

UC MERCED AUDIT AND ADVISORY SERVICES

November 13, 2015

To: Michael Reese – Vice Chancellor for Business and Administrative Services

Subject: Audit of Records Management Practices

Ref: Report No. M16A002

Internal Audit has completed an audit of UC Merced's records management practices, which was part of the Fiscal Year 2015 – 2016 Audit Plan. We will follow up to review that corrective actions have been completed.

We appreciate the help we received from many business officers and departments during this audit.



Todd Kucker
Internal Audit Director

Attachment

cc: SVP Vacca
Chancellor Leland
Associate Chancellor Putney
Campus Counsel Gunther
Associate Vice Chancellor and Chief Information Officer Kovalchick
Chief of Staff Johnston

**UNIVERSITY OF CALIFORNIA, MERCED
AUDIT AND ADVISORY SERVICES**

**Records Management
Report No. M16A002**

November 13, 2015

Work Performed by:
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Management Summary

Internal Audit has completed an audit of records management practices at UC Merced. The overall purpose of the audit was to assess UC Merced's governance over records management practices, including the identification, storage and retention, protection, and disposition of university records.

Overall, there is an opportunity for improving governance over campus records management practices by designating a Records Management Coordinator and establishing a centralized campus records management program. Despite the lack of centralized oversight and guidance, most departments reviewed had set up their own records retention procedures that complied with UC policy and appeared to be well managed and disposition schedules actively enforced.

Our observations are described in greater detail in this report.

Objectives and Scope

As part of the Fiscal Year 2015 - 2016 audit plan, Internal Audit has completed an audit of records management practices at UC Merced. The overall purpose of the audit was to assess UC Merced's governance over paper and electronic records, including the identification, storage and retention, protection, and disposition of university records.

To fulfill the purpose of the audit, we met with various campus departments to obtain an understanding of the records they manage and the processes they use in doing so. We reviewed UC Records Management Policy to determine criteria and guidance available over records management practices and reviewed the extent to which these practices have been implemented at UC Merced.

Background

Records management is the practice of maintaining paper and electronic records, from the time they are created until their eventual disposition. The objective of the UC Records Management Program is to ensure that, consistent with university policies, applicable state and federal laws, and university contracts, records are appropriately managed and preserved, and can be retrieved as needed. An effective records management program assures information is readily available not only to those who need it, but managed properly so as not to create unnecessary liability by retaining unneeded records.

University policy defines "non-records" as materials that are of immediate value only, e.g. routing slips, data entry- and work-sheets, rough drafts, or unofficial copies of other university records. Many emails may be non-records, but determination may have to be made on a case by case basis. If not disposed of, non-records may be subject to disclosure under the California Public Records Act, Information Practices Act, e-discovery laws, or discovery of evidence in a legal proceeding. Ultimately, the business and historical need to retain records (or non-records) must be weighed against the potential liability in keeping the information.

The UC Records Management Program, outlined in the UC Records Management and Privacy (RMP) bulletins, provides the authority and guidance under which local campus records management programs operate, including records coordination, designation of office of record/records proprietor, protection of vital records, and protection of privacy. The UC system-wide records retention schedule is a central reference for maintaining disposition guidance.

Conclusion

From our audit, we determined that the campus could improve accountability over records management practices. Sustainable improvement in this area can be achieved by establishing leadership over records management who can provide guidance to departments. While satisfactory practices have been set up in various departments, without leadership to coordinate campus-wide practices, the campus lacks the necessary levels of guidance and accountability over records management practices.

Opportunity for Improvement

1. Designate a Records Management Coordinator to establish a campus-wide Records Management program

During the audit, we noted that an overall program for managing records at UC Merced has not been set up to provide guidance and accountability for the campus.

Designated Campus Records Coordinator

UC policy requires that each campus designate a Records Management Coordinator to serve as part of the University Records Management Committee (RMC). During our review, we noted that UC Merced does not have a designated Records Management Coordinator for development and maintenance of retention schedules specific to the location.

