

# LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

# **DEPARTMENT OF HEALTH**

RECORDS MANAGEMENT POLICY

**REVISED EDITION NO. 2 OF 2012** 

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# 1. PREAMBLE

- 1.1 The advent of democracy in 1994 has resulted with several pieces of legislation aimed at reinforcing democratic principles as laid down in the South African Constitution (Act no. 108, 1996). Acts such as the Public Finance Management Act (Act no. 1, 1999), the Promotion of Access to Information Act (Act no 2, 2000) and the Promotion of Administrative Justice Act (Act no 3, 2000) were promulgated to promote noble constitutional values such as efficiency, transparency, and accountability.
- 1.2 It is worth noting that sound records management, as a central tenet of democratic governance features prominently in all the above-mentioned Acts. Good record-keeping is the cornerstone of any efficient, transparent, accountable administration. The value of a record in public administration cannot be emphasized. Every administrative process or transaction conducted by a government official involves or is informed by a record. A single transaction has the potential to generate multiple documents either through creation or receipt.
- 1.3 Conscious of the value of sound record-keeping in public administration, the Parliament of the Republic of South Africa passed the National Archives and Records Service Act (Act no.43, 1996 as amended) to regulate records management functions in governmental bodies. In terms of Section 13 (1) of this Act, the National Archivist shall be charged with the proper management and care of public records in the custody of governmental bodies.
- 1.4 It is worth noting that the Constitution of the Republic of South Africa divides the responsibility for the management of records of public bodies between the National and the Provincial Archives Services. In terms of Schedule 5 of the Constitution, archives other than national archives are designated as a functional area of exclusive provincial legislative competence. Prior to 1996 public records of all three levels of government (national, provincial and local) were governed by national legislation. As a Constitutional imperative, provinces are therefore expected to promulgate their own archives and records services legislation and to create an archival and records management infrastructure. To this end, the Limpopo Provincial Administration (or the Northern Province Administration as it was then known) passed the Northern Province Archives Act (Act No.5, 2001) to regulate records management functions in the province. The provincial archives legislation is however, consistent and concomitant with the national archives legislation.
- 1.5 Public records in the Province should therefore be managed in terms of the broad policy guidelines contained in both the National Archives and Records Service Act and the Northern Province Archives Act. However, the National Archives and Records Service (NARS) advices each public body to develop and implement its own records management policy to link its own unique processes and procedures to the requirements of the National Archives and Records Service Act (Act No.43 1996).
- 1.6 Compliance with the National Archives and Records Service Act is however not the only driving force behind the development of a records management policy for the Department of Health and Social Development. A records audit undertaken within the Department by the Records Management unit during 2004 has revealed many shortcomings with regard to record-keeping practices within the Department.
- 1.7 The report noted that most of the shortcomings identified during the audit, e.g. lack of consistency and uniformity with regard to the disposal of records, can largely be attributed to a lack of an all-inclusive, comprehensive departmental policy on records management.
- 1.8 This policy therefore, aims to address inconsistencies and uncertainties with regard to records management practice within the Department. It is aimed and encouraging uniformity in the execution of records management functions amongst institutions within the Department. The policy also provides the framework for the Department to effectively fulfill its obligations and statutory requirements under the archival legislation in the new dispensation.

# 2. AUTHORITY OF THIS POLICY

This policy is issued under the authority of the HOD in terms of Annexure 4 of the Records Management Policy Manual which is issued in terms of Section 13 (4) of the National Archives and Records Service Act (Act No.43 of 1996 as amended), as well as Section 13 read with Section 25 (2) of the National Health Act (Act No. 61 of 2003) and will be reviewed and amended as required in consultation with the executive management, managers and employees of the Department.

# 3. PURPOSE

This policy sought to provide a clear framework on the proper management, maintenance and disposal of records within the Department. Like many other departmental assets, records are part of the vital assets for the survival of the organization.

# 4. OBJECTIVES

The objectives of this policy are to:

- 4.1 Strengthen security and safety of records.
- 4.2 Control the access to records.
- 4.3 Control the movement of records.
- 4.4 Promote accurate medical records classifications and proper storage.
- 4.5 Encourage the creation of records as evidence of business transactions.
- 4.6 Regulate the disposal of records.
- 4.7 Promote regular inspections and monitoring of records.

