

**Public Records (Scotland) Act 2011**

**Glasgow City Council  
Glasgow City Licensing Board  
Glasgow City Valuation Board  
Assessment Report**

**The Keeper of the Records of Scotland**

**03 March 2014**

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## 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 **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board** by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 2<sup>nd</sup> September 2013.

The assessment considered whether the RMP of **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board** was developed with proper regard to the 14 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 **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board** complies with the Act can be found under section 7 of this report with relevant recommendations.

## 3. Authority Background

Local government in Scotland comprises 32 unitary local authorities, responsible for the provision of a range of public services. Glasgow City Council (GCC) is one of these authorities <http://www.glasgow.gov.uk/> It provides services to the people of Glasgow, such as education, social care, waste management, cultural services and planning.

Licensing is the responsibility of Licensing Boards under powers contained in the Licensing (Scotland) Act 2005. Local Licensing Boards have wide discretion to determine appropriate licensing arrangements according to local needs and circumstances and their own legal advice. Each local government area must have a Licensing Board. Glasgow City Licensing Board consists of 8 Board members.

Each of the 32 local Councils within Scotland is a valuation authority and responsible for appointing an Assessor who must in turn compile and maintain a Valuation Roll and a Council Tax Valuation List. The functions of the Assessor are different from those of most other Local Government Officers whose duties are to carry out the policies of Authorities, as determined by elected councillors. The Assessor requires to balance the interests of individual ratepayers against those of others, in terms of valuation levels. The independence of the Assessor is necessary to ensure that decisions are made on considerations of value without political pressure. Glasgow City Council's Assessor and Electoral Registration Officer is Hugh Munro BSc, MRICS

#### 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 **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation 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.
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## 5. Model Plan Elements: Checklist

Element	Present	Evidence	Notes
1. Senior Officer <i>Compulsory element</i>	<b>G</b>	<b>G</b>	Annemarie O'Donnell, Executive Director of Corporate Services has been named as the senior responsible officer for the plan and has signed it off. The Keeper considers this an appropriate position for this role.
2. Records Manager <i>Compulsory element</i>	<b>G</b>	<b>G</b>	Dr Kenneth Meechan, Asset Governance Manager has been named as having operational responsibility for records management within the authority.  This appointment is supported by job description/person specification and role profile which all demonstrate Dr Meechan's suitability for this role.
3. Policy <i>Compulsory element</i>	<b>G</b>	<b>G</b>	A comprehensive and robust records management policy has been submitted as well as other evidence that shows how the policy fits into the authority's business strategy. There is clear evidence that the authority takes records management seriously. The records management handbook is good evidence of appropriate records management being practiced within the authority.  As further evidence, GCC has shared a public facing document <i>Corporate Asset Management Plan</i> approved by the elected councillors. Section 4.9 of this document deals specifically with information, and highlights the importance of the 'effective use of information'. It also introduces the <i>Information Management Strategy</i> document. This has also been supplied to the Keeper as evidence of good records management policy being understood at a high level.  GCC have supplied their <i>Information Management - Operational Governance Framework</i> PowerPoint presentation which explains records management reporting structures and responsibilities within the authority.

			<p>Therefore, the Keeper agrees GCC has fulfilled this compulsory requirement under PRSA.</p>
<p>4. Business Classification</p>	<p><b>A</b></p>	<p><b>A</b></p>	<p>A full business classification, developed by an information management strategy team, has been provided, dividing the work of the council into 9 principle functions. The ‘theme’ of Community Life &amp; Leisure is smaller than might be expected because most of this function is carried out by <i>Glasgow Life</i> (ALEO)</p> <p>The Business Classification Scheme and resulting Council File Plan are based on function.</p> <p>Under the function (‘theme’) of <i>Law and Regulation</i> the BCS includes ‘Assessors &amp; Electoral Registration’.</p> <p>The <i>Information Management Strategy</i> document (see element 3 above). Explains the future of records management in GCC. It acknowledges the limitations of the previous system, whereby the different service areas operated ‘their own practices and with little proactive sharing of common information’ and sets out what is described as a route-map for the development of a council wide information management structure. This strategy document is specifically referred to in the RMP signed by GCC Executive Director of Corporate Services and in the public facing publication <i>Corporate Asset Management Plan</i> authorised by the Vice Convener of the council’s executive. The terms used in the RMP, regarding this roll-out, are definite: ‘the Council <b>will</b> migrate...’, ‘This <b>will</b> progressively...’ The Strategy, the Asset Management Plan and the RMP itself all demonstrate a clear commitment to create a uniform GCC wide system.</p> <p>Several <b>functions</b> of GCC are contracted out to third parties or arms length legal entities. Evidence has been supplied that procedures have been put in place to ensure any contractor carrying out a function on behalf of the council has</p>

