

Records Management in Maryland: Challenges and Recommendations

Prepared by the Maryland State Archives

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Records Management Overview

- ❖ The goal of effective records management is to:
 - identify what records an agency creates or receives;
 - determine how long each of these records need to be kept;
 - provide for the transfer of records with permanent value to the Archives; and
 - ensure the timely disposal of records that no longer have value.
- ❖ Responsibility for records management is vested in each agency with limited assistance from the Records Management Division of the Department of General Services.
- ❖ The role of the State Archives is to preserve and make accessible, in perpetuity, the records of permanent value no longer needed for the creating agency's current operations.

Records Management Challenges

- ❖ There is a lack of understanding on the part of many agencies that they have a responsibility to "have a program for the continual, economical, and efficient management of the records." As a result, this responsibility is often not met.
 - There is a general lack of documented agency records management procedures.
 - Where such procedures exist, they often have not been thoroughly vetted with the agency or properly reviewed and approved according to statute and regulation.
 - Records management efforts are often further stymied by staff turn-over.
 - Often, as in the case of Howard County Public School System, in spite of considerable expenditure of time and resources by Archive and agency staff, there is no effective follow-through on the part of the agency to create documented, approved procedures. No follow-through also means that years can go by with the records scheduling process never fully completed.
- ❖ Most agencies do not have a comprehensive inventory of the records they create or of the legacy records in the custody of the agency.
- ❖ Neither the Records Management Division nor the Archives has the resources for an active outreach program to help agencies fill this void.
 - The role of the Records Management Division and the Archives is to provide guidance and to advise agencies when they request assistance.
 - Records management activities are often only undertaken when there is a problem - - such as a lack of physical storage space.
 - Over the course of many years and for many reasons, the records management program in Maryland has become reactive rather than proactive.
- ❖ Further complicating matters, many records management processes are outdated and not suited to deal with the volume and format of records created today.
 - Electronic records are not always considered in records management processes.

- Information lifecycle management is often neglected in systems development.
- There is almost always a big disconnect between those who manage paper and staff who manage electronic records.
- Often there are very few staff at agencies that have a thorough understanding of the content and organizational framework of the records.
- There does not exist an established method of inventory for electronic records and, ergo an established procedure for transferring records of enduring value.
- Open data initiatives often ignore the issue of long term preservation.

Risks related to a lack of efficient records management

- ❖ Public Information Act requests cannot be efficiently or accurately handled
- ❖ Records needed for administrative, legal, or fiscal purposes no longer extant or cannot be found or accessed.
- ❖ Wasted resources in maintaining records that have no further use and should be destroyed.

Recommendations on improving records management in Maryland

State-level Policy

- ❖ A clearly stated, comprehensive records management policy mandated by the Governor and supported by the General Assembly. This policy should acknowledge the importance of records and information to the ongoing operations of government, support the move to electronic records management, and commit to the principles and practices outlined in the State's records management policies and best practices.
- ❖ The General Assembly or the Executive should consider mandating that government agencies create, maintain, and manage records electronically by an established deadline - we suggest 2025.

Agency Action

- ❖ Agencies should expend an appropriate level of effort and direct that sufficient funding and resources be allocated to achieve a successful records management program.
- ❖ Each agency head must designate from the agency's executive staff, a records management officer with specified skills and authority to oversee the evaluation of record material, compliance with the approved records retention and disposal schedules, and monitor emergency response planning and mitigation.
- ❖ Designated records management officers must complete initial mandated training within a prescribed time period and other training as needed.

- ❖ Agencies should be encouraged to contract with records management consultants to quickly and cost effectively bring them into compliance with existing records management laws.

Legal Considerations

- ❖ Laws or court rules specifying a particular form or format for records (e.g., paper, microfilm, etc.) should be modified to remove references to particular record formats. In addition, where necessary, legislation should be adopted to clarify that the electronic record is the official record.
- ❖ Where feasible, the Public Information Act should be revised so that access restrictions to government records are void after a set number of years. Permanent records eventually become so old that restrictions only serve to inhibit research into records.
- ❖ Legal Inconsistencies between the degree of access to records permitted in person and that permitted online should be reviewed periodically to identify those which need to be clarified, refined, or eliminated.

Electronic Records

- ❖ All information technology projects should include an information lifecycle management component as part of the functional requirements analysis to ensure both the timely and documented destruction of non-permanent data and the regular transfer of permanently valuable electronic records to the Archives.
- ❖ Policies should ensure that agency records residing in a cloud environment can be retained and disposed of in accordance with the same requirements that govern the retention and disposition of records stored in-house.

Records Management Procedures and Guidance

- ❖ Records scheduling and disposition should be automated to simplify the development of records schedules and enhance compliance with the statutory requirement to periodically describe and appraise State government records.
- ❖ Available records management guidance should be updated to reflect current practices.
- ❖ A records management training program, including new employee introductory training, should be developed and offered to State and local government agencies.