

RECORDS MANAGEMENT PLAN

Setting out proper arrangements for the
management of records under the
Public Records (Scotland) Act 2011

RECORDS MANAGEMENT PLAN	
Approved By	Corporate Leadership Team
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Owner	Rory Mackenzie Interim, Assessor & ERO
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RECORDS MANAGEMENT PLAN

1 INTRODUCTION

The Public Records (Scotland) Act 2011 ('the Act') came fully into force in January 2013. The Act requires Lothian Valuation Joint Board (LVJB) and other public authorities to prepare and implement a Records Management Plan (RMP). The RMP sets out proper arrangements for the management of records within the Board. The plan is to be agreed with the Keeper of the Records of Scotland ('the Keeper') and reviewed by LVJB after the first year and 2 yearly thereafter.

A copy of the Act can be viewed online at:

www.legislation.gov.uk/asp/2011/12/part/1/enacted.

More information about the Public Records (Scotland) Act 2011 can be found by visiting the National Records of Scotland website at:

www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011

In line with the Act, all records created in the carrying out of the Board's functions (whether directly or by third parties) are public records. Part 1, section 3.1 of the Act states that:

"public records", in relation to an authority, means—

- (a) records created by or on behalf of the authority in carrying out its functions,*
- (b) records created by or on behalf of a contractor in carrying out the authority's functions,*
- (c) records created by any other person that have come into the possession of the authority or a contractor in carrying out the authority's functions."*

Establishing effective records management arrangements helps to deliver a number of business benefits. For example:

- efficient and systematic control of the creation, storage, retrieval, maintenance, use and disposal of records
- faster, more accurate and reliable access to records
- compliance with legislative and regulatory requirements

2 DATA PROTECTION

The Data Protection Act 2018 provides the overall framework within which users of personal data can operate. It requires that anybody who processes personal information (ie obtains, holds, amends, discloses or destroys data) must follow data protection principles.

These principles are that information is:

- used fairly, lawfully and transparently
- used specified and lawful purpose
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary

- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

There is stronger legal protection for more sensitive information, such as:

- race
- ethnic background
- political opinions
- religious beliefs
- trade union membership
- genetics
- biometrics (where used for identification)
- health
- sex life or orientation

There are separate safeguards for personal data relating to criminal convictions and offences.

LVJB is committed to adherence to the data protection principles.

More information is available on the website of the UK Information Commissioner; www.ico.org.uk

3 RECORDS MANAGEMENT SYSTEMS

LVJB uses three main types of records management systems:

- Manual Filing Systems (where it is necessary to keep paper and other physical records).
- IT applications, SharePoint and databases that process records for specific functions (ie Valuation for the purposes of Non-Domestic Rating and Council Tax and associated systems and Electoral Registration).
- Storage of electronic documents on a shared drive.

All records management systems are subject to the records management policy, procedures, guidelines and elements of the RMP.

4 RECORDS MANAGEMENT PLAN

LVJB's RMP relates to records throughout their lifecycle, from creation and acquisition to archive and destruction. It encompasses all records across all our service areas.

LVJB's RMP sets out the overarching framework based on the 15 elements of the Keeper's published Model RMP.

The 15 Elements are:

- 1. Senior Management responsibility**
- 2. Records Manager responsibility**
- 3. Records Management policy statement**

4. **Business classification**
5. **Retention schedules**
6. **Destruction arrangements**
7. **Archiving and transfer arrangements**
8. **Information security**
9. **Data Protection**
10. **Business continuity and vital records**
11. **Audit trail**
12. **Competency framework for records management staff**
13. **Assessment and review**
14. **Shared information**
15. **Public records created or held by third parties**

LVJB intends to provide the Keeper with evidence of policies, procedures, guidance and operational activity on all elements of the RMP.

The RMP is effective from August 2015 and will be reviewed and updated, if required, by 31 August 2016 every two years thereafter.

5 ELEMENTS OF THE PLAN

Element 1: SENIOR MANAGEMENT RESPONSIBILITY

Identify a person at senior level who has overall strategic responsibility for records management.

Senior Management responsibility for records management within LVJB covered by the RMP lies with:

Responsible Officer

Assessor & Electoral Registration Officer for Lothian	Rory Mackenzie Interim Assessor & Electoral Registration Officer Lothian Valuation Joint Board 17A south Gyle Crescent EDINBURGH EH12 9FL
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To support the Assessor and Electoral Registration Officer the Corporate Leadership Team will be responsible for approving a corporate approach to the management of records as defined within this policy, promoting a culture of excellent recordkeeping principles and practices in order to improve business efficiency, supporting records management through commitment and the provision of resources and recognising the importance of preserving LVJB's corporate memory.

