National Records of Scotland

Public Records (Scotland) Act 2011

Highland Council
Highland Licensing Board

The Keeper of the Records of Scotland

2nd May 2024

Contents

1. Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 (the Act) received Royal assent on 20 April 2011. It is the first new public records legislation in Scotland since 1937 and came fully into force on 1 January 2013. Its primary aim is to promote efficient and accountable record keeping by named Scottish public authorities.

The Act has its origins in *The Historical Abuse Systemic Review: Residential Schools and Children's Homes in Scotland 1950-1995* (The Shaw Report) published in 2007. The Shaw Report recorded how its investigations were hampered by poor record keeping and found that thousands of records had been created, but were then lost due to an inadequate legislative framework and poor records management. Crucially, it demonstrated how former residents of children's homes were denied access to information about their formative years. The Shaw Report demonstrated that management of records in all formats (paper and electronic) is not just a bureaucratic process, but central to good governance and should not be ignored. A follow-up review of public records legislation by the Keeper of the Records of Scotland (the Keeper) found further evidence of poor records management across the public sector. This resulted in the passage of the Act by the Scottish Parliament in March 2011.

The Act requires a named authority to prepare and implement a records management plan (RMP) which must set out proper arrangements for the management of its records. A plan must clearly describe the way the authority cares for the records that it creates, in any format, whilst carrying out its business activities. The RMP must be agreed with the Keeper and regularly reviewed.

2. Executive Summary

This report sets out the findings of the Keeper's assessment of the RMP of Highland Council and Highland Licensing Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 27th January 2023*.*

The assessment considered whether the RMP of Highland Council and Highland Licensing Board was developed with proper regard to the 15 elements of the Keeper's statutory Model Records Management Plan (the Model Plan) under section 8(3) of the Act, and whether in this respect it complies with it and the specific requirements of the Act.

The outcome of the assessment and the Keeper's decision on whether the RMP of Highland Council and Highland Licensing Board complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

Highland Council

Highland Council is the local government authority for the Scottish Highlands. The first elections to the Highland Council were in 1995, when the unitary council was created under the Local Government etc. (Scotland) Act 1994. The new council was created to replace a regional council and eight district councils, which had been created under the Local Government (Scotland) Act 1973, and were abolished in 1996. The Council is made up of 74 elected councillors who are responsible for agreeing policies about provision of services and how money is spent.

The councillors are supported by a administrative team of public servants. It is the records management provision in this administration that is the subject of this assessment.

The Highland Council Homepage

Highland Licensing Board

The remit of the Highland Licensing Board (HLB) is to consider applications in relation to Liquor licensing under the Licensing (Scotland) Act 2005 and Gambling under the Gambling Act 2005. They also manage applications for licences for other commercial and social purposes.

[Licences, permits and permissions | The Highland Council](#)

4. Keeper's Assessment Process

The RMP was assessed by the Public Records (Scotland) Act Assessment Team on behalf of the Keeper. Assessors used the checklist elements listed in section 5, to establish whether Highland Council and Highland Licensing Board's RMP was developed with proper regard to the elements of the Model Plan and is compliant with the Act. The assessment also considered whether there was sufficient supporting evidence of such compliance.

Key:

G	The Keeper agrees this element of an authority's plan.		A	The Keeper agrees this element of an authority's plan as an 'improvement model'. This means that he is convinced of the authority's commitment to closing a gap in provision. He will request that he is updated as work on this element progresses.		R	There is a serious gap in provision for this element with no clear explanation of how this will be addressed. The Keeper may choose to return the RMP on this basis.

5. Model Plan Elements: Checklist

Element	Present	Evidence	Notes
1. Senior Officer	G	G	The Public Records (Scotland) Act 2011 (the Act) requires that an individual senior staff member is identified as holding corporate responsibility for records management in a public authority. Highland Council have identified Paul Nevin, Executive Chief Officer Performance and Governance, as the individual with overall responsibility for records management in the organisation. The identification of the Executive Chief Officer Performance and Governance to this role is supported by a *Covering Letter* from Ms Lackie dated January 2023 and by the *Records Management Policy*, for example section 6. The Executive Chief Officer Performance and Governance is the Council's Senior Information Risk Owner (SIRO). The Executive Chief Officer Performance and Governance is currently the Council's Deputy Chief Executive. The Executive Chief Officer Performance and Governance chairs the Information Governance Board (see Key Group under General Comments below). The Executive Chief Officer Performance and Governance approved the Information and *Data Strategy*, the *Information Management Policy* and the *Records*

			Management Policy (see element 3). They also approved the *Records Retention & Disposal Policy* (see element 5), The *Information Security & Assurance Policy* (see element 8) and the *Data Protection Policy* (see element 9). It is clear, from the above approvals, that the Executive Chief Officer Performance and Governance is closely aware of the records management provision in the Council. Highland Licensing Board, a separate public authority under the Act, have identified Claire McArthur, Clerk to Highland Licensing Board as having overall responsibility for records management for the Board. This is confirmed by a *Covering Letter* from Ms McArthur dated January 2023. The Keeper acknowledges that the records management provision for the public records of the Licensing Board is undertaken by the Council. The Keeper agrees that Highland Council and Highland Licensing Board have identified appropriate individuals to this role as required by the Public Records (Scotland) Act 2011 (the Act).
2. Records Manager	**G**	**G**	The Act requires that each authority identifies an individual staff member as holding operational responsibility for records management and that this staff member has appropriate corporate responsibility, access to resources and skills. The Council has an Information Governance Manager who monitors the records management provision from the point of view of the Council. However, the day-to-day responsibility for operating records management and for implementing the *RMP* has been delegated to Trevor Nicol, Records Manager who is an employee of the arm's-length external organisation (ALEO) High Life Highland. The outsourcing of the records management service to High Life Highland is confirmed by the Council's *Information and Data Strategy* at section 5 (see element 3) and by the *Records*

Management Policy section 7 (also see element 3).

There is no requirement under the Act for the individual identified as having day-to-day responsibility for implementing the *RMP* to be a direct employee of the authority. Therefore, the Keeper is content with this arrangement. Furthermore, the Keeper's PRSA assessment team have engaged regularly with Mr Nicol over several years and are confident that he is fully involved with all matters relating to records management in the Council and Licensing Board.

The *Records Management Policy* requires the Records Manager provide "advice on records management, the management of the Council's Corporate Records Stores (including both paper records stores and the corporate electronic records store) and maintain the Council's Corporate Retention Schedules." (*Records Management Policy* section 7.4)

Mr Nicol is the author of v2.0 of the *RMP*

The Keeper has been provided with the *Job Description* of the High Life Highland records manager and agrees that the objectives explained in that description are appropriate for the individual identified under this element of a *RMP* including to "Develop and maintain a Records Management Plan which is compliant with the Public Records (Scotland) Act 2011."

