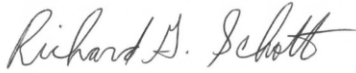


Office of the Independent Police Auditor Procedural Memorandum	
No: 03	Subject: Records and Information Management
Approval Date: December 17, 2024	Review Date: July 23, 2026
Signed by Richard Schott, Independent Police Auditor	

Purpose: This policy establishes the general responsibilities of staff in the Office of the Independent Police Auditor (OIPA) in regards to retaining and disposing of records in compliance with the Virginia Public Records Act (Code of Virginia § 42.1-76 et seq.) and Fairfax County Records Management policy PM 70-06.

Agency Records Officer

The Management Analyst III will serve as the agency records officer for OIPA and will be responsible for the development, implementation, and ongoing coordination of the OIPA’s records management program. Responsibilities include:

- Serving as the liaison with the Archives and Records Management Branch, DIT.
- Maintaining a working knowledge of applicable local, state, and federal statutes and/or regulations affecting records management practices.
- Developing procedures to implement OIPA’s records management program and establishing records retention and disposition schedules for the office.
- Providing training and resources as necessary to OIPA staff.
- Ensuring that archival and permanent records are properly identified and maintained.
- Supporting OIPA staff in their individual responsibilities to retain records according to their retention schedules and to dispose of non-records.
- Directing OIPA staff to review their files and emails on an annual basis and certifying that records have been destroyed according to established OIPA procedures.

Definition of Records and Non-Records

- A “Public Record” is any recorded information that documents a transaction or activity by or with any public official if it is produced, collected, received or retained in connection with the transaction of public business (Code of Virginia § 42.1-77). Records include, but are not limited to, notes, letters, documents, printouts, audio recordings, videos, emails, and texts.¹
- A material or email will be considered a public record when it is related to one’s responsibilities as a public official and explains/justifies/documents an action or decision. An email will be treated as a public record (and retained accordingly) when it does one of the following:

¹ See also the definition of “public record” in the Virginia Freedom of Information Act, Va. Code Ann. §§ 2.2-3700 through 2.2-3714 (FOIA).

- Corresponds with staff, complainants, vendors, or the general public about official business (may include incoming messages)
- Involves negotiations on behalf of department or locality
- Approves or authorizes actions or expenditures
- Signifies policy changes or developments
- States official opinions relating to a public official’s position
- Creates precedents, such as messages issuing instructions or advice
- Correspondence that is of a routine administrative nature shall be considered a record and will be retained only as long as it is administratively useful. Correspondence will be considered routine when it is part of a regular/established procedure or typical sequence of actions (e.g., building an agenda, scheduling meetings).
- Materials (and emails) that do not meet the criteria will be considered non-records and will not be retained (e.g., informational emails that do not require a response, general announcements, reference materials or copies of materials retained by someone else).

Records Retention and Disposition Schedules

- Records retention and disposition schedules for OIPA were developed in accordance with the Library of Virginia General Schedule No. GS-19 for County and Municipal Governments.
- A summary table of the OIPA Retention Schedules is provided below. A more detailed document, *Retention Schedules for the Office of the Independent Police Auditor*, will be maintained which outlines for each record type: agency retention period, agency disposition process, and related Library of Virginia Record Series information

Summary of OIPA Retention Schedules	
Record Type	Retention Period
OIPA Annual Reports	permanent
OIPA Incident Review Reports and Other Public Reports	permanent
Videos produced about OIPA	permanent
OIPA Procedures	until superseded, obsolete, or rescinded
Citizen Complaint – IPA Authority (Forms, Emails, PDFs, Voicemails that summarize the complaint)	1 year from close of complaint (may be saved for as long as administratively useful)
Supporting material submitted by Complainants – IPA Authority	at 1 year from close of complaint additional materials submitted by complainants will be purged (e.g. court documents, medical records, photos, videos).
Citizen Complaints – Potential PCRCP Authority	Complaint referrals to PCRCP will be logged. Complaint will be kept for 3 years from receipt