The RMC is made up of the Records Management Coordinators from each UC campus and various UC Office of the President employees. The committee is charged by UC policy with coordinating records management across the University to ensure that administrative records are appropriately managed and preserved, and can be retrieved as needed. The RMC is responsible for guiding University records management and privacy policy, developing and maintaining the university-wide records retention schedule, and developing guidelines and procedures supporting best practices and regulatory requirements.

During recent years, employees within the Business and Administrative Services division helped to provide guidance related to records retention requirements, but a permanent Campus Records Coordinator was never designated for the entire campus. In the absence of having leadership in records management, UC Merced has been unable to manage the following policy requirements:

- Ensure compliance with the system-wide records schedule for the University;
- Facilitate compliance with the Records Retention schedules and maintain a campus inventory of records;

- Facilitate requests for approval of 1) new records not identified on the retention schedules or 2) requests for shorter retention periods; and,
- Report to the UC Office of the President on disposition actions taken by the campus.

Lack of guidance regarding local campus records management procedures

During our review, we noted that departments have received very little training or guidance in the area of records management. Although lacking guidance, many of the departments reviewed had developed and maintained their own processes to manage their paper records that complied with the UC Office of the President's retention schedule.

The campus has not implemented an information asset management program, including policies and procedures for addressing the roles, responsibilities, and processes for identifying, storing, securing, disposition and archiving university records, including electronic records. Effective centralized oversight would optimize coordination and communication for the campus to assure that vital records are properly managed.

Ineffective management of paper records by some departments

Without a campus records coordinator and information asset management program, there is not the necessary level of accountability over older paper records. During our review, we noted that some departments are not disposing of records timely. University records are being kept well past their effective date and it is not apparent that the disposition schedules in the system-wide retention schedule are applied in a standard way. As part of our testing, we reviewed storage areas rented by the campus. At the Olive Warehouse, we noted many boxes of old paper documents which, over many years, departments have sent to storage. Many of the documents were years past their required retention period. It appeared that the departments should shred the old documents rather than the campus continuing to pay for the warehouse space to store them.

Keeping information too long has potential legal ramifications. A public records request covers all available information, not just that information which was legally required to be kept. Maintaining records beyond the records retention schedule greatly increases the work required to fulfill this type of request.

Lack of guidance regarding electronic records

As there has not been a Campus Records Coordinator and information asset management program, many departments have ineffectively managed electronic records. A particular weakness relates to how employees store and maintain email. During the audit, various employees mentioned maintaining many years' worth of email just in case they might need to review information in an old message. As there has been little guidance related to email, and as the campus email system does not automatically delete email, some employees have email back to the time they began working at UC Merced.

Without guidance in this area, departments may be unable to properly identify, store, and dispose of electronic records in an effective manner. Fulfilling the requirements of a Public Records Request could require reviewing many years' worth of emails.

Overall, in accordance with Records Management and Privacy policy, we recommend that UC Merced designate a Records Management Coordinator to better meet the campus obligations under the California Public Records Act, California Information Practices Act, subpoenas and authorizations to release records.

The Records Management Coordinator should work with departments to develop and implement a local information asset management program. The program should include policies and procedures for identifying, storing, securing, disposition, and archiving university records.

Management Corrective Action

Business and Administrative Services is currently recruiting for a new position, a Records Manager and Archivist. When hired, this employee will be designated as the campus Records Management Coordinator and will participate in the University Records Management Committee. This action plan will be completed by March 31, 2016.

The Records Manager will work to provide guidance to departments regarding their management of paper and electronic records. The employee will work with departments to identify records held beyond their retention period in order to improve compliance with the UC Records Management Program.

Procedures for centralizing accountability over records management will be established. This could include setting up a framework similar to other UC campuses which includes establishing department contacts who annually certify to the Records Manager that paper and electronic records are being retained in compliance with the UC Records Management and Privacy schedules. This action plan will be completed by June 30, 2016.