# 5. POLICY STATEMENT

All records created and received by the Department shall be managed in accordance with the records management principles contained in item 6 of this policy.

# 6. PRINCIPLES

This policy is informed by the following underlying principles:

- 6.1 Easy retrieval of information enables an office to deliver services effectively and efficiently.
- 6.2 Complete records enable an office to take informed decisions to support programmes and policies.
- 6.3 Records are essential as evidence of business transactions
- 6.4 Records can help to protect legal rights and entitlements of both internal and external clients.
- 6.5 Good record-keeping is at the centre of any anti-corruption strategy.

- 6.6 Sound records management also has the potential to improve the flow of information and knowledgesharing within an organization.
- 6.7 The Department of Health follows sound procedures for the creation, maintenance, retention and disposal of all records, including electronic records.
- 6.8 The records management procedures of Department of Health comply with legal requirements, including those for the provision of evidence.
- 6.9 The Department of Health follows sound procedures for the security, privacy and confidentiality of its records.
- 6.10 The Department has performance measures for all records management functions and reviews compliance with these measures.

# 7. SCOPE OF APPLICATION

- 7.1. This policy impacts upon the Department of Health's work practices for all those who:
  - create records including electronic records;
  - have access to records;
  - have any other responsibilities for records, for example storage and maintenance responsibilities;
     and
  - have management responsibilities for staff engaged in any these activities; or manage, or have design input into, information technology infrastructure.
- 7.2. The policy therefore applies to all staff members of the Department of Health and covers all records regardless of format, medium or age
- 7.3. This policy, except otherwise indicated, is applicable to all institutions within the Department of Health in Limpopo Province.
- 7.4. In terms of records groups and/or type, the policy applies to all records created or received, regardless of form or medium. All records groups generated within the Department, including patient files, staff, general, personnel files, administrative files, accounting files etc, should be managed in accordance with this policy and the National Archives Act (Act No 43 of 1996).
- 7.5. Electronic transactions such as e-mails and web-based records which are relevant to the information gathering, policy formulation or decision making process of the Department are part of the scope of this policy, and should therefore be printed and filed in the appropriate subject file until an electronic document and records management system is implemented by the Department. All procedures and systems should be consistent with this policy.
- 7.6. Audio-visual records such as tape-recordings of selection committees, video tapes of Departmental events etc. are also part of the scope of this policy.
- 7.7. Other Records such as maps, plans, diagrams, registers etc should also be managed in line with this policy.

# 8. LEGAL FRAMEWORKS

This policy is informed by the following prescripts

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8.1	The Constitution of the Republic Of South Africa (Act no. 108 of 1996 as amended).		
8.2.	The National Health Act (Act no. 61 of 2003)		
8.3	The Northern Province Health Services Act (Act No 1998)		
8.4	The Northern Province Welfare Services Act (Act No 1998)		
8.5	The National Archives and records service of South Africa Act ( Act no. 43 of 1996 as amended)		
8.6	The Northern Province Archives act ( Act No. 5 of 2001)		
8.7	The Promotion of Access to Information Act ( Act no. 2 of 2000)		
8.8	The Promotion of Administrative Justice Act ( Act no.3 of 2000)		
8.9	The Public Service Act (Act No.103 of 1994)		
8.10 The Public Service regulation 2001, which embodies the performance management s			
	servants		
8.11	The Basic Conditions of Employment Act (Act no. 75 of 1997)		
8.12	Skills development Act (Act no.31 of 2003)		
8.13	The Employment Equity Act (Act no.55 of 1998)		
8.14	The Health Act (Act no.55 of 1997)		
8.15	The Public Finance Management Act (Act no.1 of 1999 as amended)		
8.16	Social Assistance Act (Act no.59 of 1992)		
8.16	Welfare Law amendment Act (Act no.106 of 1997)		
8.17	South African Social Security Agency Act (Act no.9 of 2004)		
8.18	Protection of Information Act (Act no. 84 of 1984)		
8.19	Limpopo Information Security policy		
8.20	Electronic Communication and transactions act (Act no. 25 of 2005)		
8.21	Minimum information security standards		
8.22	National Minimum Information requirements (DPSA Circular 4 0f 2001)		
8.23	Labour relations Act (Act no. 66 of 1995)		