The Keeper notes that one of the Records Manager's responsibilities is "To develop and disseminate good practice in Records Management across the Council and HLH by the provision of guidance and training for staff at all levels in all services." (see element 12).

The Keeper has also been provided with the *Highland Council and High Life Highland Service Delivery Contract* which confirms the arrangement (for example at

			appendix 2) Any changes to the retention period on a record type (see element 5) must be must be brought to the attention of the Records Manager who also provides retention advice for new record types (*Records Retention & Disposal Policy* sections 5.5 and 5.6). The Keeper agrees that Highland Council and Highland Licensing Board have identified an appropriate individual to this role as required by the Act.
3. Policy	**G**	**G**	The Act requires an authority to have an appropriate policy statement on records management. Highland Council have an over-arching *Information and Data Strategy* (approved in September 2022) which has been provided to the Keeper. The *Strategy* includes sections of the benefits and risks around records management (sections 2.1 and 2.2). The *Information and Data Strategy* mentions compliance with the Public Records (Scotland) Act 2011. The Strategy is supported by an *Information Management Policy* and a separate *Records Management Policy* which have also been provided (*Information Management Policy* version 4.0 October 2022, *Records Management Policy* version 4.1 December 2022). These are, in turn, supported by a framework of other formal Council policies relating to specific information governance issues such as security, data protection and disposal. These documents make up what the Council refers to as its 'Information Governance Policy Framework'. The Keeper agrees that all the documents in this framework support the general *Information and Data Strategy*.

			The 'information management framework' is explained in more detail under the relevant elements below which will also indicate how the development of compliance with these elements has been informed by the overarching strategy and information and records management policies. The Information Governance Board (see Key Group under General Comments below), chaired by the Executive Chief Officer Performance and Governance (see element 1), is responsible for monitoring delivery of the *Information and Data Strategy* and to oversee the implementation of this across the Council. The *Records Management Policy* mentions the Public Records (Scotland) Act. Much of the *RMP* indicates the availability of policy and guidance documents on the Council's staff intranet. As this is the case, the Keeper acknowledges that she has been provided with a screen-shot from the intranet showing that staff can access information governance information as stated. The Keeper has also been provided with a copy of the minutes of the Council's Corporate Resources Committee showing approval of the principle information governance policy suite. The Keeper agrees that robust records management, as pursued in the *RMP*, supports the objectives of the *Strategy* and the *Information* and *Records Management* policies. The Keeper agrees that Highland Council and Highland Licensing Board has a formal records management policy statement as required by the Act.
4. Business Classification	**A**	**G**	The Keeper of the Records of Scotland (the Keeper) expects that the public records of an authority are known and are identified within a structure.

In their *Records Management Policy* (see element 3), the Council explain that one of the 'Principles of Good Records Management' is that, "in order to ensure authenticity, records must be captured into a formal record keeping system which fits within the Corporate File Plan (filing structure) and includes the necessary metadata" (*Records Management Policy* section 5.2 - also supported by section 5.4)

Identification of the public records of the authority

The Council's *Information and Data Strategy* (see element 3) explains the 'strategic principle' that managing information assets involves understanding why information is held, what information is held, where information is held, what is added and removed, how information is moved, and who has access and why. It is important that information assets are properly managed so we can understand and address risks to the information and data, and ensure that information is only used within the law for the public good." (*Information and Data Strategy* section 4.1)

Knowing what records are being managed by the Council is key to this strategy objective.

With this in mind the Council have a *Business Classification Scheme* which has been provided to the Keeper (version 4 2021). This is based on the model developed by the Scottish Council on Archives, which the Keeper has previously endorsed as being suitable by use by Scottish local authorities. It is arranged by function rather than service area. This must remain a business decision for the Council, but the Keeper acknowledges that a functional system, as adopted here, is currently considered best practice.

The Keeper accepts that the *Business Classification Scheme* includes all public records in all formats (although format is not specifically indicated).

<u>Records-Keeping Structure</u>

The Council operates a hybrid record-keeping system. They manage public records in digital form in shared drives, but are in the process of transitioning these into Microsoft's M365 cloud SharePoint/Exchange structure. They also manage records created and stored in 'structured' line-of-business systems. Furthermore, the Council still manages public records in hard-copy format both in-house and in an outstore operated by their ALEO, High Life Highland.

<u>Digital</u>: The Highland Council operates under digital first principles. Their *Information and Data Strategy* (see element 3) makes a formal strategy commitment to this effect: "We need to move away from a reliance on paper towards creating, storing and accessing all records in digital form in appropriate line of business systems, SharePoint sites and team sites, helping us to become a paper light organisation. All new projects, processes and service reviews should store all key information electronically, where feasible." (*Information and Data Strategy* section 4.2. This is also supported by the *Information Management Policy*, for example at section 4.3 and the *Records Management Policy*, for example at section 5.4.

Since the Keeper's original agreement of the *RMP* (2016) Highland Council have been moving public records from their shared drive structure to SharePoint sites. The Keeper notes that the Council is taking the opportunity to review records before transfer and delete those that have no further business use. This 'weeding' programme is commended.

The Council is now transferring their SharePoint sites into the M365 Cloud.

The Council's *Information and Data Strategy* (see element 3) confirms this: "The Council has a clear direction to move to off-premises (Cloud) solutions and has

migrated to Office 365 with a significant programme of refreshing both hardware and software. A rapid deployment of tools such as MS Teams in response to Covid-19 has also increased the pace of change within the organisation. This presents opportunities in terms of where the Council's data resides, how it is shared and how it is used " (*Information and Data Strategy* section 3.3). This statement also supports the idea that fully embedding all aspects of M365 as a records management solution is still a work in progress.

The Keeper requires updates as this project continues. The council have committed to engaging with the Keeper's Progress Update Review process (see element 13) and this would be an ideal mechanism for providing M365 roll-out updates. The implementation of M365 as a records management solution throughout the Council is liable to be a major undertaking and she would be interested to see a timetable and a statement explaining the licensing arrangements (as they impact the management of public records, for example reporting and disposition). Also she would be interested in how this move will affect compliance statements in the *RMP* and in policy commitments in the supporting documents. For example how the 'Exceptions to the Disposal Authority Process' noted in *Records Retention & Disposal Policy* section 5.8 will operate in the new system.

