

***Information Governance and Management
Framework***

Records Management Policy

Version 1.0

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INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER

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DOCUMENT CONTROL

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1 INTRODUCTION

Records management is the adoption of procedures and systems that allow the most efficient control of the information resources of the Council. Records management ensures that records are kept only as long as they are needed for commercial, legislative or administrative purposes; that records of historical importance are identified; and that records are stored in the most cost-effective way.

The Council has a statutory requirement to “make proper provision for the preservation and management”¹ of its records; to be publicly accountable for and able to justify its decisions and actions; and to enable compliance with the requirements of the Public Records (Scotland) Act, 2011;² the Data Protection Act 1998, the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

A record can be defined as recorded information (irrespective of medium or format) which is created, received or maintained by an organisation or individual in pursuance of its legal obligations or in the transaction of its business. Records are a means of providing evidence of activities which support the business and operating decisions of the Council.

2 OVERVIEW AND PURPOSE

Inverclyde Council recognises that having up to date and relevant information is essential to effective decision making and quality customer service. As an important public asset, records require careful management and accordingly the management of records has to be considered within the context of the Council’s overall Information Governance and Management Framework.

Records management is a service function responsible for the systematic and comprehensive control of the creation, capture, maintenance, filing, use and disposal of records.

Good records management is essential to ensure that the Council can comply with its legislative responsibilities and can act as a driver for business efficiency. Effective management of records and

¹ The Local Government etc. (Scotland) Act, 1994, secs. 53 & 54

² See the National Archives of Scotland’s advice on records management at <http://www.nrscotland.gov.uk/record-keeping>

information brings the following benefits. It:

- Increases efficiency by enabling better use of resources;
- Improves openness and accountability;
- Helps achieve and demonstrate compliance with legislative and regulatory requirements;
- Enables the protection of the rights and interests of the Council, its employees and citizens;
- Supports joint working with partners and the exchange of information across the Council;
- Provides institutional memory.

Poor records management create risks for the Council, such as:

- Poor decisions based on inaccurate or incomplete information;
- Inconsistent or poor levels of service;
- Financial or legal loss if information required as evidence is not available or cannot be relied upon;
- Non-compliance with statutory or other regulatory requirements;
- Failure to handle confidential information with an appropriate level of security and the possibility of unauthorised access or disposal taking place;
- Failure to adequately locate information that is vital to the continued functioning of the Council, leading to inadequate business continuity planning;
- Unnecessary costs caused by storing records and other information for longer than they are needed;
- Staff time wasted searching for records;
- Staff time wasted considering issues that have previously been addressed and resolved;
- Loss of reputation as a result of all of the above, with damaging effects on public trust.

3 THE POLICY

This policy covers the management of all records of the Council regardless of medium or format, including electronic records and it is applicable to all employees of the Council as well as Elected Members, volunteers, consultants and partner organisations.

The purpose of this policy is to define a framework, for the management of records across the Council, which meets the requirements of relevant legislation, codes of practice and policies, and acts as a driver for business efficiency.

Subject to Clause 6, records shared with other organisations, received from any third parties or held on behalf of the Council by other organisations should be managed in accordance with this Council policy. The Council will manage this through the terms of conditions in contracts to ensure compliance with the obligations in this policy.

The full policy framework for Records Management within the Council is:

- **The Records Management Policy** which sets out the Council's commitment to managing records and high level objectives and responsibilities within the Council for managing records.
- **The Policy for The Retention and Disposal of Documents and Records Paper and Electronic** which outlines the minimum retention periods for all records within the Council, and a tool to assist in determining whether a record should be archived or securely destroyed once the record is no longer in active use. It is the responsibility of the Directorates to inform their Records Management Contact of any records which are not covered on the schedule.
- **Records Management Manual** which provides more detailed guidance on how to implement best practice with regard to records management and meet the Record Management Standard.