			<p>appropriate records management procedures in place. GCC clearly understands the importance of this aspect of the records management plan and has, in fact, created a separate element 'element 15' to explain how they satisfy themselves that appropriate records management provision is being supplied. (See <i>Contracting out Functions</i> under General Comments below)</p> <p><b>The Keeper agrees this element of Glasgow City Council's RMP on 'improvement model' terms. This means that he is convinced of the council's commitment to implement the BCS fully over time, but would request that he is updated as this project progresses.</b></p>
<p>5. Retention schedule</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>A very comprehensive retention schedule has been submitted, which also covers the activities of Glasgow City Assessor/Electoral Registration Officer.</p> <p>This consolidated retention schedule, submitted in evidence, is a relatively new document (signed off by GCC Corporate Management Team in August). Among other things, it sets out to provide consistency for the disposal of records and information and to promote improved Records Management practices within the Council. The Keeper would be interested to follow the development of this new policy.</p> <p>Evidence of the dissemination of information to GCC staff regarding retention has been supplied in the form of sample factsheets.</p> <p>This is robust provision and meets with the Keeper's agreement.</p>
<p>6. Destruction Arrangements <i>Compulsory</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>GCC have supplied policies that cover –</p> <ul style="list-style-type: none"> <li>a) paper records</li> <li>b) electronic records</li> </ul>

<p><i>element</i></p>			<p>c) hardware Hardware is destroyed by Access Services which is a joint venture between the Council and service company Serco. This is done in line with the Information Security Policy. However, see Information Security Policy below.</p> <p>The council, quite properly, operates a back-up procedure for business continuity. GCC have provided evidence that the back-ups are correctly destroyed by the service provider 'Access' (evidence 117)</p> <p>For paper and electronic records, GCC has supplied, in evidence, sample destruction documents (audit, pick list, checklist etc.). The council operates its own destruction procedures.</p> <p>GCC procedures have been supplied as evidence that relevant staff know how to destroy records securely.</p>
<p>7. Archiving and Transfer <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>Records of permanent value are retained and preserved in the City Archives, part of the ALEO <i>Glasgow Life</i>. GCC staff have access to <i>Appraisal and Disposal Policy – Preserving the Archival and Historic Memory of Glasgow</i>.</p> <p>The expertise of the Glasgow City Archives organisation is not questioned by the Keeper who is familiar with their work. GCC have supplied details of the City Archivist's role and skills as part of their evidence package for element 12.</p> <p>The Keeper would be interested to see the new transfer form, mentioned under <i>Developments</i> in element 7, when it becomes available.</p> <p>The Keeper agrees that GCC has arrangements in place to transfer records to an appropriate archive.</p>

<p>8. Information Security <i>Compulsory element</i></p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>GCC has submitted an <i>Information Security Policy</i> (evidence 039). This policy was approved on 26 September 2013 a minute of the committee approving the policy has been provided (evidence 039b)</p> <p>GCC’s Information Security Board (ISB) is chaired by the Executive Director of Corporate Services who is also a member of the Corporate Management Team.</p> <p>Staff guidance has been supplied as evidence that relevant instructions are disseminated among GCC employees.</p> <p>In 2012 GCC invited the (UK) Information Commissioner’s Office to conduct a voluntary audit of the Council’s compliance with data protection rules. GCC has supplied the Keeper with copies of its ‘e-learning’ staff training modules on Information Security and Data Protection.</p> <p>The Keeper has been supplied with e-mails (evidence 035 and 036) to all staff from Annemarie O’Donnell, Executive Director of Corporate Services, dated May and June 2013, reminding them of their responsibilities regarding the security of information and referring to specific incidents during which lax information security exposed the authority to adverse publicity and a large fine from the Information Commissioner.</p> <p>The Keeper agrees that Glasgow City Council properly considers information security.</p>
<p>9. Data Protection</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>GCC have provided their ICO registration number.</p> <p>Subject Access information can be found on the Council website at:  <a href="http://www.glasgow.gov.uk/index.aspx?articleid=2940">http://www.glasgow.gov.uk/index.aspx?articleid=2940</a></p>