Digital Line of Business Systems: As is the case with other local authorities (and many other public authorities) records are created and managed outwith the main records management system in line of business systems operated by local service areas. This is likely to be an area of concern for the Council with regard to the records management provision offered by these systems, particularly those that were implemented some time ago and possibly developed without reference to the Information Governance Board. In recognition of this, the Keeper has received a separate communication from the Highland Council SIRO (see element 1) that confirms the authority is aware of the potential records management gaps in legacy

line-of-business systems. The letter also provides a commitment to review and replace these when appropriate. With this assurance in place, the Keeper can agree this section of the *RMP*.

Physical In-House: For routine business purposes hard-copy records must temporarily be managed in the various relevant service areas. Once business use is completed these records are transferred (or re-transferred) to the record store operated by High Life Highland (see below). Records to be transferred to this records management service are documented on a transfer list form The Keeper has been provided with details of this process.

As well as the existence of original physical format records, for certain business purposes, hard-copy copies of digital records are sometimes produced, for example for in-person business meetings. The Council recognise the risks inherent in uncontrolled, convenience copies of records (for example – Records Retention & Disposal Policy section 5.6 - *see element 6)*, and accept that for business needs these will not be able to meet the accepted records management protocols. This is understood and the Keeper notes that the Council has secure destruction process in place that can be utilised for working copies after use (also element 6).

Physical High Life Highland: High Life Highland provide a physical document management service to the Council. Physical records are accessioned, securely stored and re-transmitted under established processes that maintain control and create a 'paper-trail' of document movements. The Records Manager (see element 2) is an employee of High Life Highland.

E-mail: The Council recognise the potential risks around e-mails (potentially a public record created or received in an area allocated to an individual staff member outwith the main records management system). Instructions for staff are provided and supported by the *RMP* for example at page 22. E-mail instruction is also available in

			several guidance and policy documents. For example the *Information Management Policy* section 4.4. On pages 14 and 28 of the *RMP*, Highland Council mention an 'Information Asset Register' (It is also a feature of the Records Management Policy - section 5.3). The Keeper has been provided with an extract from the Highland IAR showing the layout and confirming that each record type managed by the Council has been assigned an Information Asset Owner (as well as several other important facets such as security rating, location etc). The Keeper confirms that the IAR does not include retention details and therefore does not supplant the BCS/Retention Schedule arrangement described in elements 4 and 5 of the RMP. **In 2016 the Keeper graded this element of the Highland Council and Highland Licensing Board's Records Management Plan with an amber, improvement model, RAG status. The Keeper said "The Keeper can agree this element on an 'improvement model' basis. This means that the Council has identified a gap in provision (a fully rolled-out BCS) and has put measures in place to close this gap. This agreement is conditional upon the Keeper being kept informed of progress." The Keeper acknowledges that the Council now has a fully populated *Business Classification Scheme*. However, during the period of transition from shared drives to SharePoint and M365, the Keeper has determined that this element should retain an 'amber' improvement grading.**
5. Retention schedule	**G**	**G**	The Keeper expects an authority to have allocated retention periods to its public records and for those records to be retained and disposed of in accordance with a Retention Schedule. The Council's *Records Management Policy* makes the following policy commitment: "The Council's records management processes and record keeping systems shall be developed in order to ensure the Council's Corporate Retention Schedules and

			Disposal Authority processes are observed to ensure records are retained for the appropriate and agreed period of time" (*Records Management Policy* section 5.1 supported at 5.5) The Keeper has been provided sight of a sample of one of these schedules (from the Records Manager's own service) in order that she may properly understand the information contained. Due to the size of the organisation, the Keeper does not require the Council to submit all the retention schedules for the different service areas. This one example will suffice and the Keeper accepts that other retention schedules are similarly structured. A sample entry from a retention schedule might be: *Marketing materials - final outputs/presentations, leaflets, posters/Review after 3 years from being superseded/Business requirement/Retain one set of records only - copies to be destroyed. Records to be appraised for historical value*. Retention instructions are available to staff in a *Records Retention & Disposal Policy* which has been provided to the Keeper. This is version 4.0. The *Records Retention & Disposal Policy* mentions compliance with the Public Records (Scotland) Act 2011. The Records Manager (see element 2) supports compliance with the *Records Retention & Disposal Policy* "maintaining the Corporate Retention Schedules, providing effective records management guidance [see element 12] to IAO and IAM [see Local Records Management under General Comments below] and ensuring records in its custody are disposed of in accordance with this Policy." (*Records Retention & Disposal Policy* section 7.4) For the different formats featured in the Council's records management systems see

element 4 above. Although the Keeper recognises the transition in the records keeping systems highlighted under element 4, there is no suggestion in either the *RMP* or in the evidence documents that retention has not been applied to all public records as required.

Digital Line of Business: The Keeper can agree that records held on many business systems have specified retention decisions allocated and that these are understood. **However, please see Line-of-Business Systems under element 4 regarding the potential risks inherent in legacy systems that may not have functional retention applied.**

A retention schedule is a living document liable to change to reflect the business requirements of the Council. The Council recognise this: "The Corporate Retention Schedules are an active management document designed to reflect the record types used by the Council and are subject to continual monitoring and review." (*Records Retention & Disposal Policy* section 5.3). Services areas must bring any changes in retention periods to the attention of the Information Governance Board (see under General Comments below). In evidence the Keeper has been provided with a sample business case for an amendment to a retention schedule.

The Council notes that "No disposal of records must take place unless there is an appropriate entry in the Corporate Retention Schedules" (*Records Retention & Disposal Policy* section 5.6). This is a valuable policy statement. Occasionally this will happen, for example when a schedule has not been updated to take account of new record types.

The Keeper acknowledges that she has been provided with a screen-shot showing that staff can access the retention schedule for their local area through an intranet SharePoint site.

			The Keeper agrees that Highland Council and Highland Licensing Board has schedules providing retention decisions for the record types created while pursuing its functions.
6. Destruction Arrangements	**G**	**G**	The Act requires that public records are destroyed in a timely, controlled and secure manner. The Council has a *Records Retention & Disposal Policy* which has been provided to the Keeper (see element 5 above). It explains the destruction process that should be applied to records in different formats and how these processes should be recorded. The Keeper has been provided with a screen-shot showing that staff can access these instructions through the Council's intranet. For more regarding the different formats featured in the Council's records management systems see element 4 above. Digital Shared Drives: As the Council transitions into a M365 in the cloud record-keeping system the ability to control and monitor the destruction of public records will greatly improve. For those records yet to be transferred and still managed on shared drives deletion must be manual in accordance with the retention schedules and the *Records Retention & Disposal Policy*. This method of destruction also applies to emails of a corporate nature. There is no indication in the *RMP* that staff engagement in the manual process has deteriorated since the Keeper's original agreement. Digital Line of Business Systems: The Keeper can agree that records held on many business systems have destruction functionality applied to them and that the operation of destruction processes are understood. **However, please see Line of Business Systems under Element 4 regarding the potential risks inherent in legacy systems that may not have functional destruction functionality.**

Physical In-House: It is a commitment in the Council's *Information and Data Strategy* that "We will: Ensure secure confidential waste facilities are in place" (*Information and Data Strategy* section 4.2)

As supported by the Records Retention and Disposal policy section 5.7, where a record held in a Council service area is due for destruction it is disposed of through the Council's confidential waste contract, and the action is recorded on the in-house records disposal log. The Keeper has been provided with a sample disposal certificate as evidence that this arrangement is in operation.