# 9. ACCOUNTABILITIES

- 9.1. Records management is a collective responsibility. As a result all employees have an obligation to create and ensure that records are managed according to sound practices.
- 9.2. Specific accountabilities are as follows:
- 9.2.1. The HOD is overall responsible for sound records management within the department and should therefore ensure that the Department's records management practices comply with the provisions of the National Archives Act (No 43 of 1996).
- 9.2.2. The Heads of Branches are accountable for sound records management within their branches and should therefore ensure that the branch's records management practices comply with the provisions of the National Archives Act (No 43 of 1996).
- 9.2.3. The District Executive Managers are accountable for sound records management within their branches and should therefore ensure that the District's records management practices comply with the provisions of the National Archives Act (No 43 of 1996).
- 9.2.4. The Heads of Institutions are accountable for sound records management within their institutions and should therefore ensure that the Institutions records management practices comply with the provisions of the National Archives Act (No 43 of 1996).

9.2.5. The GITO and Records Management division have the authority to set and issue standards in relation to records management and to monitor and audit compliance with those standards.

# 10. RESPONSIBILITIES

#### 10.1 Provincial Office

- 10.1.1 The Records Management Sub-division is responsible for the management of the records management program in the Department, including the development of records classification systems, advising employees about records related issues, training of records personnel, inspection of records, and day-to-day management of files.
- 10.1.2 The Security Manager is responsible for the physical security of all records.
- 10.1.3 The Legal Services Manager is responsible for keeping the Records Manager updated about developments in the legal and statutory environment that may impact on the record keeping and records management practices of Department of Health.
- 10.1.4 The registry staff is responsible for the physical management of the records in their care.

#### 10.2. District Offices

- 10.2.1 The Records Management Sub-division is responsible for the management of the records management program in the District, including the development of records classification systems, advising employees about records related issues, training of records personnel, inspection of records, and day-to-day management of files.
- 10.2.2 The Security Manager is responsible for the physical security of all records.
- 10.2.3 The Legal Services Manager is responsible for keeping the Records Manager updated about developments in the legal and statutory environment that may impact on the record keeping and records management practices of Department of Health.
- 10.2.3 The registry staff is responsible for the physical management of the records in their care.

#### 10.3 Institutions

- 10.3.1 Records Management operations are to be carried out on devolved basis in accordance with centrally approved policy and standards. All institutions within the Department are responsible for effective record-keeping relating to its functions, including the allocation of resources. Records Managers in the institutions are responsible for sound record-keeping within their areas of responsibility. However, a uniform integrated records creation, storage and archiving system will be used across the Department.
- 10.3.2 The Security Manager is responsible for the physical security of all records.
- 10.3.3 The Legal Services Manager is responsible for keeping the Records Manager updated about developments in the legal and statutory environment that may impact on the record keeping and records management practices of Department of Health.

# 11. DEFINITIONS

- 11.1. "Department" means the Limpopo Department of Health.
- **11.2.** "Institutions" means a hospital, a health Centre, a clinic and other service points within Department of Health.
- 11.3. "Records Management" means the management of information resources in the manner that makes information easily accessible, securely stored and disposed of when no longer required for administrative purposes.
- 11.4. "Records" means recorded information regardless of form or medium
- 11.5. "Public Record" means a record created or received in pursuance of the activities of a public body.
- 11.6. "Disposal" means the action of either destroying/deleting a record or transferring it into archival custody
- 11.7. "File" means an organised arrangement of records on the same subject accumulated in a chronological order within the same cover/folder/container
- 11.8. "Archives" means records in the custody of an archives repository
- 11.9. "Disposal Authority" means a written authority issued by the National / Provincial Archivist specifying which records should be transferred into archival custody or specifying which records should be destroyed/deleted or otherwise disposed of
- 11.10. "File Plan" means a pre-determined logical and systematic structure into which records are arranged and intellectually stored according to subject groups and subjects to facilitate efficient retrieval and disposal of records
- **11.11.** "Other Records" means records that do not form part of a correspondence file, or a case file e.g. registers maps, plans, audio-visual records etc.
- 11.12. "Schedule of other records" means a control mechanism for records other than correspondence files (other records), which contains a description of all other records
- 11.13. "Correspondence system" means a set of paper-based and electronic communications and associated documents, sent, received, processed and stored during the conduct of business
- 11.14. "Electronic records" means information which is generated electronically and stored by means of computer technology
- 11.15. "Classification systems" means a plan for the systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods and procedural rules represented in the classification system
- 11.16. "Security clearance" means an official document indicating the degree of security competence of a person
- **11.17.** "Employee" means any person employed by the Department either on temporary basis or permanent basis or offering services to the Department voluntarily.
- 11.18. "Working File" means a personal file made up of copies kept by the official for quick actions and/or reference.
- 11.19. "Province" means the Limpopo Province
- 11.20. "National Archives" means the National Archives and Records Service of South Africa "Provincial Archives" means the Limpopo Provincial Archives
- **11.21.** "Archives Repository" means either the Limpopo Provincial Archives repository or the National Archives repository.
- **11.22.** "Retention period" means the period or the number of years a file is retained by the Department before it is either destroyed or transferred to an archives repository.
- 11.23. "Case File" means a file created for each person or item within a specific group (e.g. patient files, personal files and etc.).