			<p>There is a similar page for FOI  <a href="http://www.glasgow.gov.uk/index.aspx?articleid=2999">http://www.glasgow.gov.uk/index.aspx?articleid=2999</a></p> <p>GCC have supplied the Keeper with DP General and Short Guidance for staff and a document <i>Data Protection Act 1998 – General Guidance</i></p> <p>The council operates a Data Protection Forum specifically to address DP issues.</p> <p>The GCC <i>Information Security Policy</i> supports compliance with Data Protection Act. (See Information Security Policy Below).</p> <p>The Keeper, therefore, agrees that GCC have fully engaged with their responsibilities under the Data Protection Act 1998.</p> <p>GCC has supplied the Keeper with copies of its ‘e-learning’ staff training modules on Information Security and Data Protection.</p> <p>The Keeper agrees that Glasgow City Council has properly considered its responsibilities under the Data Protection Act 1998.</p>
<p>10. Business Continuity and Vital Records</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>GCC has a Resilience Team (formerly emergency planning unit) based in corporate services and therefore under the control of Annemarie O’Donnell the lead officer in the RMP.</p> <p>Each of GCC’s 9 service areas has its own business continuity plan. A sample of one of these plans has been provided to the Keeper as evidence (evidence 113).</p> <p>The individual service plans are assessed bi-annually.</p>

			<p>The partnership between GCC and Serco, Access (see element 6 above), will test the IT systems for recovery. This testing is allowed for in a contract, and the relevant contracts have been provided to the Keeper in evidence (evidence 114 – 116) with the relevant clauses highlighted.</p> <p>The Keeper agrees that Glasgow City Council has properly considered business continuity and vital records.</p>
11. Audit trail	<b>A</b>	<b>A</b>	<p>GCC paper records are stored in GCC premises and by Glasgow City Archives (which is part of the ALEO <i>Glasgow Life</i>). Documents clarifying the operation of the City Archives' record production procedures have been provided.</p> <p>GCC operates Livelink Opentext as an enterprise content management system.</p> <p>This imposes an audit trail on electronic documents. As Livelink is rolled out throughout the council, all new electronic documents will comply with this audit trail. However, not all the electronic information held by GCC currently fits this system both because of the media in which the information is held and because it exists on unstructured drives. GCC acknowledges this failing on pages 29 and 30 of the RMP and the Keeper commends this honest admission.</p> <p>There seems to be commitment to capture electronic information in Livelink retrospectively, although for a large number of IT applications, this will not be possible.</p> <p><b>The Keeper agrees this element of Glasgow City Council's RMP on 'improvement model' terms. This means that he is convinced of the council's commitment to implement audit trails as fully as possible over time, but would like to request that he is updated as this project progresses.</b></p>

<p>12. Competency Framework for records management staff</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>As well as the Asset Governance Manager details provided as evidence for element 2 above, GCC have provided the role profile and person specification for the Glasgow City Archivist who supports the records management activities of the council. The Keeper is familiar with both parties and has no doubt of their competence in this role.</p> <p>As part of the evidence package for element 11, audit trail, GCC mention an on-line Information Security and Data Protection training module. GCC has supplied the Keeper with copies of its 'e-learning' staff training modules on Information Security and Data Protection. He would be interested in more information regarding the Asset Management training when it is available. The Keeper acknowledges the positive statement 'There will be an on-going analysis of skill gaps and training will be provided to help meet those gaps' (RMP page 32) as good practice.</p> <p>The Keeper agrees that the person identified at element two has appropriate skills to implement the RMP and that Glasgow City Council properly consider records management training for their staff.</p>
<p>13. Assessment and Review</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>The plan appropriately identifies review periods for each element of the RMP and uses positive statements such as 'There <b>will</b> be an annual assessment of the Records Management Plan' (RMP page 33). GCC has a Records Management Policy Group made up of the Governance Asset Manager, Information Asset Manager and the City Archivist who have responsibility for the assessment of the RMP. This group will report to the Corporate Management Group 'to ensure that they are kept informed about record-keeping compliance and continuous improvement across the whole of the Council' (quoted from the <i>Glasgow City Council Records Management Plan Review and Assessment</i> document)</p> <p>GCC recommend that their review and assessment framework is also applied to the Council's arms-length organisations (ALEOs). The Keeper agrees that, where practical, this recommendation should be adopted.</p>