Physical records being used off-site (not including those in the High Life Highland records management service) must be returned back to the Council for disposal using their facilities. As well as controlling the security of destruction, this practice also ensures the appropriate destruction record to be completed.

Physical High Life Highland: High Life Highland operate physical records management on behalf of the Council and this includes the destruction of records at the end of their retention period. The Records Manager (see element 2), in conjunction with the relevant business area (see Local Records Management under General Comments below) is responsible for monitoring the destruction of physical records held in High Life Highland. He is also responsible for maintaining a permanent log of record disposition.

E-Mail: There is no automatic e-mail deletion programme in the Council. Emails must be manually deleted when no longer of business value.

Hardware: The Council's ICT Services are responsible for the disposal of hardware either directly or through ICT contracts and services delivered by 3rd parties ICT Services are also responsible for ensuring that all hardware is data cleansed as

			appropriate. A sample laptop erasure certificate and a certificate of hardware destruction have been provided in evidence that this arrangement is operational. Back-ups: Highland Council, quite properly, keep back-ups of digital information for business continuity purposes. The Keeper has been provided with a detailed description of how long these back-ups remain available before being irretrievably destroyed (*RMP* page 24) The Council make the following policy commitment "A disposal log must be maintained for all records destroyed or deleted in accordance with the corporate retention schedules and be retained permanently by the relevant Service" (*Records Retention and Destruction Policy* section 5.7) Maintaining a destruction log is generally considered best practice and is to be commended. The Keeper agrees that Highland Council and Highland Licensing Board has processes in place to irretrievably destroy their records when appropriate.
7. Archiving and Transfer	**G**	**G**	The Act requires that all Scottish public authorities identify a suitable repository for the permanent preservation of any records considered suitable for archiving. A formal arrangement for transfer to that repository must be in place. The Council's *Records Management Policy* makes the following policy commitment "The Council's records management processes and record keeping systems shall be developed in order to ensure records with long-term historical value are transferred to the custody of the Highland Archive Service for permanent preservation" (*Records Management Policy* section 5.1). This is supported by the *Records Retention Disposal Policy* (see element 5) for example at section 5.2. It is clear from this that Highland Council has identified the Highland Archive Service as the repository for public records selected for permanent preservation: Highland

Archive Service - Archives Service (highlifehighland.com)

The Highland Archive Service is an accredited archive: Highland Archives Achieves Accreditation - Scottish Council on Archives (scottisharchives.org.uk) The Keeper has been provided with the *Accreditation Report*.

The Highland Archive Service is operated by High Life Highland an Arm's Length External Organisation (ALEO) of the Council. The individual responsible for the day-to-day implementation of the *RMP* is employed by High Life Highland (see element 2). High Life Highland already provide a physical document management service to the Council (see element 4) and are therefore ideally placed to accession physical records.

The Keeper has been provided with a copy of the *Service Delivery Contract* between Highland Council and High Life Highland to confirm the arrangements described above.

Records still held in-house, which have ceased to be of operational value but have been identified as being of archival value, may be transferred direct to Highland Archives. Before transfer to archive the Information Asset Owner (see Local Records Management under General Comments below) must arrange for the Archivist to review the record.

The Keeper has been provided with details of the transfer to archive process and agrees that these are appropriate.

However, the Council recognise that many of the records that will require transfer to the archive will in future be 'born digital'. With this in mind, a Trainee Digital Archivist has recently been appointed to support the archives around digital preservation. A digital repository is being piloted with a service area in the Council (Committee

			Services) prior to transfer to the archive. It is clear from the *RMP* (page 42) that the Council understand the necessity of preserving these digital records (and their original metadata) to recognised standards. The Keeper has been provided with a screen-shot showing how Council staff (but not the public) can access the developing digital archive. In this matter it would appear that Highland Council is in advance of many local authorities. **The Keeper is particularly interested in developments in the digital archiving sector and thanks Highland Council for updating her in detail regarding their position on this issue (January 2024).** The Keeper agrees that Highland Council and Highland Licensing Board have arrangements in place to properly archive records when appropriate.
8. Information Security	**G**	**G**	The Act requires that public records are held in accordance with information security compliance requirements. The Council acknowledge this. Their *Information and Data Strategy* (see element 3) includes a section on "Confidentiality and Security" (section 4.6). The Keeper recognises that this includes the physical security of hard-copy records and premises that contain servers. The *RMP* also includes the security of physical records (for example at page 33). "Information security controls, defined in the Information Security & Assurance Policy and the supporting Information Security Management System, will be applied to protect personal and other sensitive information in accordance with relevant legislation and Council policy" (*Information Management Policy* section 4) With these commitments in mind the Council have imposed an *Information Security & Assurance Policy* on all service areas. A copy of this has been provided to the Keeper. This is version 3.0 dated October 2022. The Policy is available to the public at:

			[Policies - Information Security and Assurance Policy	The Highland Council](#)
			"Information security is achieved by implementing a suitable set of controls, including the use of policies, processes, procedures, organisation structures, software and hardware. These controls need to be established, implemented, monitored, and reviewed (and where necessary improved), to ensure that the security and business objectives of the Council are met." (*Information Security & Assurance Policy* section 3)

The *Information Security & Assurance Policy* properly considers issues such as encryption and password protection, physical security of buildings including those housing servers, hardware, protective marking and remote working

Highland Council also has an *ICT Acceptable Use Policy* which has been provided to the Keeper. This is version 6.0 dated August 2022. It is available to the public at: [Policies - Information and Communications Technology - Acceptable Use Policy (ICT AUP) | The Highland Council](#)

The *ICT Acceptable Use Policy* includes instructions for reporting breaches (actual of potential).

The *ICT Acceptable Use Policy* acknowledges the risks of messaging services such as e-mail including delegated access (section 5.9).

