



**Cayman Islands
National Archive**

Cayman Islands Government

GUIDELINE 7

MANAGING PUBLIC RECORDS DURING ADMINISTRATIVE CHANGE

April 2025



**CAYMAN ISLANDS
GOVERNMENT**

AUTHORISATION FOR THE COMMENCEMENT OF THIS GUIDELINE

Issued under Section 7 of the National Archive and Public Records Act (2015 Revision)

Director, Cayman Islands National Archive



1. SCOPE

Administrative changes occur occasionally, especially after a restructuring of government. These changes can involve shifts in leadership, organisational frameworks, and/or policy priorities. During these periods of transition, protecting public records is of paramount importance. Public records document government actions and decisions, ensuring transparency and accountability. Additionally, these records help maintain business continuity and preserve corporate historical context.

It is essential that the public records and information be controlled so that they are accessible and easily retrieved when required, and to prevent any loss, misuse or unauthorised disposal. Proper documentation during the transfer of records ensures that the custody/ownership is accurately managed to allow for the seamless continuity of public services.

The purpose of this guidance is to support public agencies with the transfer and management of records during periods of administrative change, such as the transfer of functions after an election.

2. REGULATORY FRAMEWORK

This guidance is issued under Section 7 of the *National Archive and Public Records Act (2015 Revision)* [NAPRA] and is a requirement for all public agencies as defined under Section 2(1) of this Act. The establishment of a sound records and information management (RIM) infrastructure for the Cayman Islands Government is supported by the following legislation and CIG standards:

- National Archive and Public Records Act (2015 Revision) [NAPRA]
- The Freedom of Information Act (2021 Revision) [FOIA]
- Freedom of Information (General) Regulations, 2021
- Data Protection Act (2021 Revision) [DPA]
- Electronic Transactions Act (2003 Revision)
- Deputy Governor's Code of Practice on Records Management.

3. DEFINITIONS

Transferring agency – the public agency that is responsible for the transfer of records, as well as ownership and custody, to another agency.

Receiving agency – the public agency who is receiving the transferred records.

4. TYPES OF ADMINISTRATIVE CHANGE

Administrative change mainly results from a modification in the responsibilities for the execution of government functions. These changes can occur as a result of:

- A ministry, portfolio or other agency loses or gains a function.
- A function within an agency is created as an independent entity.
- Agencies are amalgamated to form a new entity.

5. GENERAL RESPONSIBILITIES OF PUBLIC AGENCIES

Upon restructuring or the redefinition of a public agency's duties or functions, there are a number of recordkeeping activities that must be implemented to support the continuation and effective delivery of services. Responsibility for these actions lie with both the transferring and receiving entities. Therefore, it is essential that they work closely together to manage government information assets.

Public agencies also have responsibility for records and information stored off-site, whether physically in a warehouse or electronically in the CLOUD. Additionally, transferring agencies have a duty to communicate any access/security restrictions to the receiving agency.

In accordance with Section 6 of the NAPRA, the most senior officer within all public agencies has a duty of care to ensure that all public records, regardless of media, i.e. paper or format, "are maintained in good order and condition". All agency staff are accountable to the agency's senior officer for their compliance with this guideline and all other records and information management policies, standards, and guidance as issued by the Cayman Islands National Archive.

6. KEY CONSIDERATIONS FOR THE TRANSFER OF ELECTRONIC RECORDS

Public agencies should not underestimate the technical implications and time involved with transferring electronic records and their metadata¹. If the context of the records (e.g. metadata and links) is not appropriately managed upon transfer, there is a risk the receiving agency will not be able to access or use the information. Agencies should consult with CSD or their IT vendor to identify and agree on a strategy.

Any potential issues which could affect the transfer of electronic records should also be identified in advance, such as:

- Incompatible systems between the transferring and receiving agency.
- Requirements for the continuity of digital information.
- Training needs for new information or business application systems.

7. STATUS OF RECORDS OF A MINISTER'S OFFICE

Ministers create and receive a wide variety of public records (inclusive of the below) while performing the roles and functions of their ministerial office.

- Records of ministerial responsibilities and other assignments.
- Cabinet/Parliament Papers.
- Briefings and reports to the Minister, and ministerial correspondence.
- Departmental records.

Systems should be in place to ensure that all records and information created or received by a Minister in his or her official capacity is treated as a public record according to the provisions of the NAPRA. These records (regardless of format) are to be treated as government informational assets and should be returned or remain with the Ministry when Ministers leave office.

¹ Metadata is structured information that describes and/or allows users to find, manage, control, understand or preserve the digital record over time, i.e. who created it, any revisions to it, the software used for creation, etc.

