



Series: Risk Managements and Quality Assurance
COA: RPM 6.02

Policy Name: Records Retention and Destruction
Policy Number: RQ BC 1000

Revision #/Date: 6/1/2017
Effective Date: 03/01/2013
Applicable to: Brevard C.A.R.E.S. Staff

PURPOSE: The purpose of this operating procedure is to ensure compliance with all applicable contract guidelines, State and Federal regulations and to eliminate accidental or innocent destruction of records.

PROCEDURE:

Definitions

Records: Data in both paper and electronic formats.

References

Fair Labor Standards Act (FLSA), Americans With Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA), Civil Rights Act of 1964 (CRA), Equal Pay Act (EAP), Family and Medical Leave Act (FMLA), Employee Retirement Income Security Act (ERISA), Occupational Health and Safety Administration (OSHA), Controlled Substances and Alcohol Use and Testing Act (CSAUT), Federal Insurance Contribution Act (FICA), and Fair Unemployment Tax Act (FUTA), Solicitation of Contributions Act, and Lilly Ledbetter Fair Pay Act (Ledbetter Act).

Brevard C.A.R.E.S. GOV BC 1014 Risk Management

Department of Children and Families Operating Procedure 15-7 (CFOP 15-7)

Retention

Brevard C.A.R.E.S. is required to:

'to retain all client records, financial records, supporting documents, statistical records, and any other documents **(including electronic storage media)** pertinent to this contract for a period of six (6) years after completion of the contract. If an audit has been initiated and audit findings have not been resolved at the end of six (6) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this contract, at no additional cost to the department. Records shall be retained for periods longer than six (6) years when required by law.'

Brevard C.A.R.E.S, Inc. Policy and Procedure Manual

Brevard C.A.R.E.S. uses the DCF records retention schedules, found in CFOP 15-7, as the basis for classifying records to be retained per Contract requirements.

In addition, some records may need to be kept longer based on specific legal, grantor, or contractual guidelines. Below is a list of records that will be retained longer than the DCF Contract guidelines:

<u>Document/Record</u>	<u>Retention Period</u>
Retirement eligibility, benefits and related documents	Indefinite
Discrimination related documents	Until final disposition
Annual Reports, Governing Body	Permanent
Audits: State/Federal/Independent	10 years after completion
Minutes: Official Meetings (i.e. Board of Directors, etc.)	Permanent
Auxiliary Aid Plan client records	10 years
Donation records	Permanent
Investigation records – inspector general	7 years after the case is closed
Mental health proceeding records	10 years
Financial documents	3 years

Retention Exceptions

1. Non-Pertinent records: some records that are not considered pertinent to the Contract may only need to be kept for a period determined by Brevard C.A.R.E.S. Such records include:

All duplicates of records	Useful lifespan
Drafts/working papers	Useful lifespan
Evacuation Drills	2 years
Mailing lists	Useful lifespan
Minutes, Other meetings	1 year
Staff signup sheets	Useful lifespan
Visitor logs	1 year
Vehicle usage logs	1 year

2. Recruitment and Employment records: the Contract retention period generally exceeds the standard retention period required by federal regulations for these records. These are not necessarily pertinent to the Contract and need only be retained for the period established by the federal guidelines. These records are listed below:

Recruitment & Selection

Job Postings, advertisements	1 year
Applications for employment	2 years
Hiring records (including job applications, resumes and interview guides)	3 years
Job Offering and other hiring records	1-2 years

General Employment

Promotions, demotions, transfers	1 year
Biographical/Demographic Data	3 years
Personnel Compensation & Benefits	7 years after termination
Payroll Records	4 years
Benefits	6 years
Retirement & Pension	4 years
Performance Evaluations	3 years
Work-Related injuries/illnesses	5 years following the end of the year to which they relate
Layoffs	1 year
Terminations	1 year from date of termination
Health and Medical	
Leave of Absence (medical)	3 years
Medical enrollment	3 years
OSHA Logs and records	5 years following the end of the calendar year
Other Documents	
Tax and withholding records	4 years

Long Term Storage of Records

Brevard C.A.R.E.S. retains the services of a document storage facility. Records that are not needed on a regular basis may be moved to this storage facility with the approval of the appropriate member of management at Brevard C.A.R.E.S. The storage and retrieval process is maintained and disseminated to Brevard C.A.R.E.S. Executive Assistant.

Destruction of Records

Brevard C.A.R.E.S. retains the services of a record destruction company that provides locked storage boxes and regular pick- ups and destruction of confidential materials. Any records to be destroyed should be placed in the designated shred boxes in order to ensure that no confidential information is released. Destruction of records that are in a paper format will be accomplished by shredding. Destruction of records that are in an electronic format will be completed in a fashion that is most practical and affordable considering the storage medium. All destruction of records, regardless of the composition, will ensure that the information it contains shall not be readable or retrievable.

Verification of all records destroyed must be provided by the record destruction company. Documentation of such is filed with and maintained by the Brevard C.A.R.E.S. Executive Assistant.

Document destruction will be suspended immediately, if pertinent to any ongoing, threatened, anticipated or reasonably foreseeable litigation, government investigation or similar proceeding.. Destruction will be reinstated upon conclusion of the litigation, investigation, or proceeding or only after conferring with legal counsel. Notice will be provided to all staff members at the time of the suspension, and staff will be specifically instructed not to destroy or delete records pertinent to the litigation or investigation during the time of the suspension. Staff will be informed when document destruction is reinstated. Penalties for destruction of records pertinent to litigation, government investigations, or similar proceedings may include monetary fines, default judgements and other court imposed sanctions.

Responsible Parties

The following positions are responsible for the ongoing process of identifying records which have met the required retention period and to verifying their destruction:

Executive Director or designee is responsible for records pertaining to services provided by Brevard C.A.R.E.S.

Brevard Family Partnership Chief Finance Director or designee is responsible for records pertaining to finance, facilities or the IT network.

Brevard Family Partnership Senior Executive of Administration or designee is responsible for records pertaining to human resources or miscellaneous administrative services.

Brevard C.A.R.E.S does not permit the destruction of any records that may be pertinent to the Department of Children and Families (DCF) Contract without prior approval from the Chief Executive Officer and notification being set to DCF. Other records, not pertinent to the Contract, that have reached the end of their prescribed retention period, may be destroyed with approval from the Chief Executive Officer or designee.

BY DIRECTION OF THE EXECUTIVE
DIRECTOR:



Phebe Powell, Executive Director
Brevard C.A.R.E.S.

APPROVAL DATE: 7/21/2017