The Council's information security framework is based upon the information security international standard ISO/IEC 27001 and the implementation of the controls of ISO/IEC 27002. The Council recently employed consultants to carry out a gap analysis in relation to the Council's compliance with ISO/IEC 27001 (see element 13) |

			The Keeper agrees that the Council's information security structure support the requirements placed upon it by data protection legislation (see element 9). The Keeper notes that the *Records Retention and Disposal Policy* (see element 5) considers the possibility of records being transferred to a successor body (for example an ALEO?) and the security risks around such a transfer. This is a welcome recognition and the Keeper is content that information security is part of the planning should such an event occur. The Keeper acknowledges that she has been provided with a screen-shot showing that staff can access the Council's *Records Retention and Disposal Policy* through the intranet. The Keeper agrees that Highland Council and Highland Licensing Board have procedures in place to appropriately ensure the security of their records as required by the Act.
9. Data Protection	**G**	**G**	The Keeper expects a Scottish public authority to manage records involving personal data in compliance with data protection law. "In order to operate efficiently, The Highland Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Data Protection Legislation to ensure this" (*RMP* page 35). Highland Council is registered as a data controller with the Information Commissioner's Office (ICO): Information Commissioner's Office - Register of data

protection fee payers - Entry details (ico.org.uk)

Highland Licensing Board is separately registered:
Information Commissioner's Office - Register of data protection fee payers - Entry details (ico.org.uk)

The Council has a *Data Protection Policy*. The Keeper has been provided with a copy of this *Policy*. This is version 2.1 dated May 2022.

The *Data Protection Policy* confirms that "The Highland Council is fully committed to compliance with the requirements of the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA). The Council will take appropriate measures to ensure that all employees, elected members, contractors, agents, consultants and partners of the council who have access to any personal data, held by or on behalf of the Council, are fully aware of and abide by their duties and responsibilities under Data Protection Legislation" (*Data Protection Policy* Introduction).

The *Data Protection Policy* explains the 6 principles of data protection (section 5).

The Council has acknowledged the new DPA accountability clause (see *RMP* page 13)

The *Data Protection Policy* explains procedures for reporting breaches.

The Keeper agrees that other formal Highland Council policies support robust data protection provision (for example *Records Management Policy* - see element 3 - section 5)

Members of the public are made aware of their rights and how they can make a

| | | | subject access request at: Access to information - Request information about yourself | (highland.gov.uk)

As required by data protection legislation, the Council have identified a Data Protection Officer. This is Miles Watters, Performance and Information Governance Manager. On the document control page of the *RMP* Mr Watters reviewed and accepted the *RMP*. Mr Watters is an employee of Highland Council rather than High Life Highland (see element 2).

The Council have other relevant information published on their website for example from: Guide to information | Guide to Information | The Highland Council

The Council have committed to carrying out data protection impact assessments before they begin any processing of personal data which is likely to result in a high risk to individuals (*Data Protection Policy* section 12 and *RMP* page 49).

The Council have committed to the practice of implementing data processing agreements when using third parties or contractors to carry out the processing of personal data on its behalf (*Data Protection Policy* section 9). The Keeper has been provided with a template data processing agreement in evidence.

All information sharing agreements (see element 14) are submitted to the Data Protection Officer for review before they are signed. Authorised agreements must be registered with the Data Protection Officer to ensure that they are reviewed in accordance with Council policy.

The *Information and Data Strategy* (see element 3) promotes compliance with the Data Protection Act 2018. Compliance with data protection legislation is also supported by the Council's *Records Retention and Disposal Policy* (see element 5) for example at section 2.

<table>
<tr>
<td></td>
<td style="background-color:green"></td>
<td style="background-color:green"></td>
<td>The Council is part of the SOLAR (Society of Local Authority Lawyers & Administrators in Scotland) Data protection Officers' Group.

The Keeper agrees that Highland Council and Highland Licensing Board have arrangements in place that allow them to properly comply with data protection legislation.</td>
</tr>
</table>

10. Business Continuity and Vital Records	G	G	The Keeper expects that record recovery, prioritising vital records, is an integral part of the authority's business continuity planning.

Records Recovery

The Council has a stated objective "to ensure business continuity, minimise business risk(s) and maximise the return on investment and business opportunities" (*RMP* page 32)

With this in mind The Council has a *General Business Continuity Plan* which has been provided to the Keeper. The Keeper has also been provided with the minute showing the Executive Leadership Team formally adopting the *General Plan*.

The *General Business Continuity Plan* clearly considers loss of communication and ICT services. It also requires individual business areas in the Council to develop and put in place local recovery plans. The Council have provided the Keeper with a list of these local area plans and a sample of one of these (Finance).

Highland Council have provided the Keeper with a detailed description of how the digital back-up of public records for business continuity purposes is ensured and how long a record might remain available before being irretrievably destroyed (*RMP* page 24)

The Keeper notes that Highland Council is a member of the North of Scotland Regional Resilience Partnership.

Vital Records

The Council's *Records Management Policy* (see element 3) makes the following

policy commitment: "The Council's records management processes and record keeping systems shall be developed in order to ensure records keeping systems comply with the Council's Business Continuity Plan by identifying and preserving its vital records" (*Records Management Policy* section 5.1) In the same policy the Council explain that that 'vital records' are those which are crucial to the Council's business, without which the Council would be unable to function. "These include records that, in the event of a disaster such as flood or fire would recreate the Council's legal and financial status, preserve its rights and ensure that it continued to fulfil its obligations to its stakeholders." (*Records Management Policy* section 5.2).

The Council's *Retention and Disposal Policy* (see element 5) also supports the principle of identifying vital records: "…ensure records keeping systems comply with the Council's Business Continuity Plan by preserving its vital records identified in the Council's Corporate Retention Schedules" (*Retention and Disposal Policy* section 5.2)

Considering the commitments above, the Keeper is satisfied that the Council recognise the necessity of identifying vital records (this is important in a hybrid structure where automatic recovery from, for example M365, cannot be applied to all public records).

The Keeper is happy to report that she has now been provided with several sample retention schedules, from various Council business areas, all of which show the inclusion of a column identifying vital records. Therefore the Council has complied with its improvement action.

Furthermore, the Council explain in the *RMP* that they have "compiled a register of its vital records. This information was gathered during the 2017 and 2021 reviews of the Council's corporate retention schedules." (*RMP* page 39). The Keeper acknowledges that she has been provided with this Register.