Ministers also receive and hold records in their non-ministerial capacity; for example, correspondence with constituents, party political records, and private or personal papers. These are not public records, and are not covered by the NAPRA. They are considered a Minister's private property, and therefore a Minister may dispose of them as he or she wishes, inclusive of a donation to the National Archive's Historical Collections.

8. REQUIRED PROCESSES FOR ADMINISTRATIVE CHANGE

When a function moves from one public agency to another, recordkeeping responsibilities lie with both the transferring and receiving agencies. The steps for both agencies are outlined below.

STEP	RESPONSIBILITY	ACTION REQUIRED
1. Preparatory activities	Transferring Agency	Identify the records to be transferred, including the following: <ul style="list-style-type: none"> • Series title, i.e. the types of records. • Access restrictions, outstanding audits, investigations or FOI/Data Protection requests. • Location of records – on and offsite storage for paper records, and website/server addresses and links for electronic records. • Any software and/or hardware requirements.
2. Identify records and information management (RIM) tools	Transferring Agency	Identify any associated listings, including tracking/control/management databases, file plans, approved disposal schedules, etc., relating to the identified records.
3. Agency collaboration	Transferring and Receiving Agencies	<p>The transferring and receiving agencies should coordinate on the physical arrangements for the transfer of the records between their respective agencies, as well as offsite storage, e.g. in a warehouse, or the CLOUD. These arrangements include the date, time, resources (e.g. personnel) needed, etc.</p> <p>The receiving agency may not be able to take delivery of all records, as some may be offsite. This should be determined between the two agencies. However, ownership must be transferred, regardless of physical custody.</p> <p>Both agencies should devise a proper plan for the handover of the records which may include: -</p> <ul style="list-style-type: none"> • Any amendments to recordkeeping systems within which the records are presently managed, such as Government's Oracle-based Records Management System (RMS).

STEP	RESPONSIBILITY	ACTION REQUIRED
		<ul style="list-style-type: none"> Any new access approvals which may be required, e.g. to HR records. <p>Each agency should document all decisions made, including justifications for those decisions, as this will demonstrate transparency, accountability, and good governance.</p>
4. List records for transfer	Transferring Agency (in consultation with Receiving Agency)	<p>All public records to be transferred must be listed on the <i>Transfer of Public Records Form</i> (see Appendix A). This includes electronic records, inclusive of business application systems and records managed by RMS.</p> <ul style="list-style-type: none"> Records stored within the Government Records Centre at the National Archive need not be physically moved, however intellectual ownership must be transferred from one agency to another. As such, a copy of the Form must be sent to the National Archive to ensure that all intellectual ownership details are processed within RMS. The format of the records, i.e. paper and/or electronic, should also be identified, in addition to any unique software or hardware systems necessary for the provision of access to the records. Locations of the electronic records need not be included on the Form, however, the agencies should coordinate with the Computer Services Department/IT vendor for the efficient transition from the management of one agency to another.
5. Identify public records no longer required	Transferring Agency (in consultation with Receiving Agency)	<p>Agencies must seek the National Archive's advice when considering the disposal of records which are no longer needed for business requirements. <u>Public records are not to be destroyed unless they are covered by a Cabinet-approved disposal schedule.</u></p> <ul style="list-style-type: none"> Records slated for destruction should be managed in accordance with the National Archive's <i>Guideline 1 - Destruction of Public Records</i> and the accompanying <i>Proof of Destruction Form</i>. Agencies should also contact the National Archive in regards to those records identified in a Cabinet-approved disposal schedule for "Review", or as "Archive" for inclusion within the Historical Collections of the National Archive.

STEP	RESPONSIBILITY	ACTION REQUIRED
6. Receipt and storage of the transferred records	Receiving Agency	<p>Prior to the delivery of the records, the receiving agency should ensure that they have the necessary physical space, within their office or offsite, to store the records. When determining the appropriate location, it may be best to consider the following: -</p> <ul style="list-style-type: none"> • Which records – <ul style="list-style-type: none"> ○ are required for immediate use ○ may be required for use in the near future ○ will not be accessed or used on a regular basis. <p>Once the records have been delivered, they should be checked off against the <i>Transfer of Public Records Form</i> (Appendix A) to ensure receipt of all records listed therein. Any discrepancies noted should be followed-up and resolved with the transferring agency as soon as possible. Transfers can also be undertaken in phases, with separate accompanying Forms.</p>
7. Keep the received records separate	Receiving Agency	<ul style="list-style-type: none"> • No further documents should be added to the hardcopy records, although they will continue to be useful for reference. • No changes/edits, etc., should be made to electronic records. • Closed records should not be renamed or renumbered, as it is important to retain information on their ownership (provenance). • New records should be opened for business continuity.
8. Notify CINA	Transferring Agency	<p>Send a copy of the <i>Transfer of Public Records Form</i> to the National Archive to support its role in monitoring RIM in the public sector. Additionally, any records stored in the Records Centre will need to be transferred to the ownership of the receiving agency in RMS. Changes to RMS will be actioned by National Archive staff.</p>
9. Update control records	Transferring and Receiving Agencies	<p>Once the records/ownership has been transferred, all relevant control records held by both agencies, particularly file plans and Cabinet-approved disposal schedules, should be updated. This will provide audit trails, thereby diminishing the chances of records being lost or unaccounted for during the transfer process.</p> <p>Agencies should contact the National Archive for assistance in updating or creating file plans and disposal schedules.</p>

