

Special Category Records

1. Scope

- 1.1. This standard is a best practice benchmark for all organizations creating or holding public records.
- 1.2. It provides advice and guidance on the handling of 'special category' records held by Public Bodies.
- 1.3. It applies to all records – paper, microform, film, videotape, sound recordings, etc, – except electronic records, which are the subject of a separate standard.

2. Responsibilities

- 2.1. In some Departments there are classes of papers, which, because of their importance, their confidentiality or the use to which they are put, may from time to time require special arrangements to be made for their registration and or review. Where there is a Secret Registry, where Private Office papers are separately registered or where papers relating to contracts, legal business or legislation have a special importance attached to them, it may be possible to review them in accordance with the system adopted for ordinary registered papers, and the Departmental Record Officer (DRO)/ Information Manager (IM) or public authority equivalent will have to devise special arrangements for them. The important point is that they should not escape the control of the DRO/IM, who must make it their business to seek them out and arrange with the officials responsible that either they enter the normal review procedure or be subject to a special review on lines agreed with PRONI.

3. Security Classified Papers

- 3.1. Although there may be a need for special 'need to know' arrangements to be made for certain classes of papers – because of their importance or security classification or for some other reason – they are public records and are still subject to First and Second Review.

4. Printed or Circulated Papers

- 4.1. The DRO/IM should ensure that a standard set is maintained of any printed or processed compilations issued by the Public Body, including parts from time to time superseded by amendments. Such sets should be treated as records. This applies to codes of procedure, directories, organization charts and the like produced for purely official use, and

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also to compilations which have a wider circulation or are actually published, such as annual reports or official handbooks. PRONI should be placed on the mailing list to receive all published material.

5. Photographs, Sound Recordings, Cinematograph Films, Videocassette Recordings, CDs, DVDs and Machine-Readable Records

- 5.1. The Public Records Act and the existing records management system are intended to preserve important information in whatever form it is stored. Photographs, sound recordings, cinematograph films, videocassette recordings, CDs, DVDs and machine-readable records (data on computer) held by Public Bodies are public records and are to be included in any Disposal Schedule. However, as special preservation conditions are necessary for these items, arrangements for their review and/or permanent preservation, should be made by the DRO/IM in consultation with PRONI at the earliest possible opportunity, preferably before creation.
- 5.2. Particular attention should be paid to old cinematograph films which may be on a nitrate base and can present a fire risk unless stored under special conditions (PRONI) has a special arrangement with the National Film Archive for the storage of any such films.

6. Weeding or Stripping Files

- 6.1. These papers are not subject to review arrangements. They are automatically selected for permanent preservation and are transferred to PRONI when 30 years old. Only one set is transferred to PRONI. DROs/IMs are asked to return all the Cabinet papers still in their possession to the Office of the First Minister and Deputy First Minister.
- 6.2. Extracts from Cabinet papers on Departmental files should be removed and destroyed, but the date of the Cabinet meeting and the item(s) on the agenda should be indicated on a sheet of paper inserted in the place of the removed item.

7. Papers of Temporary Commissions, Committees and Review Bodies

- 7.1. These papers are always exempted from the normal review periods and, therefore, must be dealt with immediately after the body has finished its work. It is not necessary to wait until the papers reach the normal age for review. The Secretary of the body should inform both the appropriate DRO/IM and PRONI when the body is thought to be drawing to a close. Arrangements can then be made for the proper

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disposal of the records. It will probably be desirable to retain permanently a set of the papers prepared for the Body and a complete run of the minutes of its meetings. These will be transferred to PRONI from the Department which provided the Secretary.

8. Statute-barred Records

- 8.1. Many statutes – e.g. the Marketing of Poultry Act (NI) 1949 or the Food and Drugs Act (NI) 1958 – require the general public or sections of it (e.g., manufacturers or farmers) to furnish Government with personal or commercial information. The confidentiality of this information is guaranteed by the inclusion in the statute of a section barring those involved in the collecting or collating of the information from divulging it, except where official duties so require. It is important to identify statute-barred records since:
 - (a) They must be clearly identified in any Disposal Schedule.
 - (b) They cannot, under current legislation, be released to the public at any time and are therefore not subject to the normal scrutiny procedures.
- 8.2. The Rehabilitation of Offenders (NI) Order 1978 precludes the release of information about ‘a living identifiable individual’ who has been charged with or convicted of an offence resulting in a fine or in a sentence of imprisonment or corrective training for a term of up to 30 months. Depending on the age of the person at the time and the term of sentence, a person is considered to have been rehabilitated after a specified number of years and thereafter no details of such ‘spent convictions’ may be made public.
- 8.3. The DRO/IM, in consultation with the appropriate Operational Manager, should ensure that each individual file or record in a statute-barred class bears an identifying stamp or other mark.