			<p>In section 7.3.1 of the <i>Information Management Strategy</i> document (see elements 3 and 4 above) commits GCC to measure its performance against the ARMS self-assessment tool. This framework has previously been endorsed by the Keeper.</p> <p>There is a commitment to implement appropriate training on the back of this assessment (see element 12 above).</p> <p>There is a separate commitment to assess the destruction procedures, particularly as they represent a risk to the GCC and are operated by partner bodies. The Keeper acknowledges that this commitment represents good practice.</p> <p>The Keeper agrees that Glasgow City Council has put an assessment mechanism in place.</p>
<p>14. Shared Information</p>	<p><b>G</b></p>	<p><b>G</b></p>	<p>GCC has in place adequate protocols for the sharing of its information among its service areas, with public authorities and with other third parties.</p> <p>It has supplied template protocols, policies and a report to the Extended Corporate Management Team regarding sharing in the extended Glasgow City Council family (including ALEOS) as evidence that the risks involved in this aspect of records management is appropriately recognised.</p> <p>The Keeper is familiar with the information sharing procedures operated by GCC and has been pointing to them as good practice in his Guidance document since August 2012. The Keeper would like to thank GCC for submitting examples of its information sharing documents for the benefit of other Scottish public authorities.</p> <p>The Keeper agrees that GCC has properly considered this element of its records management plan.</p>

### **General Comments:**

The entire records management plan has been signed by Annemarie O'Donnell, the Executive Director Corporate Services (see element 1).

The internal reporting structure for records issues is demonstrated in the GCC Information Governance Document (submitted as evidence).

Samples of staff instruction 'mandates' have been supplied to demonstrate how records management policies are disseminated.

**Electronic Systems:** GCC quite properly acknowledge that information is held in electronic systems that fall outside the LiveLink content management system. These fall into two categories: 'those held in a standard electronic environment which can be moved, edited, renamed and deleted without any of these actions being auditable.' And Systems that are not records management compliant. The Keeper understands that the former will be transferred, when possible, to Livelink. The latter, however, will be maintained as they currently exist until the end of their life cycle. The Keeper accepts that this is a common theme in many public authorities and commends GCC for acknowledging this.

**Contracting out functions:** The Council has created a 15<sup>th</sup> element to respond to the issue of records management provision in 3<sup>rd</sup> parties that carry out The Councils functions. The Keeper welcomes this. The Keeper would like to point out that he would not require public authorities to include contract clauses retrospectively, but notes that The Council is considering invoking change control procedures for longer term contracts. Again this is welcome. Overall the handling of this issue by The Council can be considered as 'best practice'.

## 6. Keeper's Summary

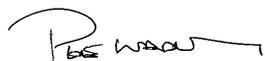
Elements 1 – 14 that the Keeper considers should be in a public authority records management plan have been properly considered by **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board** Policies and governance structures are in place to implement the actions required by the plan.

## 7. Keeper's Determination

Based on the assessment process detailed above, the Keeper agrees the RMP of **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board**

- The Keeper recommends that **Glasgow City Council** 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

.....  
**Robert Fotheringham**

Public Records Officer

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

Either

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 **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board** In agreeing this RMP, the Keeper expects **Glasgow City Council, Glasgow City Licensing Board and Glasgow City Valuation Board** to fully implement the agreed RMP and meet its obligations under the Act.

A handwritten signature in cursive script that reads "Laura M. Mitchell".

**Laura Mitchell**

Deputy Keeper of the Records of Scotland, on behalf of:

**Tim Ellis**

Keeper of the Records of Scotland