The transfer of records and information is a necessity after administrative changes within the Public Service. It is essential that both the transferring and receiving agencies collaborate closely throughout the process to ensure the efficient transfer of public records. This guidance will assist public agencies with a transparent and accountable transfer process, whilst ensuring compliance with the NAPRA. For assistance with this guidance or any other records and information needs, please contact the National Archive at cina@gov.ky.

Appendix A



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ITM/DSL/05

Transfer of Public Records Form

TO:	[Name of contact person and receiving agency, email address, Tel #]		
FROM:	[Name of contact person and transferring agency, email address, Tel #]		
CC	Cayman Islands National Archive		
DATE		Total # of boxes transferred	

The below listed records have now been transferred to the ownership and control of [insert name of receiving agency]²

File Reference Code	Series Title	Date Range	Medium (Paper/ Electronic)	Applicable Access Restrictions ³ (Y/N & type of restriction)	Applicable Disposal Schedule (Name of schedule)	RMS Series & Volume Nos. (if applicable)	No. Boxes
e.g. SM/BRD/01	ABC Board Minutes	Jan 2017- Mar 2021	Paper Electronic	Yes – FOI request	National Archive Operational Disposal Schedule	2345 vols.1-6	1

[Name/title of senior officer in transferring agency]

Signature

[Name/title of contact in receiving agency]

Signature

² To be completed by transferring agency.

³ Outstanding audits, investigations, information rights requests or restrictions (FOI or DPA).



Instructions for completing the *TRANSFER OF PUBLIC RECORDS FORM*

1. Identify and list all relevant details relating to the records including:
 - **File Reference Code and Series Title:** e.g. *SM/BRD/01 - ABC Board*. If no internal reference, use "N/A" or leave blank.
 - **Open/Close Dates:** e.g. *Jan 2017-Mar 2021*.
 - **Medium/Format:** paper or electronic.
 - **Applicable Access Restrictions:** confirm if records are being used for any outstanding audits, investigations, information rights requests and/or restrictions (e.g. FOIA or DPA), etc.
 - **Approved Disposal Schedule:** Specify the name of the relevant administrative or operational disposal schedule.
 - **RMS Series & Volume Nos.:** If not managed by RMS, use "N/A" or leave blank.
 - **No. of Boxes:** for paper records; if electronic records, leave blank.
2. Notify receiving agency and make necessary arrangements for transferring the records, inclusive of contacting the Computer Services Department for the transfer of electronic records.
3. List all record series to be transferred. If you have any questions, contact the National Archive.
4. Obtain sign-off from the senior officer within the transferring agency.
5. Receiving agency ensures that all records and information listed have been received and signs-off on Form, returning a copy to the transferring agency.
6. Transferring agency emails copy of completed form (with signatures of both the transferring and receiving agencies) to the National Archive at cina@gov.ky.

GLOSSARY

Disposal schedules - an official policy for the disposal of public records. Sets out mandatory instructions for dealing with records that are no longer needed for current business.

File plan - A hierarchical classification tool which can help staff capture, title, retrieve, maintain and dispose of records.

Function - Major areas of operations and responsibilities that are managed by an agency to fulfil its mandate.

Metadata - structured information that describes and/or allows users to find, manage, control, understand or preserve the digital record over time, i.e. who created it, any revisions to it, the software used for creation, etc.

Operational records - Records which are unique to the agency, resulting from the agency's core business functions. Operational records document primary responsibilities and key services to external customers.

Public agencies - Under the NAPRA, these agencies are defined as:

- the Cabinet;
- the Legislative Assembly;
- a ministry, portfolio or department;
- a statutory body or authority, whether incorporated or not;
- an office established by any Law;
- a court or tribunal;
- a company in which the Government has a controlling interest, or any subsidiary of such a company; or
- a prescribed person or body;

Public record - Any record that is: created by a public agency, created for an agency by a third party and received by a public agency in the course of carrying out official business.

Series - group of related records, that:

- are in the same numerical, alphabetical, chronological other sequence, result from the same accumulation, filing process or business activity; or
- are of similar function, format or informational content; or
- have some other relationship arising out of their creation, receipt, or use.

Standard - a mandatory policy or best practice to which an agency subscribes. e.g. CINA-issued or international standards such as quality assurance.

