Ohio Electronic Records Committee
Tip Sheet
DATABASE RECORDS RETENTION AND DISPOSITION

HOW ARE DATABASE OR INFORMATION SYSTEMS RECORDS DEFINED?

1. The database or information system itself is *not a single record*.
2. Databases/systems contain *many records*; and possibly *multiple record series.*
3. Retention and disposition should be applied routinely per retention schedules.
    - Be careful not to break relational fields within the database when deleting records.
4. How is a record defined in the system?

Record (Ohio Revised Code 149.011G)

"Records" includes any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Record Series

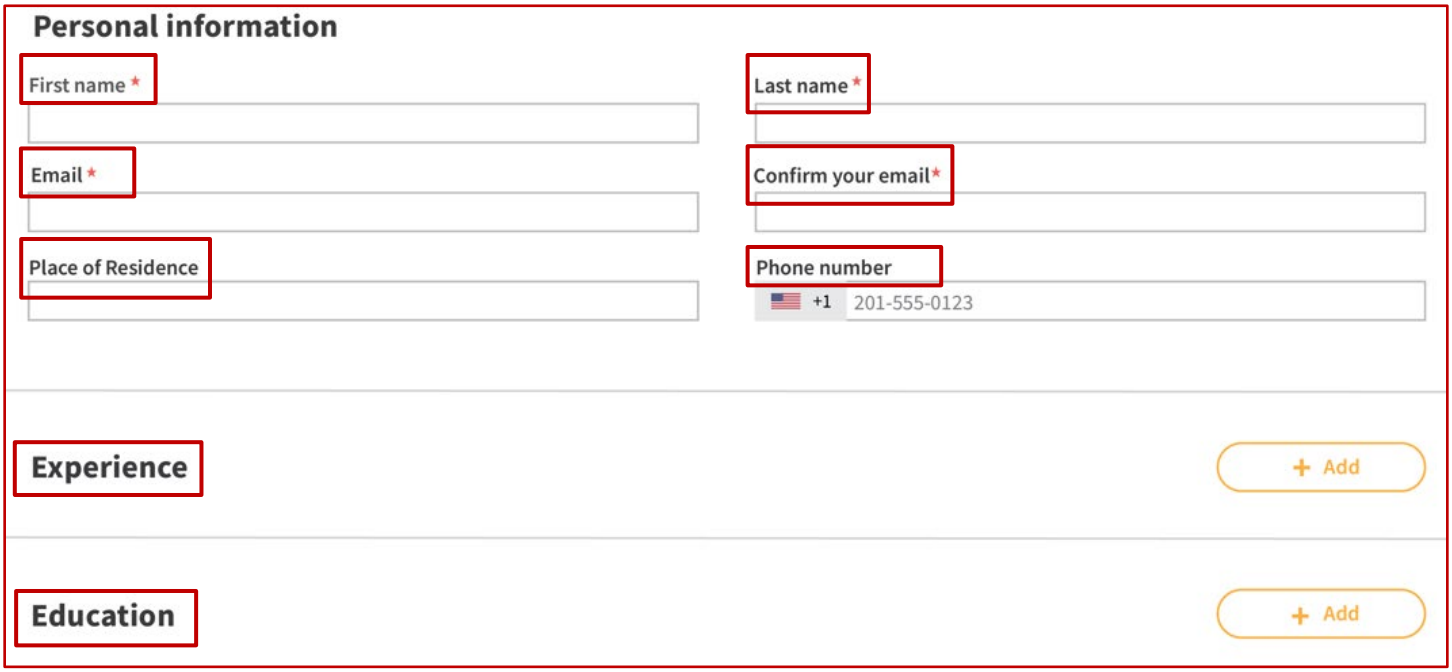
Group of records that are created for the same purpose and generally contain the same types of information.

Example: Online Job Application

Job applications, whether in paper or online, ask for the same information, such as name, email address, phone number, experience and education. Each applicant fills out each piece of information, or data field, and the information is grouped or tied together per applicant.

On paper, the data for each of the fields are all grouped together in a single document. In a database, each piece of data may be in a separate cell labeled by field, but all data fields for a single applicant are tied together to form that person's application, or record.