			The Keeper agrees that Highland Council and Highland Licensing Board have an approved and operational business continuity process and that information management and records recovery properly feature in the authority's plans.
11. Audit trail	**G**	**G**	The Keeper expects an authority to have processes in place to track public records in such a way that their location is known and changes recorded. The Council recognise this. Their *Records Management Policy* (see element 3) section 5.1 states "The Council's records management processes and record keeping systems shall be developed in order to ensure that records can be promptly and efficiently retrieved with a clear audit trail maintained" The Council's *Information and Data Strategy* (see element 3) explains the 'strategic principle' that "Managing information assets involves understanding why information is held, what information is held, where information is held, what is added and removed, how information is moved, and who has access and why. It is important that information assets are properly managed so we can understand and address risks to the information and data, and ensure that information is only used within the law for the public good." (*Information and Data Strategy* section 4.1) Knowing where to locate the correct version of public records is key to this strategy objective. Highland Council's *Information Management Policy* (also see element 3) lays out seven principles for the management of information and data in order to achieve their strategic aims. One of these is that "The right Information will be made available in the right place." at the right time, accessible to those who need it." With these commitments in mind the Council have implemented the following 'audit

trail' arrangements (For the record-keeping structures operated in the Council see element 4):

Digital: The Council are currently transitioning from shared drives to M365/SharePoint, the Keeper can agree SharePoint has robust document tracking facilities. To properly engage with tracking in shared drives, consistent document naming will be required. To this end the Council have issued the staff with a *How to Apply File Naming Convention* guidance document which has been shared with the Keeper. This is v2.0. Although SharePoint will automatically apply version control consistent document naming will allow the Council to properly utilise the search functionality.

Despite the transition in the record-keeping systems described under element 4 there is no suggestion in the *RMP* nor in the evidence package that Highland Council is unable to properly locate, and audit changes to, any of its public records.

Physical: The Keeper has been provided with detailed description of how public records in each structure are located and identified (RMP pages 40 – 43). This includes physical records managed by High Life Highland (HLH) which are recorded in an a*ccession register* (*RMP* page 40). The Keeper has been provided with suitable evidence of these procedures. For example in the case of the HLH records management service, she has been provided with a screen-shot of showing example of a retrieval request, a records management retrieval slip and a service retrieval log

Line-of-Business systems: In 2016 the Keeper graded this element of the Highland Council and Highland Licensing Board's Records Management Plan with an amber, improvement model, RAG status. The Keeper said "The Keeper can agree this element on an 'improvement model' basis. This means that the authority has identified a gap in provision (audit trail functionality in some electronic systems) and

			has identified a potential solution. As part of this agreement, the Keeper requests that he is kept informed of progress in closing this gap in provision." The Council have acknowledged that the records management functionality, including audit trail, around legacy line of business systems can be problematic. This is a situation that is not unique to Highland Council. In recognition of this, the Keeper has received a separate communication from the Highland Council SIRO (see element 1) that confirms the authority is aware of the potential records management gaps in legacy line-of-business systems. The letter also provides a commitment to review and replace these when appropriate. With this assurance in place, the Keeper can agree this section of the *RMP*. Other than this issue, which has been appropriately recognised by a senior officer of the Council, the Keeper is now satisfied that all public records created by the Council are done so with future tracing and identification in mind. The Keeper agrees Highland Council and Highland Licensing Board has procedures in place that will allow them to locate their records and assure themselves that the located record is the correct version.
12. Competency Framework for records management staff	**G**	**G**	The Keeper expects staff creating, or otherwise processing records, to be appropriately trained and supported. The High Life Highland Records Manager (see element 2) is required to hold a postgraduate archive and records management qualification. The Keeper is familiar with Mr Nicol and has no doubt of his competence in this role. Mr Nicol attends events and webinars organised by the National Records of Scotland and other professional bodies such as the Archivists of Scottish Local Authorities Working Group.

Mr Nicol is supported by a High Life Highland archives and records team. The details of this team have been supplied to the Keeper and he acknowledges that they all have either postgraduate archive and records management qualifications or are currently under such training. The Keeper particularly notes that The Keeper notes that the Highland Archives Service (part of High Life Highland) have recently introduced a trainee recruitment programme showing a proactive approach to promoting professionalism in the sector. This was highlighted in the recent archive accreditation process and is to be commended.

Apart from the professional record-keeping staff, it is important that all record creators in the Council have an understanding of the principles of records management.

Staff training is a specific strategic aim of the *Information and Data Strategy* (see element 3) for example at section 4.7. The Information Governance Board (see Key Group under General Comments below) will support compliance staff training.

The Council's *Information Management Policy* commits to providing information management guidance to staff (*Information Management Policy* section 4.2)

It is one of the formal objectives of the Records Manager to "To develop and disseminate good practice in Records Management across the Council and HLH by the provision of guidance and training for staff at all levels in all services." (*Job Description Records Manager*)

As part of their induction all new staff must complete the Information Management eLearning package on the Council intranet. This training is compulsory for all record creators in the Council. Mandatory records management training is commended.

Training includes information relating to roles and responsibilities, managing

			records, managing emails, working securely, data protection and using SharePoint, OneDrive and Teams. Local Records Officers (LROs) (see Local Records Management under General Comments below) receive regular advice and instructions records management staff. Guidance documents for LROs are available to view on the intranet (screen-shot provided). All staff in the Council undertake annual Data Protection and Information Security training. The Keeper agrees that the person identified at element two has appropriate skills to implement the *RMP* and that Highland Council and Highland Licensing Board properly consider records management training for their staff.
13. Assessment and Review	**G**	**G**	Section 1(5)(i)(a) of the Act says that an authority must keep its RMP under review. Highland Council and Highland Licensing Board have committed to review their *Records Management Plan* annually (*RMP* Introduction page 4). The review is managed by the Records Manager (see element 2), liaising with the Council's Data protection Manager as appropriate. The Records Manager produces an annual review report to the Information Governance Board (see Key Group under General Comments below). This review report explains how the records management service is performing and how it is meeting the implementation of the *RMP*. This report includes the results of the RM annual customer survey. The Keeper has been provided with minutes of the Information Governance Board showing this reporting structure in operation. There is clear evidence throughout the submission (both in the *RMP* and in supporting documentation) that local business areas in the Council are involved in maintaining and reviewing the records management in Highland Council.

This includes reporting on the implementation of the *RMP* at a local level in an annual survey organised by the Records Manager. Highland Council have provided the Keeper with copies of the last two *RM Customer Surveys* . The have also included a copy of the *Report of the Annual Review of the RM Service* presented to the Information Governance Board (see Key Group under General Comments below) by the Records Manager.

The information governance reporting structure has been shared with the Keeper. Monitoring of the review will be conducted through the Council's Information Governance Board (see Key Group under General Comments below) to whom the Records Manager reports. In turn, the IGB reports to the Council's Corporate Resources Committee.

The Council recently employed consultants to carry out a gap analysis in relation to the Council's compliance with ISO/IEC 27001 (Information Security)

The Council recognises that they must regularly review the information it holds in order to understand the potential information governance risk they are subject to: "A key aspect of Information governance is risk management. The risks associated with different sets of data and the way they are processed must be clearly understood, documented and mitigated." (*Information and Data Strategy* – see element 3 - section 3.4). this is a commendable recognition.

