

## ORANGE COUNTY SOCIAL SERVICES AGENCY

### ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL

**Subject:** Destruction of Paper Documents

**Number:** E 25

**Approved:** Signature on file

**Date:** 6-01-09

### POLICY

Records that originally existed as paper documents may be retained in electronic form that accurately reflects the original paper format with all details and do not permit additions, deletions, changes to or duplicates of the original document images, and shall be separately maintained (Government Code §§ 26205 and 26205.1). Electronically imaged reproductions shall be maintained only in the following format: tiff, pdf, doc, xls , jpeg, ppt, xml, and html, and preserved in secured Write-Once Read-Many (WORM) capable system along with metadata capturing and preserving functionality over the scheduled retention period (refer to the retention schedule for imaged cases in the Records Control Schedule for each division). Additionally, there is no other law that specifically requires the documents be maintained in their original form unless there is a Legal Hold at issue. A Legal Hold suspends routine destruction of records reasonably related to anticipated or pending litigation regardless of format upon a finding that:

1. a legal action is reasonably anticipated including but not limited to, litigation or governmental investigation; or
2. the County of Orange and/or Social Services Agency is presently engaged in actual legal action.

Paper documents subject to a Legal Hold shall not be destroyed and shall be maintained in their original form whether or not the paper version has been imaged. The Legal Hold shall remain in effect until the following conditions are met:

1. the County Counsel or outside counsel responsible for the litigation wholly or partially releases the Legal Hold; and
2. the Agency receives instructions from counsel to return to its routine retention procedures and/or destruction procedures.

The electronically stored documents shall be retained in accordance with the current policies and procedures of the Social Services Agency, the County Executive Office Electronic Records Management Policy, the County Executive Office Legal Hold Policy and the County Executive Office E-Discovery Guidelines. In addition, SSA will comply with information technology (IT) industry standards and with established California Department of Social Services (CDSS) and Department of Health Care Services (DHCS) record retention requirements. SSA shall maintain and preserve electronically stored documents in a manner which will ensure that the retention of electronic records is done securely and complies with (a) legal requirements, (b) federal and state laws, and (c) protects the legal and financial rights, and interests of the County of Orange

and of person affected by the Agency's activities. Finally, Administrative Policies and Procedures C 32, Rules of Conduct, Section III, Item 5, delineates the disciplinary actions that could be applied to any employee in the event that records appropriately imaged and secured in the system are altered or manipulated with other applications or tools.

An internal Quality Assurance (QA) review of the scanned documents will be completed before the destruction of paper documents. The QA process will ensure that scanned documents are an accurate reflection of the original paper documents. Upon destruction of the paper documents, the imaged case record will be recognized as the "original" case record.

The appropriate Program Managers will identify paper case documents that will be exempt from the imaging policy/process such as those involved in state reviews, legal processes, and internal audits. It is their responsibility to ensure that regulatory changes relating to the destruction of paper case documents or impacts to the retention of electronic documents is updated by notifying both Centralized Operations and divisional operations manager(s) of any specific cases that will be exempt from the usual destruction process.

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