

Recording, retention and deletion of user records (paper and electronic) in SWIMS Network libraries

Purpose of this policy

To provide good practice guidance on the recording, retention and deletion of records of personal data about individual library service users. The primary records are generally library membership forms, the data from which is used to create user records within the SWIMS library management system, and which may also be used within other library systems e.g. WinCHILL or Clio, lists or databases for current awareness alerts, library-managed door access systems, etc. This policy relates to the primary records and the 'derivative' records.

Guidance for other systems used by library and knowledge services is made available by the managers of those systems.

Context

The two most important reference documents for this policy are the **General Data Protection Regulation (2018)** [link to follow] and the [Records Management Code of Practice for Health and Social Care 2016](#) (Information Governance Alliance).

Background

Article 5 of the **General Data Protection Legislation** (2018) requires that personal data shall be:

- a) "processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures."

The [Information Commissioners Office](#) (ICO) provides further guidance

The **Records Management Code of Practice for Health and Social Care 2016** (Information Governance Alliance) is a guide to the required standards of practice in the management of records for those who work within or under contract to NHS organisations in England. It includes minimum retention schedules for different types of record, and notes that retention for longer may be justified due to ongoing administrative need.

Responsibilities of libraries

1. To abide by the relevant legislation when processing user data and to process user data in line with the relevant privacy policy. Note that the ultimate responsibility for management of user data at each location rests with the local library manager and their Trust data protection officer/corporate records manager. Should there be any discrepancy with local policy, the local policy should prevail.
2. To display a privacy policy notice on a suitable website.
3. To retain a record for each newly registered user that they consent to their data being held and used in accordance with the privacy policy.
4. To respond to subject access requests, i.e. any requests for what information is held, within one month of the request being made.
5. To ensure that all library staff are aware of the functionality the systems they use to be able to fulfill their obligations.

Responsibilities of system managers and hosts

1. To ensure that data security is maintained.
2. To monitor for changes to data protection legislation and create guidance accordingly.

The SWIMS system – a recommended procedure

Retention/deletion periods

The decision to recommend that the standard length of library membership is no more than **3 years** and that expired records are deleted a maximum of **2 years** after the expiry date, reflects a key objective for the shared, region-wide library service, and the characteristics of the healthcare workforce and typical usage patterns of healthcare libraries.

A key objective of the SWIMS library system is to enable staff and students working in the NHS in the South West, Thames Valley and Wessex to use whichever library is most convenient to them, and to retain library membership as they progress through their careers, and move/rotate between Trusts.

Whilst many healthcare staff are regular users of library services, some use them infrequently or only when studying, and there may be long gaps between contact. Not all library service users are borrowers of books, some may be self-service users of library-provided electronic resources and services. Whilst a proportion of workers change jobs and locations quite frequently, many have permanent contracts and work for many years in the same organisation.

From a service administration perspective, library services are required to provide workload statistics on an annual basis. Some may collect them on a monthly basis, but for some it is more cost-effective to collect and collate statistics annually.

A review of practice in other sectors reveals wide variations, from workplace libraries which retain records for the duration of employment contracts, to HE libraries which may retain records for 1 or 2 years ‘since last contact’, or delete records immediately at course end (on the basis that their organisation retains other basic information such as contract details for longer periods).

The periods proposed above for SWIMS enable library staff to adhere to data protection principles in a cost-effective way, whilst minimising the risk and inconvenience to users of deleting records too soon, or chasing them too frequently.

Procedure

Creating records

- a) Registration forms for library membership or other library services (whether online or paper), should only ask for personal details which are necessary for efficient delivery of library services.
- b) Registration forms should include a link to a freely available privacy policy notice. Suggested wording is below¹. Users should be asked to tick or sign to confirm that they understand this, as well as accept local terms and conditions. Only then may personal data be used to populate records in SWIMS or WinCHILL, or for other library purposes.

"I have read the privacy notice and agree to this data being held in accordance with the General Data Protection Regulation (2018) for use in local library systems and in a system shared by NHS libraries in the South West, Thames Valley and Wessex."

- c) Ensure that all user records created on SWIMS are given an expiry date. The only exceptions are records for libraries, librarians, systems administrators and for SSI configuration. The SWIMS Network agreed default library membership period is a maximum of 3 years (shorter periods will obviously be more appropriate where users are on fixed term contracts or placements). This is a SWIMS Network mandatory policy for SWIMS system users.
- d) Once records have been added to SWIMS, any paper or online form created in the process should be retained as a record. A process should be put in place to ensure that when SWIMS records are updated/deleted, the corresponding paper records are retrieved and similarly updated/deleted. The same applies to any derivative records used in other system e.g. WinCHILL.
- e) When engaging with users in person, be transparent about how their data will be used and how long it will be retained. Encourage them to tell the library when they leave the organisation or move to another or no longer require library membership.