In addition the Heads of Service who are the key members of the Corporate Leadership Group are responsible for offering advice and guidance regarding records management to all staff within their service, highlighting any records management issues or concerns to the Chair of the Records Management Group and transferring any records of historical value to an archive for permanent preservation.

Senior Management Group/Heads of Service

Assistant Assessor	Ashlie Fraser Interim Assistant Assessor
Assistant Assessor	Ross Paterson Assistant Assessor
Head of Administration	Niall MacGalloway Head of Electoral Services
HR Manager	Hannah Carruthers HR Manager
Head of Governance	Bernie Callaghan Head of Governance
ICT Support Manager	Tomasz Schabowski ICT Support Manager

Evidence:

- Records Management Policy
- Records Retention and Disposal Policy
- Signed letter of Senior Management Responsibility

Element 2: OPERATIONAL RECORDS MANAGEMENT RESPONSIBILITY

Identify an individual within the organisation, answerable to senior management, to have operational responsibility for records management within the organisation.

The individual answerable to senior management and who has operational responsibility for records management within LVJB covered by the RMP is:

Head of Governance	Bernie Callaghan Lothian Valuation Joint Board 17a South Gyle Crescent Edinburgh EH 12 9FL
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Evidence:

- Signed letter of Senior Management Responsibility
- Records Management Retention & Disposal Policy
- Records Management Policy
- Job Description of Head of Governance - Named Records Manager

Future Developments

There are no planned future developments for Element 2, however if there were to be changes to the Senior Responsible Officer, this element would require review.

Element 3: RECORDS MANAGEMENT POLICY STATEMENT

A records management policy statement underpins effective management of an authority's records and information. It demonstrates to employees and stakeholders that managing records is important to the authority and serves as a mandate for the activities of the records manager.

The Records Management Policy has been rewritten to take into account the requirements of Public Records (Scotland) Act 2011. It is available on the Board's intranet and is publicly available on the Board's website.

LVJB's commitment to establishing and maintaining effective records management is set out in the Records Management Policy and includes the signed statement below from the Assessor and Electoral Registration Officer.

"It is the aim of Lothian Valuation Joint Board to achieve efficiency benefits through best practice applied to records management. This is intended to lead to improvements in the use of personnel and financial resources. Adherence to the records management policy will be robustly monitored to ensure compliance.

Best Practice in records management will ensure that all information:

- *Received or created is stored in the appropriate way and is easily retrievable*
- *Is retained, destroyed or preserved in accordance with the Board's Retention and Disposal Arrangements*
- *Meets our current needs and our requirements into the foreseeable future*
- *Is capable of enabling change when required*
- *Is easily accessible to users and that the skills and technology are available to achieve this aim*

The Public Records (Scotland) Act 2011 emphasises the importance placed on records management in local authorities. It is our aim to draft and implement an effective Records Management Plan in order to meet the requirements of the Act. The Plan will be reviewed at regular intervals to ensure its effectiveness."

LVJB also recognises the legal obligations to set out proper records management arrangements to ensure compliance with other legislation such as the Freedom of Information (Scotland) Act 2002, Data Protection Act 2018 and Local Government (Scotland) Act 1994.

The records of LVJB constitute an auditable account of the authority's activities, which provides evidence of the business, actions, decisions and resulting policies formed by the Board.

Records represent a vital asset, which support the daily functions of the Board and protect the interests and rights of staff, and members of the public, who have dealings with us.

An audit trail is created for electronic records and this can be readily accessed from screens within the relevant application. Records may also be interrogated by the Governance Team.

Evidence:

- Records Management Policy
- Information and Technology Management and Security Policy with Associated Appendices & Sub-Policies

Element 4: BUSINESS CLASSIFICATION

A full business classification scheme describes what business activities the authority undertakes– whether alone or in partnership.

LVJB has maintained a Retention and Disposal Schedule in accordance with the Freedom of Information (Scotland) Act 2002. This details the function; activities and transactions and forms the basis of our Business Classification Scheme

The Retention & Disposal Schedule covers all functions of LVJB and has been arranged into functions, activities and transactions and includes reference to the business areas currently responsible for delivering these functions.