Other Citizen Correspondence Received (i.e., complaints that fall outside of OIPA/PCRP authority)	Save for 1 year from receipt, if administratively useful (otherwise 0 years)
FCPD Official Correspondence to Complainants (i.e., Disposition Letters)	none (may be saved for as long as administratively useful)
Correspondence/Emails sent by OIPA staff	2 years after the end of the calendar year
Correspondence/Emails sent by Department Head (Includes official OIPA correspondence)	3 years after the end of the calendar year Official OIPA correspondence may be redacted and saved for as long as administratively useful
Draft Documents/Reports	none, until the subsequent draft or the final document is completed
Routine/Administrative Correspondence	none, as long as administratively useful
Spreadsheets that track processes	none, as long as administratively useful
Reports/Status Updates for Internal Use	none, as long as administratively useful
Informal Guidelines, Instructions etc. (not approved procedures)	none, as long as administratively useful
Presentation materials	none, as long as administratively useful
Voicemails/telephone messages/call logs	none, as long as administratively useful
FOIA Requests	3 years after responses are provided
Legal advice from Counsel	permanent
Project documentation Files	None, as long as administratively useful
Work products/reports by hired consultants	5 years after the end of the calendar year

- OIPA will serve as the custodian for all permanent records (i.e. reports) which will be maintained on the website and/or on the S: Drive.
- OIPA staff members will be responsible for retaining their individual records (i.e., individual correspondence, draft documents) of which they are the custodian per the retention schedules noted above. OIPA staff should store these records on their H: Drive or the OIPA's S: Drive.

Disposition of Records and Non-Records

- Documents and emails that are considered non-records will be purged on a regular basis.
- Records that are considered routine administrative will be deleted as soon as they are no longer administratively useful.

- Records that are considered draft materials will be deleted once the subsequent draft or the final document is completed.
- All other temporary records will be deleted according to their retention period on an annual basis.
- The OIPA records officer will provide specific instructions on the type of records that have reached the end of their retention period and can be deleted.
- The destruction of records by OIPA staff will be documented by the submission of Certificates of Records Destruction (Form RM-3) to the Archives and Records Management Branch, DIT.

Succession Planning

- Official records of public officials are the property of Fairfax County and must be returned at the expiration of a term of office or immediately following a resignation.
- Departing OIPA staff will be asked to clean out their Outlook accounts, transfer any records on their Outlook and H Drive to a designated OIPA staff person, and inform OIPA staff of the location of certain records on the S: Drive.

Collection and Handling of Personally Identifying Information (PII)

- Complaints with PII will be stored electronically only on the S: Drive that is accessible by the OIPA staff.
- Hard copy versions of Complaints will be converted to electronic files to be stored on the S: Drive and then disposed of by shredding.
- If directed by the department head, OIPA may redact complainant names and other personally identifiable information (PII) (i.e., phone, email, address, date of birth) of the complainant at the expiration of the retention period. Redacted versions of complaints will be retained for as long as deemed administratively useful, or for statistical or historical purposes.²

Definitions

- **Close of complaint:** The complaint will be considered closed when OIPA publishes the final incident report and provides notice to complainant that the report is complete.
- **Complaint file:** Documentation related to the processing of a complaint, including the written complaint (i.e., on complaint form, in an email, or PDF document), official OIPA correspondence with the Complainant, copies of FCPD correspondence shared with the OIPA.
- **Personally identifiable information or PII:** Information that “describes, locates or indexes anything about an individual... or... affords a basis for inferring personal

² VA Code 2.2 3705.1 (10) allows OIPA to redact some PII (address, email, telephone, not name) in a response to a FOIA request and therefore, preemptively redacting that information from all complaints at 1 year from close of complaint is not necessary to protect complainant PII. Complainant names may be redacted at the discretion of the department head.

characteristics.” The following information will be treated as PII by OIPA: name, phone, email, address, and date of birth.