

# UCC Records Management Framework

## Exceptions Procedure for Records Disposal

### Purpose

UCC's Records Management Policy states

"Where records liable for destruction or deletion are relevant to an ongoing or pending formal process, such as an appeal, an audit, an investigation, a formal information request, or legal proceedings, disposal action must be suspended until that formal process has terminated.

Intentionally destroying or altering a record relevant to such a process may be an offence in law.

Staff should notify their Head of Functional Area in writing of the suspension of disposal action, the reason for it, and, subsequently, its termination, in line with an exceptions procedure."

All processes as referenced in the Policy are exceptions, to be managed in line with this procedure.

This exceptions procedure sets out steps to be taken

- 1) When the exception is noted while disposal actions are being carried out
- 2) Where the exception arises prior to the disposal date, but will or may continue beyond it

### 1) When the Exception is Noted while Disposal Actions are Being Carried Out

When checking records liable for disposal actions (deletion, archival transfer, review), staff should pay attention for any records of relevance to formal processes known to be underway, known to be imminent, or otherwise thought highly likely to arise. If noted, staff must:

- Inform their area manager in writing
- Where the record(s) form part of a hard copy file:
  - remove and store elsewhere from other files liable for destruction or transfer,
  - mark on the cover (in a note) the word 'Exception',
  - note the type of exception (legal case, FOI), date of removal, and initials of the staff member involved
- Where the record is digital:
  - copy the relevant folder to an Exceptions folder in your area's shared network,
  - Add a (Word or similar) document, stating that the folder is an Exception file,
  - note the type of exception, date of removal, and name of staff member involved
- The Exception may lead to new records being placed on the file/folder, eg, a legal matter may result in new correspondence. Where this occurs, the file/folder should be regarded as open again for records management purposes. The retention period and disposal action set out in the records retention schedule will only apply when the file/folder is closed again.
- Where the Exception only involved taking information from the file/folder, with no new records added, the suspended disposal may generally be recommenced once the exceptional process is fully closed.
- The date at which the Exception is closed should be noted on the file cover note or folder exception document, with initials/name of staff member concerned.

- Always check to confirm the Exception process is fully closed before unsuspending disposal, then inform area management that the Exception is terminated. Eg, your line manager, the FOI Officer, or the Law Office may confirm that the matter concerned is now closed.
- **Remember:** where new records are added to the file/folder, or it is otherwise modified, it becomes active again and subject to a new closure date, affecting retention/disposal

## 2) Where the Exception Arises Prior to the Disposal Date

Where one of the formal processes which may be regarded as an Exception arises for a file or folder, it is good practice to create an exception file cover note or Exceptions document to add to a digital folder, noting the date of the commencement of the Exception, and the staff member involved.

- Exception file cover notes/folder documents should be clearly visible to any staff involved in preparing records for disposal actions under records management processes.
- When disposal processes for related records (files, folders) are being carried out, any records subject to an Exception should be moved away, eg, to separate storage (for hard copy) or to the exceptions folder (for digital folders)
- Any staff member involved in disposal actions who encounters a file/folder subject to an Exception should notify the staff member who created the exceptions note/document for the file/folder concerned
- When the Exceptional process is known to be fully ended (eg, as confirmed by your line manager, FOI Officer, or Law Office) the end date should be added to the file/folder cover note/document. This will generally be done by the local staff member involved in the Exceptional process, but may be done by staff with records management responsibilities reviewing the contents of the Exceptions folder, or Exceptions storage space
- **Remember:** where new records are added to the file/folder, or it is otherwise modified, it becomes active again and subject to a new closure date, affecting retention/disposal

### Sample Exceptions Cover Note / Folder Document

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Exceptions Note	
Type of Exception (eg, legal case, FOI): _____	
Date File Removed/Disposal Suspended: _____	Commencement Date (if known): _____
Area Management Informed (tick to confirm): _____	
Staff member responsible: _____	
Date Formal Process Ended: _____	Date Suspension of Disposal Lifted (if different): _____
Area Management Informed (tick to confirm): _____	
New Records Added / File (Folder) Needed for Information Purposes Only (delete the inapplicable)	
Staff member responsible: _____	

Queries? Contact the University Archives: +353 (0)21 490 2753; [archives@ucc.ie](mailto:archives@ucc.ie)