The Retention & Disposal Schedule includes the following information:

Function	Describes the business functions, activities and processes that records support
Activity	Further defines the business, activity or process that records support
Transaction	(type of record / information/ record description)
Disposal Trigger	Defines the event that triggers the start of the retention period
Retention Period	Specifies the length of time records must be kept following the retention disposal event
Location	Location of paper and electronic records
Confidentiality	Access rights
Authority	Identifies the legal, regulatory or business reasons that records need to be created, received and kept (even if requirements are not explicitly stated)

Heads of Service have provided their assurance that the Scheme will be implemented throughout their Service.

ICT will work with the records management group to produce a directory structure for all file servers across LVJB based on the Scheme. Work is ongoing in relation to the development of relevant file naming conventions.

Guidance on the Scheme for managing paper and electronic records will be produced and circulated prior to the Scheme being implemented corporately.

Evidence:

- Retention and Disposal Schedule

Element 5: DOCUMENT RETENTION SCHEDULE

A document retention schedule is a list of records for which pre-determined disposal dates have been established.

The Records Management Policy outlines the need to detail the retention periods and subsequent disposition actions for all types of record through a retention schedule. The Retention Schedule is as an essential part of our overall Records Management Plan, ensuring that records are kept for no longer than is necessary and disposed of as appropriate.

A Retention and Disposal Schedule was developed in accordance with the Freedom of Information (Scotland) Act 2002 and forms a pre-existing structure for managing records within LVJB.

The purpose of a Retention & Disposal Schedule is to provide:-

- Consistent instructions on records retention and disposal for all staff who deal with records and will underpin our Records Management programme.
- Will assist in establishing the types of records we need to keep, how long records are required and what should be done with them at the end of that period.
- Is intended to cover all records, regardless of medium or format, which are created or received during the course of business.

The Schedule is continuously reviewed to ensure that the retention and disposal arrangements in respect of electronic records are clearly stated.

A Document & Data disposal module for our Civica EDM system is in place which is configured in accordance with retention schedule requirements for data held in this area.

We hold shared network data and information in a controlled environment within SharePoint. SharePoint enables collaboration, version and access control with the ability to manage information securely.

Evidence:

- Civica Document & Data Disposal Module
- Retention and Disposal Schedule
- Records Retention and Disposal Policy

Element 6: DESTRUCTION ARRANGEMENTS

It is not always cost-effective or practical for an authority to securely destroy records in-house. Many authorities engage a contractor to destroy records and ensure the process is supervised and documented.

Guidance has been produced on destruction arrangements for LVJB records which have reached the end of their retention period and have been identified as suitable for destruction in accordance with the Retention Schedule.

The destruction arrangements have been developed in line with LVJB's Records Management Policy. Unless there are any special instructions or unique circumstances, records generally will be destroyed at the end of their retention period. Retaining any record past the mandatory retention period should be on an exception-only basis, weighing a record's potential usefulness against cost and any space limitations.

In respect of confidential paper waste, PHS Data Shredding provides LVJB with an off-site shredding facility. Confidential paper waste is deposited and retained in sealable refuse sacks pending disposal or pre-shredded in a commercial shredder and similarly stored pending uplift for disposal. A certificate of destruction is provided by PHS Data Shredding

In addition LVJB have uses on site a paper shredder which ensures that paper records are destroyed to European security standards (2*15mm particles)

All digital media and ICT equipment is disposed of in accordance with the Retention Schedule and the Information and Technology Management and Security Policy.

All members of our organisation receive annual security awareness training and complete "test your knowledge assessment" to confirm that they understand the requirements therein.

Evidence:

- Information and Technology Management and Security Policy
- PHS Datashred Sample Certificate of Destruction
- Retention and Disposal Schedule

Element 7: ARCHIVING AND TRANSFER ARRANGEMENTS

This is the mechanism by which an authority transfers records of enduring value to an appropriate archive repository, specifying the timing of transfers and other terms and conditions.

Limited types of documents are transferred to archive.

Architect plans for dwellings once scanned for electronic retention are uplifted by the Archivist for retention because of their historical merit and interest. The plans are not deemed sensitive or confidential and but for space requirements would normally be retained by the organisation for the life of the property plus 5 years.

Copies of the valuation roll and council tax list are provided on publication to the archivist because of historical merit and interest. The valuation roll and council tax list is also available on-line at www.saa.gov.uk. The rolls and lists are not deemed sensitive or confidential and are also retained indefinitely within the organisation for reference purposes and for public interest.

