

# **TOWN OF GOFFSTOWN, NEW HAMPSHIRE**

## **RECORDS RETENTION POLICY**

### **SECTION 1: PURPOSE:**

The purpose of this policy is to ensure compliance with all applicable local and state statutes and regulations pertaining to record retention including, but not limited to, those listed in RSA 33-A; while simultaneously recognizing the town's administrative need to manage its records and provide for their systematic destruction after said legal requirements have been met and the records no longer have value to the town or its citizens.

### **SECTION 2: AUTHORITY:**

This policy is adopted in accordance with the statutory authority contained in NH RSA 33-A.

### **SECTION 3: APPLICABILITY:**

This policy applies to all records generated in the course of the Town of Goffstown's municipal operations, including original, reproduced, and electronic documents.

### **SECTION 4: DEFINITIONS:**

"Record", as used in this policy, shall refer to all municipal documentary materials, whether in paper, electronic or any other form, prepared or received by the town in connection with the conduct of its official governmental business. "Record" is further defined by NH RSA 33-A:1, IV.

### **SECTION 5: MUNICIPAL RECORDS RETENTION COMMITTEE:**

A) In accordance with RSA 33-A:3, the Town of Goffstown shall establish and maintain a Records Retention Committee charged with overseeing the retention and disposition of municipal records. Said committee shall be comprised of the following members: Town Clerk, Tax Collector, Town Treasurer, Town Accountant, Tax Assessor, Assistant Town Administrator, and Town IT Director.

B) The town has adopted a Record Retention Schedule, detailed in NH RSA 33-A:3-a, describing the retention and disposal schedule for municipal records of the town. To ensure that this statutory schedule is followed, the committee shall:

1. Monitor local and state laws affecting record retention.
2. Modify the Record Retention Schedule (Appendix A) as necessary to ensure that it complies with local and state laws.

C) The committee shall ensure compliance with Section 6 of this policy, and if necessary, develop additional operational procedures to ensure that records are properly stored and accessible.

1. Any such additional procedures will be developed in a manner which takes into account the organization's operational capabilities. The committee may elect to use electronic methods of document storage, where appropriate, and any such electronic storage shall be conducted in a manner consistent with RSA 33-A:5-a.

2. Any such additional necessary procedures and storage processes will be incorporated as an appendix to this policy and be periodically reviewed by the committee in order to ensure their level of adequacy.

D) The committee shall monitor compliance with Section 6 of this policy and, if necessary, develop additional operational procedures to ensure that records are consistently disposed of in a proper manner.

1. Any such additional procedures shall adhere to any applicable statutory requirements, as well as the town's operational capabilities. In addition, any such additional procedures shall ensure that any records containing sensitive or confidential information are treated with particular care.

2. These destruction processes will be periodically reviewed in order to ensure their adequacy and level of efficiency.

E) The committee shall annually review this policy by October 15, and recommend amendments as needed to comply with statutory and regulatory requirements. Amendments to the policy adopted by the Board and/or required by legislative changes shall be provided to each Department to help facilitate the annual review provided for in Section 8 below.

**SECTION 6: STORAGE, RETENTION, AND DISPOSAL OF MUNICIPAL RECORDS:**

A) *Minimum Storage Procedures:* Each department shall store their archived records in a box or cabinet and provide the following information on the storage device: the department name, box number, retention period, scheduled disposal date, and a general description of the contents.

B) *Retention of Documents:* The statutory Records Retention Schedule details the retention period for specific types and categories of records in order to ensure legal compliance. In addition, this schedule is designed to accomplish other objectives such as the preservation of confidential and valuable administrative information, cost effectiveness, and space management. Scheduled records are those that, by state statute and administrative rules, need only be retained for a specified period.

The committee may determine that such records are to be maintained by the Town for a period longer than the minimum required period. If so, such determination shall be made a matter of record by incorporation into the Town-wide Records Retention Schedule.

C) *Destruction of Documents:*

1. Documents to be destroyed shall first be reviewed by the applicable Department head or their designee to determine if any portion(s) of those records should be retained due to their historical value. If no reason exists to maintain the record beyond the retention schedule then the documents shall be destroyed as follows:

a) Non-confidential documents shall be recycled if possible, or shredded.

b) Confidential documents shall be shredded with a cross-cut shredder.

c) Electronic files shall be deleted from the individual's computer as well as from any backup or permanent media storage. In accomplishing 'deletion' it should be understood that the use of file locations which are repositories for matters that are intended to be deleted at some future time does not satisfy the requirement for deletion.

Shredding shall be done by either authorized staff members or by a shredding service. If a shredding service is chosen, it shall provide the Town with a stamped receipt acknowledging that the identified documents were shredded and the date on which the shredding occurred.

2. Each department head is responsible for maintaining a Document Destruction Log which shall contain the following minimum information:

- a) Department performing the destroying.
- b) What was destroyed.
- c) The date it was destroyed.
- d) Who destroyed the record(s).
- e) Citation of NH RSA giving the right to destroy record(s).

D) *Unauthorized Activities*: All municipal records belong to the public in perpetuity and shall not be destroyed, maliciously damaged or retained by any person not entitled to do so by local or state statute or regulations.

**SECTION 7: SUSPENSION OF RECORD DISPOSAL:**

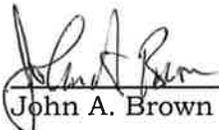
In the event any official or employee of the Town of Goffstown is served with any subpoena or Right-to-Know request; or becomes aware of an investigation or audit concerning the town or the commencement of any litigation against or concerning the town, such individual shall ensure that all records are preserved, regardless of the retention schedule, until the town's legal counsel determines that the records are no longer needed. (See Appendix B Litigation Hold Notice)

**SECTION 8: INITIAL TRAINING AND ANNUAL REVIEW**

Each Department head or their designee is responsible for providing a copy of the records retention policy to newly hired employees and initial training on records retention specific to the department. Each Department head or designee shall also provide an annual review of the records retention policy in February or March annually. The annual review will serve as an opportunity to review any legislative changes or amendments to the records retention policy adopted by the Board of Selectmen.

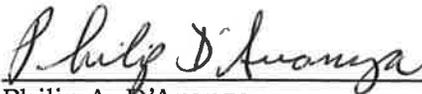
**SECTION 9: ADOPTION:** The Town of Goffstown has adopted this Record Retention Policy effective May 6, 2013.

  
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Collis G. Adams, Chairman  
Board of Selectmen

  
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John A. Brown

  
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Mark T. Lemay, Vice-Chairman

  
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Nicholas Campasano

  
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Philip A. D'Avanza

On May 21, 2018, the Select Board amended the Records Retention Policy to adopt RSA33-A:3-a disposition and retention schedules for all municipal records in the Town of Goffstown to follow the minimum number of years in State Law.

The disposition and retention schedule can be viewed in its entirety at <https://gencourt.state.nh.us/rsa/html/iii/33-a/33-a-3-a.htm>.