Records Management at the Council will achieve the following objectives:

- Records necessary for business, regulatory, legislative and administrative purposes will be identified and retained
- Records will be managed in a cost effective manner that ensures value for money for the Council
- Records will be captured into systems, manual or electronic, which enable them to be stored, retrieved and destroyed as necessary
- Records potentially required as evidence in a legislative or regulatory process will be subject to controls to ensure that their evidential value can be demonstrated, if required
- Business continuity plans will identify and safeguard vital records of the Council and make provision for records and records management processes which are essential to the continued function and protection of the Council in the event of a disaster
- Records will be stored in an appropriate, safe and secure physical or electronic environment which protects against accidental loss or destruction
- Inactive records, which cannot be held in a safe and secure format, will be transferred to the council's record storage facility once it has been upgraded. .
- Access to records will be controlled and monitored in accordance with the nature and sensitivity of the records and with regard to relevant legislation'
- Records will be accessible to staff who are authorised to use them
- Records will be arranged and described in a manner which facilitates fast, accurate and comprehensive retrieval

- Provision will be made for the preservation of records to ensure they are complete, available and usable for as long as they are required
- Time expired records will be destroyed consistently in accordance with The Policy for The Retention and Disposal of Documents and Records Paper and Electronic
- Records will be destroyed in a secure manner as is necessary for the level of confidentiality
- Records of historical and administrative importance will be identified as archives and transferred to the Archives section for permanent retention.
- Records will be shared/processed in accordance with relevant laws and policies
- Records will be classified
- Records will be kept accurate and up to date
- Records will be kept safe at all times including when they are taken off site

4 RECORDS MANAGEMENT STANDARDS AND RESPONSIBILITIES

Corporate

The Council has a corporate responsibility for maintaining its records and record-keeping systems.

Representatives selected by the Information Governance Steering Group act as Records Management contacts and are responsible for providing updates on records management progress to the Information Governance Steering Group.

The Records Management Working Group is responsible for the delivery of a records management service to the Council including:

- Definition of corporate records management policy and standards.
- Assessment and review of the Council's Records Management Plan.
- Development and review of retention schedules.
- Provision of records management advice and best practice guidelines.

Individuals

Council employees, including Elected Members, contractors, consultants and volunteers employed to undertake Council business, have a responsibility to document actions and decisions by creating and filing appropriate records and subsequently to maintain and dispose of records in accordance with the Council's records management procedures.

The Records Management Policy will be available to all staff.

Corporate Directors and Heads of Service will be responsible for ensuring the existence and operation of appropriate records management systems and their use. This includes ensuring that all line managers know their responsibilities and those procedures which comply with corporate policy and standards are in place.

All staff will be aware of their responsibilities for the management of records.

Line managers will have responsibility for ensuring staff have the knowledge and skills required to fulfil their records management responsibilities

Agreements and contracts relating to service provision on behalf of Inverclyde Council and/or where the Council is working in partnership will clearly define and document responsibilities for the management of records.

Records Management Systems

Records management requirements will be considered in the design and upgrade of all systems which are used to create and store records.

The email system should not be used to store records. All emails with value as records should be transferred to shared drives or alternative electronic record keeping systems e.g. EDRMS

Records Creation

Records that are needed for business, legal, regulatory and accountability purposes will be identified, created and retained.

Records will be complete and accurate and created at the time of the transaction to which they relate or as soon as possible afterwards.

Information contained within records must accurately reflect the action, communication or decision being recorded.

Records Capture

Records will be captured into systems that enable records to be stored and retrieved as necessary.

Records will be captured into shared recordkeeping systems, rather than personal filing systems.

Arrangement and description

Sufficient information will be created and linked to the record to enable the record to be interpreted, retrieved and managed.

Storage and Maintenance

Physical records will be kept in clean, dry and secure storage environments which minimise loss of loss or damage.

Strategies will be developed which ensure electronic records will remain easily accessible, readable, usable and reliable for as long as they are required.

Vital records and measures for their protection will be considered as part of business continuity planning in conjunction with Civil Contingencies Service.

Records containing personal information must comply with the Data Protection Act 1998.

Records, particularly those that contain personal, confidential and sensitive information, will be securely maintained to prevent unauthorised access, destruction, alteration or removal.

It will be possible for any member of staff authorised to access the record to retrieve them within an acceptable time frame.

It will be possible to track the location of a record and where required an audit trail will be available to log activities.

Where staff are working from home or away from the office, permission from their line manager must be secured prior to taking Council records offsite. They must ensure an appropriate level of security for any Council records which comes into their knowledge, possession or control through their employment with the Council. Further guidance can be found under Remote and Home Working in the [Acceptable Use of Information Systems Policy](#).

Retention & Disposal

Records will be retained in line with periods stipulated in The Policy for the Retention and Disposal of Documents and Records Paper and Electronic.