TIPS:

- *For FAQs relating to the creation of user records see <http://www.swimsnetwork.nhs.uk/modules/circulation/user-records/>*
- *For implementation of default expiry dates see <http://www.swimsnetwork.nhs.uk/modules/circulation/user-records/#expiry>*

Maintaining accuracy

- a) Ensure that you have a routine in place to check regularly for expired users. This may be done monthly or at another regular interval, but must be done at least annually. See worked example on p4.
- b) The process should involve contacting expired users to find out if they would like to extend their membership, and if so, updating their records as appropriate – remembering that the default maximum renewal period is 3 years, and making any necessary changes to data in derivative records e.g. WinCHILL.
- c) When users move from one Trust/library to another:
 - If you are notified that the user is moving, expire their record but leave it for re-use.
 - The user should complete a membership form for the new library.
 - If a user who was previously registered elsewhere registers at your library, advise the original library so that if they have a paper registration form, they can destroy it.

GOOD PRACTICE:

- *When engaging with infrequent users, take the opportunity to check that their membership details are up-to-date.*
- *Engage with your HR department in order to keep informed of leavers.*

TIPS:

- *The OLIB Broadcast Email Alert can be used to contact users who have expired to invite them to extend their membership/update their details. More details about Broadcast Emails are available at <http://www.swimsnetwork.nhs.uk/system-general/alerting/>*
- *For the specifics on amending records and cards when users move Trusts, see <http://www.swimsnetwork.nhs.uk/modules/circulation/user-records/#movedtrust>*
This is a SWIMS Network mandatory policy for SWIMS system users.

Retaining no longer than necessary

- a) Ensure that you have a routine in place to delete regularly expired users after an appropriate period. The SWIMS Network recommended period is a maximum of **2 years** after the expiry date. If it is certain that a person will definitely not require future membership of SWIMS libraries owing to, for example, death, retirement, career change, moving out of the SWIMS area, etc, the record can be deleted sooner i.e. as soon as circulation statistics have been collected. The only records on SWIMS that have been expired for more than 2 years should be any with traps or bans because of books and/or fines owing.
- b) Before deleting records, ensure that all statistics have been collected and there are no bans, traps or outstanding loans/fines.
- c) Paper registration forms and any derivate records must be destroyed when the corresponding SWIMS records are destroyed.

TIP:

- *The procedure for dealing with long overdues and fines is available here: <http://www.swimsnetwork.nhs.uk/modules/circulation/overdues-fines-calendar/#defaulting>*

A worked example of periodic checking for expired records

The period is determined by the library service. It could be a month (i.e. the process is carried out monthly), a 3 month period (i.e. the process is carried out quarterly) or, at most, a year (i.e. the process is carried out annually).

1. Extract circulation statistics for the last period.
2. Carry out a SWIMS user search refined on location and expiry date to identify all user records which have expired in the last period.
3. Contact these users to check their requirement for ongoing membership, and update records as responses are received (remembering that the default maximum renewal is 3 years). Ensure that the policy for defaulters is followed.
4. Carry out a SWIMS user search filtered by location and expiry date to identify all user records which have expired within the last 2 years. Delete these and ensure any corresponding paper forms are shredded, apart from those relating to defaulters. This final point assumes that this procedure has been followed for 2 years.
5. Periodically also carry out a search for users who expired over 5 years ago and delete their user record and any copy records as per the FAQ on defaulters at <http://www.swimsnetwork.nhs.uk/modules/circulation/overdues-fines-calendar/#defaulting>

A note about OLIB and data security

The contract with the software supplier and hosting organisation OCLC for the supply of OLIB (SWIMS) includes details of the contractor's responsibilities around system and data security. This contract is available from the Knowledge Systems manager on request by staff at SWIMS Network full member libraries.

OCLC is registered on the data protection register as a data controller <https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>

Developed in 2009 by: members of the SWIMS Circulation Group, in consultation with library managers

Ratified by: SWIMS Network Board

Last reviewed: April 2018 - updated to incorporate the provisions of the General Data Protection Regulation

Next review date: April 2019