The electoral register is provided to specific organisations as determined by statute. Statute also determines the method and means of transfer of files. The electoral register is also maintained within the organisation and is open for public viewing during office hours.

Evidence:

- Retention and Disposal Schedule

Element 8: INFORMATION SECURITY

Information security is the process by which an authority protects its records and ensures they remain available. It also maintains privacy where appropriate and provides for the integrity of the records.

LVJB has produced an Information Technology Management and Security Policy which details the security framework in place for records which fulfils the security commitments outlined in the Records Management Policy.

Securing information assets, and in particular records, will help to fulfil legislative responsibilities, safeguard LVJB's reputation, ensure business continuity, optimise the management of risk and minimise the impact of security incidents.

As a key information asset, the security of all records will be managed in accordance with LVJB's existing approved Information Security Policy and Standards.

Every individual with access to records is responsible for ensuring their protection.

All staff have received information security awareness training and will be reminded of the importance of security annually. Additionally, all relevant staff have been vetted to a basic level by Disclosure Scotland.

Procedures and processes are in place to deal with threats, risks and breaches of security.

Evidence:

- Data Protection Policy
- Information and Technology Management and Security Policy

Element 9: DATA PROTECTION

An authority that handles personal information on individuals has a number of legal obligations to protect that information under the Data Protection Act 2018.

LVJB relies on the information that it collects and holds to fulfil its aims, objectives, and obligations with reference to “performing its public functions”. Information relating directly to individuals (personal data) is an essential asset which must be properly managed in order to deliver efficient and effective services, ensure legal compliance, and to protect the Board’s reputation and image as a responsible organisation.

The Data Protection Act 2018 places obligations on organisations that use personal information and gives individuals certain rights. The Act states that those who record and use personal information must be open about how the information is used.

LVJB fully endorses and adheres to the Principles of Data Protection as detailed in the Act and has an approved Data Protection Policy in place to ensure that all personal data processing, carried out on its behalf (either in-house, by contractors, by system suppliers or partner organisations) complies with data protection principles and key legislative requirements.

As a Data Controller, LVJB is registered as such with the Information Commissioner’s Office (ICO). The Board’s Registration can be viewed on the ICO website, www.ico.gov.uk. The Registration number for the Electoral Registration Service is: **Z5952581** and for the Valuation Services is: **Z5952686**

Evidence:

- Data Protection Policy

Element 10: BUSINESS CONTINUITY AND VITAL RECORDS

A business continuity and vital records plan serves as the main resource for the preparation for, response to, and recovery from, an emergency that might affect any number of crucial functions in an authority.

A Business Continuity Plan (BCP) is in place in the event of any disaster. Reference to records management arrangements, in particular vital records, is included in the plan. The internal Records Management Group shall help to identify vital records in the Retention Schedule which are essential to the continuation of the service should there be a disaster. Thereafter suitable arrangements will be put in place to ensure access to such records in an emergency.

To ensure the organisation can continue to operate in the event of a disaster a programme of digitising all records is underway.

The Governance & Corporate Leadership Team reviews the BCP annually and keeps such matters under review.

Evidence:

- Records Management Policy
- Business Continuity Plan
- Retention and Disposal Schedule

Element 11: AUDIT TRAIL

An audit trail is a sequence of steps documenting the movement and/or editing of a record resulting from activities by individuals, systems or other entities.

An internal audit section carries out random checking of all key activities within the organisation and reports to senior staff monthly at Corporate Leadership Team meetings. Findings from the audits are put to the managers and recommended solutions put forward, discussed and implemented.

At present, electronic systems within the authority are able to provide audit trails for electronic records. Audit trails for paper records may be less obvious. The organisation continues to capture as many records electronically thereby improving the audit trail of as many records as possible.

The ongoing scanning of Council Tax paper files has been in place for 5 years and is expected to take another 5 years to fully capture. Changes to Council Tax Banding are all carried out electronically and are therefore fully auditable.

The ongoing capture of information for non-domestic properties has been in progress for many years, although electronic information held increases steadily paper files continue to be in regular use. Changes to Non-Domestic Rateable Values are all carried out electronically and are therefore fully auditable.

The ongoing scanning and electronic capture of Electoral Registration forms and applications has been in place for many years and is now a fully integrated system with paper files held for very short periods of time. All electoral records are fully auditable.

We are currently migrating shared network data and information into a controlled environment within SharePoint. SharePoint enables collaboration, version and access control with the ability to manage information securely.

