



# C O M P R E F O R M

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## A C T I O N B U L L E T I N

### Bulletin No. 27

TO: Agency Human Resource Directors

FROM: Sara Redding Wilson, Director  
Department of Human Resource Management

DATE: August 24, 2001

SUBJECT: Performance Management Records

This bulletin addresses records access and retention issues regarding DHRM Policies 1.40, Performance Planning and Evaluation, and 1.45, Probationary Period.

The attached chart outlines access and retention requirements for specific performance-related forms. In response to questions regarding access to information and the retention of source documents, particularly related to upward feedback provided by employees regarding their supervisors' performance, we requested guidance from the Office of the Attorney General (OAG). The OAG has provided us with the following information regarding upward feedback information received from employees:

- Supervisors are entitled to see the source documents that individual employees provide.
- The agency may permit employees to provide upward feedback anonymously.
- The source documents become public records and may not be destroyed or discarded without a retention and disposition schedule approved by the Librarian of Virginia.
- The source documents constitute personnel records because they contain information concerning the evaluation of identifiable individual supervisors.
- The source documents need not be disclosed to the public.
- An agency may establish a policy forbidding general disclosure of the source documents under the Freedom of Information Act.
- The person who is the subject of the records can permit the agency to disclose them.
- The records are subject to subpoena in judicial proceedings.
- Agencies should inform employees of such possible disclosure of source documents.

Sample self-assessment and upward feedback forms are attached. You may use or modify these forms or create your own.

If you have any questions about this document, please contact DHRM policy staff at [policy@dhrm.state.va.us](mailto:policy@dhrm.state.va.us).

Attachments: Record Retention and Access Chart  
Sample Upward Feedback Form 1  
Sample Upward Feedback Form 2  
Sample Employee Self-Assessment Form 1  
Sample Employee Self-Assessment Form 2

Copy: Cabinet Secretaries  
Agency Heads