# 12. POLICY PRONOUNCEMENTS

#### 12.1 RECORDS CREATION

- 12.1.1 All employees are obliged to create records that adequately document the business activities in which they take part and to ensure that information processing systems that support business activities create appropriate records as part of supporting those activities.
  - a) A file should only be created or opened according to the actual need when the need arises, and not just on the basis that it is provided for in the file plan.
  - b) Only officials in records units may create and close files.
  - c) Files should be updated regularly to ensure that they are complete, accurate, reliable and retrievable.
  - d) All records created in pursuance of the activities of the Department shall remain the property of the Department throughout their life-cycle (thus until they are either officially destroyed or transferred to an archives repository).
  - e) All records created by contractors and service providers performing work on behalf of the Department are public records and shall remain the property of the Department throughout their life-cycle. Contracts with service providers should state clearly that ownership of such records resides with the Department.

#### 12.2 RECORDS CLASSIFICATION SYSTEMS AND RELATED STORAGE AREAS

The Department has the following systems that organize and store records:

# 12.2.1 CORRESPONDENCE SYSTEMS

#### 12.2.2 FILE PLAN

- a) Only the file plan approved on 28 November 2011 and implemented in 2011 shall be used for the classification of correspondence records. The file plan shall be used for the classification of paperbased and electronic (including e-mail) records.
- b) Specific procedures for the allocation of file subjects and reference numbers to electronic records are contained in the General registry procedure manual that is published on the Intranet, 10.156.123.6 /filed on file 1/2/1.
- Each staff member shall allocate file reference numbers to all correspondence (paper, electronic, email) according to the approved subjects in the file plan.

# 12.2.3 STORAGE AREAS

#### 12.2.3.1 PAPER-BASED CORRESPONDENCE FILES ARE KEPT IN THE CUSTODY OF:

# 12.2.3.1.1 THE CENTRAL REGISTRY

- All paper-based correspondence system records that are not HR related are housed in the central registry.
- b) All these records are under the management of the records manager who is mandated to ensure

- that they are managed properly.
- c) The registry is a secure storage area and only registry staff is allowed in the records storage area.
- d) Staff members that need access to files in the registry shall place a request for the files at the counter.
- e) The registry shall be locked when registry is not in operation.

#### 12.2.3.1.2 THE HUMAN RESOURCES REGISTRY

- a) All Human Resources related records are housed in the HR Registry.
- b) The general HR subject files as well as HR case files are under the management of the records manager who is mandated to ensure that they are managed properly.
- c) The Department maintains a set of paper-based case files for each staff member. These files are confidential in nature and are housed in a secure storage area in the HR registry.
- d) The case files are managed as part of the List of Series of Separate Case Files that is maintained and managed by the records manager.
- e) The files exist only in paper-based format and the physical tracking of the case files are managed with the file tracking system in the Integrated Document and Records Management System.

