



## Types of Records

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee  
Municipal Technical Advisory Service  
1610 University Avenue  
Knoxville, TN 37921-6741  
865-974-0411 phone  
865-974-0423 fax  
[www.mtas.tennessee.edu](http://www.mtas.tennessee.edu)

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## Types of Records

**Reference Number:** MTAS-472

### ***What Kind of Record Is It?***

The first step in trying to decide what to do with records, is to identify and classify them. For disposition purposes, records will fall into one of three classes: working papers, temporary records and permanent records. The procedures for disposing of each of these classes are different.

## Working Papers

**Reference Number:** MTAS-473

Working papers are defined as “those records created to serve as input for final reporting documents, including electronic data processed records, and/or computer output microfilm, and those records which become obsolete immediately after agency use or publication.” <sup>[1]</sup> This class of records comprises all those little records that come and go in the course of a day that we usually don’t even consider “records.” Whether it is notes for a meeting or a rough draft of a report, if the record becomes obsolete after you use it, consider it a working paper. The good news about working papers is that they are easy to destroy. Any public record defined as a working paper may be destroyed without retaining the originals of the record and without further review by other agencies. City policies regarding working papers should be liberal and allow city officials to eliminate these records as easily as possible before they become burdensome. Many working papers generated by city offices are extremely informal types of records. Due to the informal nature of these documents, officials may not find anything in the retention schedules that describes them. Consider whether the record matches the definition above when trying to determine if it is a working paper.

<sup>[1]</sup> T.C.A. § 10-7-301.

## Temporary Records

**Reference Number:** MTAS-474

If a record must be kept for some reason after its initial use, then it is at least a temporary record. Temporary records are officially defined as “... material which can be disposed of in a short period of time as being without value in documenting the functions of an agency.” <sup>[1]</sup> Financial and payroll records are good examples. Payroll records have fulfilled their immediate purpose once your employees receive their checks. But those records must be kept in order to comply with federal statutes and regulations and are important documents in the case of an audit. <sup>[2]</sup> Once a temporary record has been retained for the period described in the schedule, then, like a working paper, it may be destroyed in accordance with the rules and regulations adopted by the city’s governing body or municipal public records commission. These rules should require approval of the city archivist (if there is one), city attorney, city recorder, city manager (if there is one), head of the department and mayor before the records are destroyed.

**Alternative Formats for Temporary Records** Generally speaking, if you are keeping a record for only five years or less, it is not cost efficient to microfilm the original paper records or convert them to other media. But certain records that are “temporary” actually have a rather lengthy retention period. Many court records must be kept 10 years, and employee earning records that may be used for computing retirement benefits are kept for the approximate life of the employee.

Even though these records do not have to be kept permanently, you may find it useful to convert them to other, more compact formats for storage and destroy the paper originals shortly after the alternative format is created. Microfilming or electronic storage of these long- term temporary records can be ideal solutions to storage space problems. The governing body or municipal public records commission should adopt a policy requiring approval prior to the destruction of original paper documents. It is not

necessary to notify Library and Archives of the destruction of original copies of records of temporary value.

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[1] T.C.A. §10-7-301

[2] See the following discussion entitled Special Consideration for more information about audit records.

## Permanent Records

**Reference Number:** MTAS-475

Permanent records are records of such value that they must always be retained in some kind of permanent format. Examples of permanent records are the original process in a civil or criminal proceeding and the minutes of the city's governing body. Some records, such as deeds, are kept permanently because the record continues to have legal significance in perpetuity. Other records are permanent because they preserve certain information about the way we live and conduct government and are, therefore, historically valuable. Still others are useful for statistical or planning purposes. Then there are those that are permanent simply because there are laws that have declared them to be so. All of these need to be kept in such a manner as to preserve them indefinitely.

### **Photographic or Electronic Preservation of Permanent Records**

The governing body of any municipality may by resolution authorize the disposal of any permanent paper record of the municipality when the record has been photocopied, photostated, filmed, microfilmed, preserved by microphotographic process, or reproduced onto computer or removable computer media, or any appropriate electronic medium, in accordance with § 10-7-121 [1]. T.C.A. § 10-7-702.

The Tennessee State Library and Archives does not accept records in electronic format.

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### **Links:**

[1] [https://1.next.westlaw.com/Link/Document/](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000039&cite=TNSTS10-7-121&originatingDoc=N370575E013C411)

[FullText?findType=L&pubNum=1000039&cite=TNSTS10-7-121&originatingDoc=N370575E013C411](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000039&cite=TNSTS10-7-121&originatingDoc=N370575E013C411)

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