The Council has committed in the plan to participate in the Keeper's Progress Update Review (PUR) procedure [Progress Update Reviews | National Records of Scotland (nrscotland.gov.uk)](nrscotland.gov.uk) The Keeper welcomes this commitment and, of course, endorses the PUR as a suitable reporting mechanism for the results of a review of the Council's *RMP*.

			The Keeper agrees that Highland Council and Highland Licensing Board have made a firm commitment to review their *RMP* as required by the Act and have explained who will carry out this review and by what methodology.
14. Shared Information	**G**	**G**	The Keeper expects a Scottish public authority to ensure that information sharing, both within the Authority and with other bodies or individuals, is necessary, lawful and controlled. The Council's *Information and Data Strategy* (see element 3) includes a section on information and data sharing (section 4.5) which makes the following commitment: "We work with a multitude of partners and suppliers and need to consider how information flows between us, ensuring any sharing is legal and compliant. To support this we need to embed information & data sharing agreements Council-wide and ensure guidance and tools to facilitate partnership working are in place." The Council's *Information Management Policy* (see element 3) states the 'Information Management Principle' that "Information is reused and shared where appropriate" (*Information Management Policy* section 4) "Information security requirements and the Data Protection legislation need not be a barrier to appropriate sharing of information. Through effective security controls and careful consideration of legal obligations we can be more confident in sharing information where appropriate." (*Information Security & Assurance Policy* page 5) "The Council often shares information with partners, like the NHS, Housing Associations, or the Voluntary Sector, in order to provide services. It is important to follow the data protection principles whenever personal data is shared." (*RMP* page 49) "Sharing of personal information with partner agencies is supported the Community Planning Partnership and the Highland Public Protection Chief Officers

Group" (*Information Management Policy* section 4.6). The Data Protection Policy also supports the controlled sharing of personal information (for example at section 11).

However, the Keeper would like to remind the Council that structured data sharing applies beyond the requirements of data protection legislation. Information of a non-personal nature should also be shared in an organised and secure manner and uncontrolled sharing can present a risk to the Council even if it does not contain personal information (for example financial or commercial data etc.).

With this in mind, the Keeper acknowledges that she has been provided with example agreements for 'contractors' including *Highland Multi Agency Information Sharing*, which includes Police Scotland and the Fire and Rescue Service as well as NHS Highland. The *Multi Agency* agreement, and the Highland Data Sharing Partnership (HDSP) that preceded it, provides a good example of information sharing between parties for the benefit of the public. A recent example of secure and controlled data sharing arrangements working smoothly was the requirement of providing services to unexpected refugees from war in Eastern Europe. The Keeper agrees that the example provided appropriately consider the governance of the information shared including setting up working groups specifically to administer the management of information as part of the formal agreement.

Furthermore, she has been provided with a template data sharing agreement showing the Council properly considers the control of information when it is being shared and includes specific records management clauses such as "How long will the information be retained?" and "What are the arrangements for secure storage and destruction of the information?" The template is accompanied by a *Data Sharing Guidance for Staff* document. The template agreement and guidance are available to Highland Council staff on their intranet. the Keeper acknowledges that she has been provided with a screen-shot from the intranet showing that staff can

			access information governance information as stated. In 2016 the Keeper graded this element of the Highland Council and Highland Licensing Board's Records Management Plan with an amber, improvement model, RAG status. The Keeper said "The Keeper can agree this Element on an 'improvement model' basis. This means that the Council have identified the need to review and update one of their key evidence documents (the Highland Data Sharing Partnership Information Sharing Policy) and will provide the Keeper with a copy of the Policy once reviewed." The Keeper is now happy to acknowledge that she has been provided with updated data sharing documentation as requested. The Keeper can agree that Highland Council and Highland Licensing Board properly considers records governance when undertaking information sharing programmes.
15. Public records created or held by third parties	**G**	**G**	The Public Records (Scotland) Act 2011 (PRSA) makes it clear that records created by third parties when carrying out the functions of a scheduled authority should be considered 'public records' - PRSA Part 1 3 (1)(b). The Council's *Information and Data Strategy* (see element 3) recognises this and states at section 2.1 "Many services are now delivered in partnership or are commissioned from third parties. This requires additional safeguards when managing the Council's information: we need to ensure that information ownership is clear, the right people have appropriate access to the right information and it is handled correctly throughout its lifecycle" The *RMP* states that it "encompasses all records across all council service areas, including records held on behalf of other organisations such as the NHS as well as third party organisations carrying out functions of the authority." (*RMP* page 5).

Furthermore, the Council states that "This recognises that records created on the Council's behalf through other contracts are also covered by our Policies" (*RMP* page 54).

There is ample evidence that this principle is pursued in relevant policies (for example *Information Management Policy* - see element 3 - section 3, *Records Retention & Disposal Policy* section 3 or *Records Management Policy* - also element 3 - section 4). As an example: "The Council is committed to effective Information Security through the management of information security risks that occur through both internal and contracted out activities" *Information Security and Assurance Policy* section 4 (see element 8).

With this in mind the Keeper has been provided with evidence that public records created by third parties have suitable records management provision imposed as part of the arrangements setting up the delivery of functions under contract.

The Council has two main areas where its functions are carried out by other organisations under contract or agreement. High Life Highland (HLH) provides Culture and Leisure services (The Council's archives and records management functions form part of HLH) on behalf of the Council and NHS Highland provide Adult Social Care functions under the terms of an integration agreement.

In the case of the later the Keeper notes that in Highland the integration of health and social care is administered between the Council and Health Board without the use of a separate Integration Joint Board. In other areas the Keeper has been provided with a separate IJB records management plan. However, she is satisfied that, in Highland, the requirements for this records management plan element are met as part of an internal Council arrangement.

The Keeper has been provided with the *Highland Council and High Life Highland Service Delivery Contract*. She agrees this appropriately considers the management

			of public records. The Keeper has also been provided with standard terms of contract for the management of records and, again, she agrees that these appropriately consider control over public records. The Keeper notes that, at time of submission, the Council were reviewing their contractual clauses generally and considering how the standard clauses noted above might be more fully embedded. The Council have contacted the Keeper (separately from the *RMP*) with the following statement: "The Council notes the Keeper's requirement to keep her updated in relation to the Council's standard contract clauses and records management and the Council will continue to engage with the Progress Update Review process." The Keeper thanks Highland Council for this commitment. The Keeper agrees that Highland Council and Highland Licensing Board has properly considered the management of records created by third parties while they undertake activities in pursuance of functions of the Council and Board under contract.