Whether in paper or a database, the data is grouped together for the same purpose: to create a job application and understand each applicant's qualifications for the job. This grouping of data for *an applicant* is the *record*. All of the employment applications taken together is the *record series*.



How long must Database or Information Systems records be kept?

As with any Ohio government records, databases or information systems retention and disposition **depends on the function and content of the record**, *not* the format or security level.

To determine how long to keep database or information systems records, start by reviewing your government entity's records retention schedule(s) to determine which record series are contained within the database. Record series within retention schedules should:

1. Describe the *purpose and/or function* of the record (how you use the database *record*)
2. Tell what *types of information* are found in the record (content captured in the database *record*)
3. Explain how long the *record* must be kept.

If a record series cannot be found that fits with the records held within the system, contact your records manager, records officer, or local records commission to update the retention schedule.

Is it acceptable to keep Database or Information Systems records indefinitely?

NO: Database records should be managed just as any other type of records are managed; they should be securely destroyed when retention has been met, as long as deleting the record does not negatively impact other records in the database. Without periodically deleting database records that have met retention:

- It becomes more difficult to locate records for business purposes, public records requests, investigations, or litigation.
- It will increase the number of responsive records for public records requests or discovery requests; thus increasing how much may need to be retained beyond retention.
- Too many unnecessary records impact the performance of the database or information system and may be costly in staff time and expenses to maintain or migrate.
- The number of records affected during a security/privacy incident and the cost of responding to and recovering from the incident increases.

Records disposition should be a routine process conducted at regular intervals, not just when the system is being decommissioned or the contract with the vendor is expiring. Having a retention policy only mitigates privacy, security, legal, and public records issues if disposition of records past their retention actually occurs.

When deleting records from a database or information system, be sure to follow the processes established by your local records commission or government's processes.

Changing or Decommissioning Database or Information System Software

Before decommissioning or changing databases or information systems, review the records to determine:

1. Which records have met retention (should be deleted, not migrated).
2. Which records still need to be maintained per retention schedules or litigation holds (should be migrated or exported).
3. Perform an analysis of the specific data fields that form the records to ensure that:
    a. no relationships will be broken by deleting data that has met retention
    b. fields needed to query for records that have met retention, often date fields, are not altered during the migration.

When deleting records from a database or information system, be sure to follow the processes established by your local records commission or government's processes.

Procuring New Database or Information System

When evaluating potential new software, ask questions about how the system can routinely delete records at the end of their retention period. This goes beyond ensuring that the vendor has a policy for deleting data at the end of your contract. Ask questions such as:

- Does the vendor have a data retention policy? Are they willing to alter it to align with your government's retention schedules?
    - Request a copy of the vendor's retention policies and document any agreements on retention and disposition.
- Can the system be programmed to automatically delete records in accordance with our retention schedules?
- Is manual deletion done by the customer or company?
- Can different record series be deleted on different retention periods?
- How can we set up queries to determine which records have met retention?
    - What fields can we query for flat retention periods (3 years, 5 years, etc.)?
    - What fields can we query for event-triggered retention periods (3 years from separation, 3 years from grant close-out, etc.)
- Is there a report that can be run that provides information on the disposition? What type of information does the report include?
- Can holds to prevent manual or automated deletion be placed in records or data within the system in the event of litigation?
- Are backups purged on a regular basis? How long are backups retained after the data is purged?
- If the vendor intends to retain government data beyond your set retention or beyond the end of the contract, do they de-identify the data?

Precise retention/disposition information gathered from both the government entity and the vendor will allow the governance groups to ascertain whether the difference in risk is acceptable or will require mitigation prior to purchase and implementation.

Additionally, having more precise information on the retention schedule(s) and records series, along with the vendor purge cycles clearly identified can serve toward proof of legal disposition.

Conclusion

Databases and information systems create and maintain records. Involving records managers in the procurement process upfront not only helps to get these vital, but often forgotten, questions answered, but it makes the records manager aware of the types of records being created and maintained in order to ensure that the government entity is compliant in other areas of state and federal law, as well as security and privacy.

Related OhioERC Resources

- Databases as Public Records Guidelines – Provides guidance on public records requests for records contained within databases.
- Recordkeeping System Procurement – Tip sheet on the RFP process and who should have a seat at the table when reviewing and purchasing electronic information systems.