Destruction of records will be carried out in a manner consistent with the security classification and sensitivity of the information content.

Records identified as having historical significance as archives will be transferred to the Council's Archivist.

5 PERMANENT PRESERVATION (ARCHIVING)

Services will be responsible for the management of records no longer required for business purposes, which have been identified as being of historical significance. All services are required to nominate a departmental officer or officers to supervise this process, but the final decision on which records should be preserved, where legislation does not apply, will lie with the Council's Archivist.

6 PARTNERSHIP WORKING

Where records are created as a result of partnership working there needs to be clearly defined responsibilities between Inverclyde and the partner organisation for the creation and management of records.

Where the Council is the lead partner:

- The Council's records management policy will be applicable;
- The Council will be responsible for the custody and ownership of the records;
- The Council's records management procedures including retention policy will be followed.

Where another organisation is the lead partner:

- The records management policy and procedures of the lead organisation are applicable;
- The lead partner organisation will be responsible for custody and ownership of records. This should be included within the Minute of Agreement and the Information Sharing Agreement with the partner.
- The Council should identify and retain records relating to its role in partnership required for its own business purposes. They should be retained in line with the Council's records management policy.

Where there is no identified lead partner the Council should ensure that provisions are made for one of the partners to assume responsibility for the management of the records. The partner assuming responsibility for

the management of the records should be included within the Minute of Agreement and the Information Sharing Agreement with the partner.

7 COMMISSIONED SERVICES AND SUPPLIERS

Where services have been commissioned from external suppliers; the contractor shall co-operate with and assist the Council to meet its obligations in relations to records management under the Public Records (Scotland) Act 2011 together with any guidance issued thereon, and will, where requested and notified by the Council, comply with this Policy.

Appropriate clauses are contained within the Council's Standard Terms and Conditions of Purchase. At the very least, these Terms should be incorporated into any contract with any such external party including suppliers and consultants.

8 PROJECT RECORDS

Where records; such as project records, are created as a result of an activity of a temporary nature the senior manager with responsibility for the activity, usually the project sponsor or project manager or equivalent, is responsible for;

- Ensuring appropriate records are created and managed in accordance with the records management policy;
- Ensuring there are appropriate resources assigned to fulfil the responsibility for managing records;
- Ensuring ownership for the records transfer to Inverclyde Council once the activity has ended.

9 RELATED DOCUMENTS

Regulatory Environment

- Public Records (Scotland) Act 2011
- Local Government (Scotland) Act 1994, section 53 & 54
- Freedom of Information (Scotland) Act 2002
- Environmental Information Regulations (Scotland) Act 2004
- Data Protection Act 1998
- The National Archives Records Management Code
- Privacy and Electronic Communications (EC Directive) Regulations 2003

Related Council Policies and Codes of Practice

- [Policy for the Retention and Disposal of Documents and Records paper and Electronic](#)
- [Data Protection Policy](#)
- [Acceptable Use of Information Systems Policy](#)
- [Data Protection Breach Management Protocol](#)
- [Information Classification Policy](#)

Key Codes of Practice which affect the general management of the Council's records

- Code of Practice on Records Management by Scottish Public Authorities under the the Freedom of Information (Scotland) Act 2002 (section 61)

Examples of British and International Standards related to Records Management

- ISO15489 standard on best practice in records management;
- ISO 176699 standard on information security management;
- BS 1008:2008 (addresses issues around evidential weight and the legal admissibility of electronic information);
- DIS PD 0010:1997 – The principles of good practice for information management.

10 PERFORMANCE MANAGEMENT

Performance with regard to the management of records will be monitored by Audit.

11 IMPLEMENTATION OF THE POLICY

The Records Management Working Group will work with service representatives to establish a programme of work and priorities for records management and devise an action plan.

Compliance with the Records Management Policy and procedures will be built into the Head of Service self-assessment for the Annual Governance Statement. Failure to comply will be reported to the Information Governance Steering Group.

The approved document will be put on the Council's policies, standards, guidance and procedures repository, and made available via ICON.

12 REVIEW OF THE POLICY

This Records Management policy will be reviewed at regular intervals (initially after twelve months, and subsequently at least once every two years) and, if appropriate, it will then be amended to maintain its relevance. Further reviews will be instigated to reflect changes in legislation or standards.