**Highland Council and Highland Licensing Board
(For convenience both, separately scheduled, authorities will be referred to as 'the Council' in this assessment)**

General Notes on submission:

Version

This assessment is on the common *Records Management Plan* (*RMP*) of Highland Council and Highland Licensing Board. This is version 2.0 dated January 2023. The RMP has been approved by the Council's Executive Management Board. The Keeper acknowledges that the *RMP* clearly applies to the management of public records of both the Council and by the Licensing Board.

In 2016 the Keeper agreed the *Records Management Plan* of these authorities and his report into that plan is available at Highland Council and Highland Licensing Board Assessment Report (nrscotland.gov.uk).

It is clear that the revised RMP applies to both the Highland Council and the Licensing Board (for example RMP page 6).

The Keeper has been provided with minutes from the Information Governance Board (see Key Group below) approving the submission of the revised plan.

The Council acknowledges records as a business asset (for example *Records Management Policy* Introduction*, Information Security & Assurance Policy* section 3 or *Records Retention & Disposal Policy* introduction). The Keeper commends this recognition.

The Council notes that: "establishing effective records management arrangements will also deliver significant benefits for the Council - for example it will help to:

• Increase efficiency and effectiveness, delivering savings in administration costs

• Improve and develop service delivery
• Achieve business objectives and targets
• Ensure compliance with the Public Records (Scotland) Act 2011 (PRSA) and other legislative requirements, standards, and codes of conduct
• Support transparency and open government
• Underpin business resilience" (*RMP* page 4)

The Keeper agrees that these objectives should be assisted by robust records management provision

The Council's *Information and Data Strategy* (see element 3) states that appropriate records management ensures that:

• "We can provide more effective services and help control costs
• We can be more transparent
• We can keep information protected and secure
• Our information risks and likelihood of associated fines are reduced
• Our customer experience is improved
• We build trust in the quality of our information both for staff and the public
• Our decisions and policies are better informed
• We can comply with legislation
• We can share our corporate memory with future generations
• We can meet expectations of how we will manage information
• Through the role of Information Asset Owners (IAOs), we are aware of our information holdings"
 (*Information and Data Strategy* section 2.2)

The Keeper fully agrees this statement.

The *RMP* mentions the Public Records (Scotland) Act 2011 (the Act) and is based on the Keeper's, 15 element, Model Plan http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan.

Key Group: Highland Council's Information Governance Board

The work of the Executive Chief Officer Performance and Governance (see element 1), in relation to records management, is supported by an Information Governance Board (IGB) which they chair.

Each Executive Chief Officer (ECO) is required to identify a member of their senior management team (the IG Lead Officer) to act as the representative for their Service.

The IGB has a duty to consider and make recommendations to the Executive Leadership Team and to the Council about information management issues and influence strategy and policy development.

The IGB is responsible for overseeing the delivery of the *Information and Data Strategy* (see element 3) and to monitor the implementation of this strategy across the Council.

Local changes to records management procedure, such as alterations to retention periods, must be authorised by the IGB.

The primary role of the Board is to identify priorities for the cost-effective implementation of information and data management improvements and support delivery within services that sufficiently provides evidence of its compliance with PRSA and with the requirement under Article 30 of UK GDPR to provide a record of processing activity (see element 9).

The IGB has a duty to consider and make recommendations to the Executive Leadership Team and to the Council about information management issues and influence strategy and policy development.

With this in mind, the IGB reviewed and agreed the *RMP* prior to submission. Furthermore, The IGB is responsible for the ongoing monitoring and review of the *RMP* (see element 13).

The IGB also agreed the *Records Retention & Disposal Policy* (see element 5)

This group is clearly of fundamental importance to records management in the authority and the Keeper thanks the Council for including information about their work in the submission.

Local Records Management

In a large organisation, such as a local authority, it is not practical to monitor a records management system entirely centrally and the effective implementation of the *RMP* must involve local service areas. These service areas will, of course, rely on support and guidance from the Information Governance Board described above, but the day-to-day management of public records is liable to be local. The Council recognise this and there are repeated mentions of engagement with local service areas throughout the *RMP* and the evidence documents (such as the records

As noted above, each service area director identifies a senior staff member to be the services Information Governance Lead Officer. This officer liaises with the Records Manager (see element 2) and the Data Protection Officer (see element 9) regarding records keeping matters relating to their service areas. IG Lead Officers will be asked to consider progress as reported by the Records Manager and provide context to inform the approach being taken with each improvement plan.

Separate from the 'Lead Officer' each record series is allocated an Information Asset Owner (in some cases there will also be a different 'system owner' responsible for the system on which records are created). This is a commitment in the Council's *Information and Data Strategy* (see element 3). "Information Asset Owners must understand the obligations they have under primary legislation and how these obligations fit with the information governance legal framework" (*Information and Data Strategy* section 3.4). Information Asset Owners and their supporting staff are responsible for making retention and disposal decisions for the public records in their service areas. In the case of changes to retention periods the Information Asset Owner must liaise with the Records Manager (see element 2).

For records management, the Information Asset Owners are chiefly supported in their locals service areas by a Local Records Officer (LRO). The LRO is responsible for carrying out the disposition decisions made by the Information Asset Owner, for example by submitting transfer and retrieval requests to the Records Management Service (see elements 4 and 7). The Keeper has been provided with a detailed description of the work of LROs, for example at *RMP* page 28).

6. Keeper's Summary

Elements 1 – 15 that the Keeper considers should be in a public authority records management plan have been properly considered by Highland Council and Highland Licensing Board. Policies and governance structures are in place to implement the actions required by the plan.

Elements that require development by Highland Council and Highland Licensing Board are as follows:
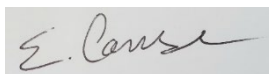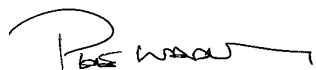
 4. Business Classification (transition to new digital records management system underway)

7. Keeper's Determination

Based on the assessment process detailed above, the Keeper agrees the RMP of Highland Council and Highland Licensing Board.

- The Keeper recommends that Highland Council and Highland Licensing Board should publish its agreed RMP as an example of good practice within the authority and the sector.

This report follows the Keeper's assessment carried out by,

…………………………………   …………………………………

Pete Wadley
Public Records Officer

Liz Course
Public Records Officer

8. Endorsement of Report by the Keeper of the Records of Scotland

The report has been examined and is endorsed under the signature of the Keeper of the Records of Scotland as proof of compliance under section 1 of the Public Records (Scotland) Act 2011, and confirms formal agreement by the Keeper of the RMP as submitted by **Highland Council and Highland Licensing Board** In agreeing this RMP, the Keeper expects Highland Council and Highland Licensing board to fully implement the agreed RMP and meet its obligations under the Act.

……………………………………………..

Laura Mitchell
Deputy Keeper of the Records of Scotland