

## **RECORD RETENTION POLICY**

Town of Hollis, New Hampshire

### **SECTION I: PURPOSE**

The purpose of this Policy is to ensure compliance with all applicable state and federal laws and regulations regarding record retention including, but not limited to those listed in RSA 33-A; while simultaneously recognizing the Town of Hollis's administrative need to manage its records and provide for their systematic destruction after said legal requirements have been met and the record no longer has value to the Town of Hollis or its constituents.

### **SECTION II: AUTHORITY**

This policy is adopted in accordance with the following governing laws of the State of New Hampshire: RSA 33-a.

### **SECTION III: APPLICABILITY**

This policy applies to all physical records generated in the course of the Town of Hollis's operation including original, reproduced, and electronic documents.

### **SECTION IV: DEFINITIONS**

RECORD - As used herein, shall refer to all municipal documentary materials, whether in paper, electronic or any other form, prepared or received by the Town of Hollis in connection with the conduct of its official governmental function. A department that creates a record shall be considered the primary owner of that particular record.

### **SECTION V: MUNICIPAL RECORDS RETENTION COMMITTEE**

1. In accordance with RSA 33-A:3; The Town of Hollis will establish and maintain a Records Retention Committee charged with governing the retention and disposition of municipal records. Said committee must be comprised of the following: clerk, treasurer, an assessor, tax collector, and Select Board designee(s). The Hollis Select Board may expand the membership as they deem appropriate to include representatives of other departments, boards and committees.
2. As shown in Appendix A, the Town has adopted a Record Retention Schedule detailing the initial maintenance, retention and disposal schedule for municipal records of the Town of Hollis. To ensure that this schedule is followed the committee shall:
  - monitor local, state and federal laws affecting record retention, and; modify the Record Retention Schedule as necessary to ensure that it complies with local, state and federal laws and/or addresses the appropriate document and record categories for the Town of Hollis;

In addition, the Police Department may maintain a records retention program consistent with RSA 33-A:3 or that may be published as a separate department policy

The Committee shall monitor compliance with this Section VI, A of this policy and, of necessary, develop additional operational procedures to ensure that records are properly stored and accessible.

3. Any such additional procedures will be developed in a manner which takes into account the organization's operational capabilities. The Records Retention Committee may elect to use electronic methods of document storage, where appropriate.
4. Any such additional procedures and/or storage processes will be incorporated as an Appendix to this Policy and be periodically reviewed by the Committee in order to ensure their level of efficiency and adequacy.
5. The Committee shall monitor compliance with Section VI, C) of this policy and if necessary, develop additional operational procedures to ensure that records are consistently disposed of in a proper manner. Any such additional procedures shall take into account.
  - Statutory requirements
  - The Town of Hollis's operational capabilities
  - That certain records contain sensitive and/or confidential information, and as a result must be destroyed and eliminated with particular care.
  - These destruction processes will be periodically reviewed in order to ensure their adequacy and level of efficiency.
  - The Committee shall review annually the Record Retention Policy as a whole and recommended amendments as appropriate to comply with regulatory requirements and/or procedural changes.

## **SECTION VI: STORAGE, RETENTION, AND DISPOSAL OF MUNICIPAL RECORDS**

1. Minimum Storage Procedures:
  - Each department shall store their archived records in a box or cabinet and provide the following information on the storage device: the department name, box number (if applicable), retention period, scheduled disposition date, authority granting or allowing the disposition, and a general description of the contents.
2. Retention of Documents:
  - The Records Retention Schedule (Appendix A) details the retention period for specific types and categories of records in order to ensure legal compliance. In addition, this schedule is designed to accomplish other objectives such as the preservation of confidential and valuable administrative information, cost effectiveness, and space management. Scheduled records are those that, by state statute and administrative rules or the Code of Federal Regulations, need only be retained for a stated period. The Records Retention Committee may determine that such records are to be maintained by the town for a period longer than the minimum required period. If so, such determination shall be made a matter of record by incorporation into the Town-wide Records Retention Schedule.
3. Destruction of Documents:
  - Documents to be destroyed shall first be reviewed by the applicable Department Head to determine if any portion(s) of those records should be retained due to their historical

value. If no reason exists to maintain the record beyond the retention schedule, then the documents shall be destroyed as follows:

- Non-confidential documents - may be disposed of with other paper recycled products.
- Confidential documents - shall be shredded
- Electronic files - shall be deleted from the individual's computer as well as from any backup or permanent media storage
- Documents being shredded in mass quantities shall be done so by authorized shredding service. The shredding service may have the ability to provide the Town with a stamped receipt acknowledging that the identified documents were shredded and the date of which the shredding occurred.
- Unauthorized Activities: All municipal records belong to the public in perpetuity and shall not be destroyed, maliciously damaged or retained by any person not entitled to do so by local, state, and/or federal regulations.
- Each Department Head is responsible for maintaining a Document Destruction Log which shall contain the following minimum information:
  - Department destroying the record
  - What record was destroyed
  - The date the record was destroyed
  - Who destroyed the record
  - RSA or authority giving the right to destroy the record


#### **SECTION VII: SUSPENSION OF RECORD DISPOSAL**

In the event any official or employee of the Town of Hollis is served with any subpoena or Right-to-Know request; or becomes aware of an investigation or audit concerning the Town of Hollis; such individual shall ensure that all records are preserved, regardless of the Retention Schedule, until the Town's legal counsel determines that the records are no longer needed.

#### **SECTION VIII: ADOPTION**

The Hollis Select Board has adopted the Record Retention Policy effective July 22, 2019.

  
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Mark Le Doux, Chairman

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Peter Band  
  
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Susan Benz

  
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David Petry, Vice Chairman

  
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Frank Cadwell

July 22, 2019  
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Date of Adoption