

**Minnesota Department of Agriculture
Food and Feed Safety Division**

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Version #: 1	Effective Date: 01/20/2017
Title: Record Management and Data Practices Policy	

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1. PURPOSE

The purpose of this policy is to define record management and data practices for official records created specifically by the Food and Feed Safety Division of the Minnesota Department of Agriculture.

2. SCOPE

This policy applies to all official records and data created by the staff of the Minnesota Department of Agriculture – Food and Feed Safety Division. The policy supports but does not supersede or preempt any policy, procedure, rule, statute or Record Retention Schedule regarding record management or data practices already defined by the Minnesota Department of Agriculture or the State of Minnesota.

3. POLICY

Official Transactions

The Official Records Act (M.S.15.17) requires government entities to, "make and preserve all records necessary to a full and accurate knowledge of their official activities." (See, subdivision 1.) These records must be passed on to the successors in office so that they can understand why past actions or decisions were made. Records may be kept in any format (e.g., electronic files, paper, photographs, other recordings, etc.) as defined by division procedures, contracts, or other agreements.

Minnesota's Record Management Statute (M.S. 138.17) also states that the term "records" excludes data and information that does not become part of an official transaction.

It is critical that FFSD staff understand what data and information constitute the creation of an "Official Record". Data and information that are created in support of day-to-day administrative work in the division are not considered official records.

Official Records

FFSD makes and preserves all official transactions as official records and maintains these official records as defined in the division's Records Retention Schedule (as required by M.S. 138.17 Subd. 7). The retention schedule for each type of Official Record is defined by the current *MDA Records Retention Schedule*.

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Non-Official Records, Information and Data

<u>Description</u>	<u>Retention Instructions</u>	<u>Storage Media</u>
Drafts of documents, working copies or notes	Discard or delete upon completion of final draft or creation of Official Record	Paper Electronic
Policies, Standard Operating Procedures (SOPs), or Work Instructions (WIs)	Current policies, SOPs and WIs will be maintained until updated or rescinded Five years for previous or rescinded versions of policies, SOPs and WIs	Electronic Uncontrolled Paper copies
Training Records	Training records will be maintained for all current employees while in the employ of the division Three years for all inactive division employees	Electronic Paper
Reference Documents: FFSD created supporting documents including but not limited to forms and matrixes, internal, external, and joint resources, appendices, guidance, templates and outreach materials.	Current version-controlled documents will be maintained until updated or rescinded Three years for all previous versions of updated or rescinded versioned documents Three years for non-version-controlled documents	Electronic Paper

Record Management and Data Practices

Government entities that fail to create, preserve, and dispose of official records according to the laws above may not be able to meet their obligations under the Data Practices Act, Minnesota Statutes, Chapter 13. For instance, an entity may not be able to respond to a data request properly if official activities have not been recorded. In addition, the Data Practices Act limits collection of data on individuals to only that which is necessary to administer and manage programs authorized by law. (Minnesota Statutes, section 13.05, subdivision 3.) It also requires the responsible authority to "keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use." (Minnesota Statutes, section 13.03, subdivision 1.) These two requirements taken with the Official Records Act and the Records Management Statute ensure that data requests can be fulfilled accurately and within the time limits prescribed by the Data Practices Act.

According to the Minnesota State Archives, The Uniform Electronic Transactions Act (Minnesota Statutes, Chapter 325L) section on retention of electronic records (section 325L.12) makes the storage medium of a record legally irrelevant. There is no more or less evidentiary value attached to one medium or another.

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4. RESPONSIBILITY

All FFSD Staff: All FFSD Staff will create and maintain records, data and information in accordance with this policy.

Division Director and Assistant Division Director: The Division Director will approve this policy and oversee the implementation of this policy. The Division Director and Assistant Division Director will also support the division in resources and training required to maintain controlled documents for all of FFSD.

5. RELATED DOCUMENTS (includes References, Attachments)

FFSD.POLICY.90.06 – Document Development and Control Policy

FFSD.SOP.90.01 – Document Development and Control SOP

FEED.9.01 – SOP Development and Control

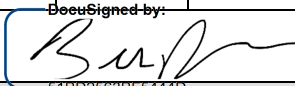
MDA Record Retention Schedule

Statewide HR Record Retention Schedule

6. CIRCULATION

This policy will be circulated to all Division staff. The current version will be stored electronically on the FFSD document control site.

7. APPROVAL/DOCUMENT HISTORY

Document History		
Version #	Status (I, R)	Change History
1	I	Initial Policy Drafting.
<small>DocuSigned by:</small> 		1/20/2017
Approved By:		Date
Approved By:		Date

I = Initial document; R = Revised document