#### 12.3. RECORDS OTHER THAN CORRESPONDENCE SYSTEMS

#### 12.3.1 SCHEDULE FOR RECORDS OTHER THAN CORRESPONDENCE SYSTEMS

- a) The records manager maintains a schedule of all records other than the correspondence system. The schedule contains a description of each set of records other than the correspondence system and indicates the storage location and retention periods of these records regardless of format.
- b) Should records be created/received that are not listed in the schedule, the records manager should be contacted to add the records to the schedule.

#### 12.3.1.1 STORAGE AREAS

#### 12.3.1.1.1 PAPER-BASED

- a) The Department has the sets of paper-based records other than the correspondence systems that are in the custody of the various officials that uses them on a daily basis, e.g. registers, minutes, maps, plans, etc.
- b) These records are under the control of the records manager who is mandated to ensure that they are managed properly.

#### 12.3.1.1.2 AUDIO-VISUAL RECORDS

- a) The Department has sets of audio-visual records that are stored in Registry and Communications, such as tape cassettes, video cassettes
- b) These records are under the control of the records manager who is mandated to ensure that they are managed properly.

#### 12.4 DISPOSAL OF RECORDS

- 12.4.1 In terms of section 13(2) of the National Archives and Records Service of South Africa Act, no public records under the control of a governmental body may be transferred to an archives repository, destroyed, erased, dumped on the corridors or otherwise disposal of without a written disposal authority issued by National Archivist.
- 12.4.2 Institutions and employees who wish to initiate the disposal of records should seek authorization from the HOD before records are destroyed.
- 12.4.3 Correspondence files shall be destroyed in accordance with the disposal authority issued by the National Archives and Records Service following the approval of the HOD.
- 12.4.4 Records with archival value shall be transferred to a relevant Archives Repository 20 years after creation with the approval of the HOD and after prior arrangements have been made with the relevant archives repository.
- 12.4.5 Records that are common to all governmental bodies (e.g. Applications for posts, patient files etc) shall be disposed in accordance with the relevant National Archives-issued General Disposal Authority with the approval of the HOD.
- 12.4.6 Destruction of records should only take place once there is assurance that records are no longer required, that no work is outstanding and that no litigation or investigation or request which would involve the records in question in terms of the Promotion of Access to Information Act or the Promotion of Administrative Justice Act is pending.

#### 12.5 STORAGE AND CUSTODY

12.5.1 All records shall be kept in storage areas that are appropriate for the type of medium. The National Archives and Records Services' guidelines contained in the *Records Management Policy Manual* shall be applied.

#### 12.6 ACCESS AND SECURITY

- 12.6.1 Records shall at all times be protected against unauthorized access and tampering to protect their authenticity and reliability as evidence of the business of Department of Health
- 12.6.2 Security classified records shall be managed in terms of the Information Security Policy which is available from the security manager.
- 12.6.3 No staff member shall remove records that are not available in the public domain from the premises of Department of Health without the explicit permission of the records manager in consultation with the information security manager.
- 12.6.4 No staff member shall provide information and records that are not in the public domain to the public without consulting the Chief Information Officer. Specific guidelines regarding requests for information are contained in the Promotion of Access to Information Policy which is maintained by the Chief Information Officer.
- 12.6.5 Personal information shall be managed in terms of the Promotion of Access to Information Act until such time that specific protection of privacy legislation is enacted.
- 12.6.6 No staff member shall disclose personal information of any member of staff or client of the Department to any Member of the public without consulting the Chief Information Officer first.

- 12.9.5 All access to Departmental records by members of the public shall be in accordance with the provisions of the Promotion of Access to Information Act (Act NO.2 of 2000) (guidelines are contained in the Department's Section 14 manual on the Promotion of Access to information Act NO.2 of 2000).
- 12.9.6 Records should be stored in facilities where they can be safe, identified, located and easily retrievable when the need arises.

