIA exemptions (such as personal information).

For records accessed from inactive storage, the retrieval procedures outlined in the CHA’s Records Management Procedures should be followed, which should include a requirement to use a method for knowing when and by whom a record has been removed. The person or department that removes a record is responsible for the record until it is returned to inactive storage. Incident reports should be completed for records not found.

The physical movement of records should be documented to ensure that each item can always be located when it is required.

RETENTION OF RECORDS

CHA records retention periods should be established following the requirements of the U.S. Department of Housing and Urban Development (HUD) and the Local Records Commission of Cook County (LRCCC), pursuant to the Commission’s authority under the Local Records Act and the applicable regulations in Title 44, Part 4500 of the Illinois Administrative Code. Retention periods assigned to each record series are the minimum time period the record should be kept and apply to all record formats, i.e., paper or electronic. Records should not be destroyed prior to expiration of the total retention period. To the extent feasible, records should not be kept beyond their retention period unless needed for a specific purpose, such as pending litigation or audits.

The CHA should maintain and periodically update, at least once a year, a retention schedule that identifies the active time period and inactive time period for each record of the CHA. The Knowledge Manager will be responsible for working with the LRCCC, the Office of the General Counsel, and the CHA Retention Committee to establish an appropriate retention period for each record. The CHA Retention Committee will provide advice and counsel to the Knowledge Manager in the development and implementation of the Records Management Program, and the review and approval of retention schedules. As the delegate of the Chief Executive Officer, the Knowledge Manager has overall

responsibility for the retention and destruction of CHA records. The Knowledge Manager confers with the CHA Retention Committee on records retention-related reviews and approvals, subject to final approval from the LRCCC. Considerations in determining retention periods include legal requirements, government regulations, audit requirements, warranty or coverage periods, historic value, business requirements, and grant specifications.

The Office of the General Counsel should provide advice and consultation to the CHA Retention Committee with regards to any new federal, state, and local government regulations regarding the retention of records and information and on the identification of confidential records requiring shredding.

Inactive records within the retention period may be sent to the Records Center for storage. Inactive records with an expired retention period should be sent to the Records Center for storage and eventual destruction, upon proper approval for destruction.

The Knowledge Manager has overall responsibility for updating the retention schedule. Executive Vice Presidents are responsible for ensuring that their respective departments' active records are maintained and inactive records are stored in accordance with the CHA's retention schedule and Records Management Procedures.

DISPOSAL OF RECORDS

To save resources and improve efficiency, the CHA may dispose of official records after the expiration of the inactive timeframe specified in the CHA's retention schedule and after the approvals of the LRCCC and the CHA Retention Committee. Historical records or records identified as permanent may not be destroyed. Copies may be destroyed at any time, but will normally be destroyed in the process of transferring official records to inactive storage.

The disposition of records includes the transfer of records to historical/archival storage, as well as of the records proposed for destruction. The Chief Executive Officer has overall responsibility for authorizing and approving the disposal of all CHA records. That responsibility is delegated to the Knowledge Manager in consultation with the CHA Retention Committee.

The destruction of records should be approved by the CHA Retention Committee and the LRCCC, to indicate that no business, legal, tax, audit, or historical consideration should prevent the scheduled destruction of records. The Office of the General Counsel will consult with the CHA Retention Committee to determine or confirm that there are no legal, audit, or tax reasons for a record to not be destroyed on its regular destruction schedule. The Office of the General Counsel may decide to place a record on "hold" from destruction even if the retention period has expired. Executive Vice Presidents may also decline approval for the destruction of a record with an expired retention period, if they deem that there may still be a business need or historical value for the record. In such cases, the retention schedule should be updated.

Records approved for destruction by the CHA Retention Committee, will be forwarded to the LRCCC for its approval. Records approved for destruction by the LRCCC should be destroyed in a manner approved by the LRCCC and following the CHA's Records Management Procedures. Non-confidential or non-sensitive records can be disposed of by recycling, or discarded through regular trash removal.

Confidential records must be placed in confidential bins prior to destruction and shredded. The Records Center will oversee the destruction of all records approved for destruction. To the extent that any conflicts or inconsistencies are discovered and confirmed, the provisions and guidelines promulgated by the LRCCC will take precedence over any conflicts between its methodology for destruction and those of the CHA's Records Management Procedures, or to the extent practicable, the Records Management Procedures shall be interpreted in a manner to reasonably avoid any potential conflict or inconsistency.

As a general rule, the process for obtaining destruction approval and destroying records will be done on a semi-annual basis. If record destruction needs to occur not at the ordinarily-scheduled time, the Knowledge Manager will coordinate the destruction. The Knowledge Manager has overall responsibility for ensuring that the destruction of records complies with the LRCCC and the CHA's Records Management Procedures.