Evidence:

- Records Management Disposal Policy

Element 12: COMPETENCY FRAMEWORK FOR RECORDS MANAGEMENT STAFF

A competency framework lists the core competencies and the key knowledge and skills required by a records manager. It can be used as a basis for developing job specifications, identifying training needs, and assessing performance.

The Records Management Policy provides an overview of the importance of records management and details the roles and responsibilities to improve staff understanding and knowledge.

All staff within LVJB must complete annual online training in Security Awareness and Data Protection.

Currently there is no approved framework in place which details competencies required by staff with responsibility for the records management function. The Records Management Plan identifies the key groups of staff that have specific functions to effectively support the business, meet corporate goals, implement best practice, ensure the organisation is accountable and comply with legislation including requirements of the Public Records (Scotland) Act 2011.

Evidence:

- Records Management Plan
- Records Management Policy

Element 13: ASSESSMENT AND REVIEW

Regular assessment and review of records management systems will give an authority a clear statement of the extent that its records management practices conform to the Records Management Plan as submitted and agreed by the Keeper.

The Records Management Plan, Information Management Strategy and Records Management Policy will be subject to the Board's governance, monitoring and review process. The RMP will be reviewed on an ongoing basis.

Governance over the RMP is set out in the table below.

Group	Governance/Scrutiny Role
Records Management Group	Developing and implementing policies and procedures relating to the plan and monitoring/reporting progress. Reviewing and implementing policies, procedures and standards. Monitoring projects relating to this plan.
Corporate Leadership Team	Approval of the plan and associated strategies and policies.
Governance Team	Scrutinise and review the plan and supporting strategies, policies and progress.

At present regular records management meetings are convened to monitor, self-audit and report on performance on an ongoing basis. The continued development and improvement of records management practice will be implemented through the records management group meetings.

Evidence:

- Records Management Policy

Element 14: SHARED INFORMATION

Under certain conditions, information given in confidence may be shared. Most commonly this relates to personal information, but it can also happen with confidential corporate records.

In limited circumstances LVJB information is shared with a third party. Alternatively LVJB will receive confidential information from partner organisations. In each case appropriate data sharing agreements are entered into to ensure appropriate handling, security, confidentiality and disposal of the information.

Evidence:

- Information and Technology Management and Security Policy

Element 15: PUBLIC RECORDS CREATED OR HELD BY THIRD PARTIES

Adequate arrangements must be in place for the management of records created and held by third parties who carry out any functions of the authority.

Section 3 of the Act describes the meaning of ‘public records’ for the purposes of the Act. It says that public records in relation to a named authority means records created by or on behalf of the authority in carrying out its functions. This is extended to records created by or on behalf of a contractor carrying out the authority’s functions and includes records that have come into the possession of the authority or contractor in carrying out the authority’s functions. Records created or held by a third party contractor that are not done so in relation to that contractor carrying out the function of the public authority are not public records under the Act.

An authority’s plan must include reference as to what public records are being created and held by a third party carrying out a function of the authority and how these are being managed to the satisfaction of the authority. This does not mean the authority must impose its own arrangements on the third party.

Authorities should take a risk-based approach to the arrangements it puts in place with third parties to ensure that these are relevant and proportionate to the public records that fall within the scope of each contract type. Records management requirements, and evidence of assurance that prospective contractors will be able to meet these, should be included in the procurement exercise.

6 CONTRACTS

Prospective tenderers should note that as a Scottish Public Authority, LVJB is bound by the provisions of the Public Contracts (Scotland) Regulations 2012.

In terms of the Public Records (Scotland) Act 2011 all public records managed by the Authority must be managed in accordance with the Records Management Plan (RMP), which are required to be approved by the Keeper of the Records of Scotland.

It should however be noted that the PRSA only applies to third parties when they are carrying out the work of an authority, normally for reasons of cost or expertise. It does not apply when an authority contracts out a service – such as IT provision – nor when LVJB supply information to a third party to allow them to carry out their functions.

7 LIST OF SUPPORTING EVIDENCE

Specific to the 15 Elements of the Plan

Appendix A	Records Management Policy
Appendix B	Retention and Disposal Schedule
Appendix C	Records Retention and Disposal Policy
Appendix D	Data Protection Policy
Appendix E	Information and Technology Management and Security Policy
Appendix F	PHS Certificate of Destruction
Appendix G	Signed letter of Senior Authority
Appendix H	Civica Document & Data Disposal Module
Appendix I	Business Continuity Plan