#### 12.10 RECORDS SECURITY AND PROTECTION

- 12.10.1 Records must be protected, maintained, and usable for their entire retention period until disposed as outlined in the relevant disposal authority.
- 12.10.2 Effective key control should be instituted for any records storage area. The keeping of the necessary key registers and safe custody of duplicate keys and control over such keys must be strictly adhered to. File storage areas should be locked overnight wherever possible to prevent unauthorized access.
- 12.10.3 All records created within the Department shall be allocated a security classification level in line with the Minimum Information Security Standards (e.g. Top Secret, Secret, Confidential and Restricted).
- 12.10.4 Movement of files between service areas within an institution shall be monitored and controlled to protect records against damage, loss and theft.
- 12.10.5 All records personnel and all other officials that interact with records and information shall be subjected to security clearance test in line with the Minimum Information Security Standards.
- 12.10.6 Employees shall not hand over records or disclose information thereof without official approval of Head of Department.
- 12.10.7 Employees are obliged to handle records sensibly and with care and respect in order to avoid damage to the records and to prolong their lifespan.
- 12.10.8 All classified files and documents should be placed in a secure storage area when not in use.
- 12.10.9 Employees should not sleep, eat, drink or smoke near records or in records storage areas.
- 12.10.10 All records storage areas should be fumigated regularly to protect records from possible damage by insects and rodents.
- 12.10.11 All records should be protected from hazardous elements such dirt, dust, light, water, fire and etc.
- 12.10.12 Risk management programs should be established and maintained to ensure that risks to records are either removed or managed appropriately.

# 12.11 INTRA-DEPARTMENTAL AND INTER-DEPARTMENTAL TRANSFER OF RECORDS AND THE TRANSFER OF RECORDS TO OFF-SITE RECORDS STORAGE

12.11.1 Records Management units in all institutions shall keep a register of all files transferred intradepartmentally or inter-departmentally. These transfers often occur when functions are transferred from one office/institution/department to another. If records are transferred permanently the Provincial and National Archivist shall be informed through the Office of the Senior Manager: Records Management.

- 12.11.2 No records shall be transferred to a private off-site data/records storage facility without prior authorization of the Head of Department and the Provincial/National Archivist.
- 12.11.3 Any transfer of public records to a private off-site data/records storage facility shall be informed by an expert advice from the Provincial/National Archives.

#### 12.12 INSPECTION OF RECORDS

- 12.12.1 In order for the Provincial Archives/National Archives to conduct inspections as provided for by Section 13(2)c of the National Archives and Records Act, all Departmental units should, subsequent to consultations with the HOD, provide access for authorized NARS officials to records in their custody.
- 12.12.2 Heads of Records Management units in all institutions shall conduct records inspection in their institution on a regular basis and advice the head of institution about the conditions under which records are managed.
- 12.12.3 The Head of the Records Management unit at the Provincial Office shall conduct records inspections in all institutions (including the provincial Office) on a regular basis and advice the HOD through the office of the Senior Manager: Records Management about the conditions under which records are managed.
- 12.12.4 The Records Management Sub-division shall inspect and verify all records due for destruction to recommend Authorization and appropriateness.
- 12.12.5 Reports of all audits/inspections shall be managed in line with this policy.

# 13 OBLIGATIONS

- 13.1. Executive and all Department Managers should ensure that this policy and its associated standards are implemented within their business units.
- 13.2. Employees, as public servants should be aware of record-keeping requirements that affect the performance of their duties. They have an obligation to:
  - Create records
  - Register records in record-keeping systems
  - Transfer records to appropriate record-keeping systems
  - Make sure that records are not destroyed without authorization

Good record-keeping is therefore a collective responsibility and each employee has an obligation to ensure that records are created and managed according to this policy. All employees (temporary or permanent), consultants, contractors, and volunteers must comply with this policy and procedures issued in accordance with this policy.

# 14 DEFAULT

Any employee who contravenes the provisions of this policy shall be charged with misconduct and the necessary disciplinary measures should be taken against the contravener.

15	STAN	JDARD	<b>PROCEDURES</b>

Standard procedures for records management will be developed under the authority of this policy.

# 16 INCEPTION DATE

The inception date for this policy will be on signature of approving authority.

# 17 LAPSE/TERMINATION

This policy will remain in force unless withdrawn or amended.

# 18 REVIEW PERIOD

This policy will be reviewed by a special review committee appointed by the HOD tri-annually or whenever a need arises.

# 19 ENQUIRIES

Enquiries regarding this policy should, in the first instance, be directed to:

The Senior Manager: Records Management

Private Bag x 9302

Polokwane 0700

Tel: 015 293 6038/6040 Fax: 015 293 6211

E-mail: registry@dhsd.limpopo.gov.za

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