National Records of Scotland

Public Records (Scotland) Act 2011

**South Ayrshire Council
and South Ayrshire Licensing Board**

The Keeper of the Records of Scotland

1st September 2017

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 South Ayrshire Council and South Ayrshire Licensing Board by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on 3rd April 2017**.**

The assessment considered whether the RMP of South Ayrshire Council and South Ayrshire Licensing 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 South Ayrshire Council and South Ayrshire Licensing Board complies with the Act can be found under section 7 of this report with relevant recommendations.

3. Authority Background

South Ayrshire is one of 32 council areas of Scotland. The council area was created on 1 April 1996, under the provisions of the Local Government etc. (Scotland) Act 1994.

https://www.south-ayrshire.gov.uk/

South Ayrshire Council's Licensing Board is responsible for regulating the sale of alcohol to the public, and certain gambling activities. It does this by issuing Alcohol Licences and Betting and Gaming licences and permits.

https://www.south-ayrshire.gov.uk/licensing/board/

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 South Ayrshire Council and South Ayrshire 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

South Ayrshire Council and South Ayrshire Licensing Board
For simplicity both authorities are referred to as 'the Council' in the assessment below

Element	Present	Evidence	Notes
1. Senior Officer *Compulsory element*	**G**	**G**	South Ayrshire Council have identified Eileen Howat, Chief Executive, as the individual with overall responsibility for records management in the authority. This identification is supported by a *Covering Letter* from Ms. Howat dated 30th March 2017 and by the *Records Management Policy Framework* **(see element 3)** section 10.1. Ms. Howat authorised the *Records Management Plan* (the *Plan*). South Ayrshire Council's Chief Executive has overall responsibility for information security in the authority (*Information Security Policy* – **see element 8** – page 2). South Ayrshire Licensing Board have identified Ralph Riddiough, Head of Legal and Democratic Services, as the individual with overall responsibility for records management in that authority. This identification is supported by a *Covering Letter* from Mr. Riddiough dated 30th March 2017. Mr Riddiough authorised the Council's *Records Disposal Policy* **(see element 6)**, *Records Transfer and Archive Policy* **(see element 7)**, *Vital Records Policy* **(see**

			element 10) and the *Records Management Plan Assessment & Review Plan* **(see element 13)**. The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have identified appropriate individuals to this role as required by the Public Records (Scotland) Act 2011 (the Act).
2. Records Manager *Compulsory element*	G	G	South Ayrshire Council and South Ayrshire Licensing Board (the Council) have identified Deborah McVey, Team Leader (Information Governance) as the individual with day-to-day responsibility for implementing the *Plan*. This identification is supported by a *Covering Letter* from Ms. Howat dated 30th March 2017, by a similar *Covering Letter* from Mr. Riddiough dated 30th March 2017 **(for both see element 1)** and by the *Records Management Policy Framework* **(see element 3)** section 10.3. Which confirms that: "The Records and Data Officer reports to the Information Governance Team Leader and is responsible for enabling and co-ordinating the development, promotion, implementation, maintenance and monitoring of records management in conjunction with services." The *Plan* states (page 7): "The Team Leader works in close collaboration with the Records and Data Officer, and the Co-ordinator (Registration, Records and Information)". The Record's and Data Officer reports directly to the Team Leader and is responsible for "for the development and maintenance of records management policies, and providing support and guidance throughout the Council in accordance with current guidelines and legislation." Ms. McVey supervises this work. Ms. McVey is the author of the Council's *Plan*, Records *Disposal Policy* **(see element 6)** *Records Transfer and Archive Policy* **(see element 7)**, *Records Management Guide to Staff* **(see element 3)**, *Vital Records Policy* **(see element 10)**

			and the *Records Management Plan Assessment & Review Plan* **(see element 13)**. The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have identified an appropriate individual to this role as required by the Act.
3. Policy *Compulsory element*	**G**	**G**	The Council has a *Records Management Policy Framework* which has been provided to the Keeper. This is version 1.0 dated May 2016. "The Policy provides the overarching framework for any other supporting Council records management policies, practices or guidelines." *Plan* page 8. A minute of the formal adoption of this *Policy Framework* by the Council has been shared with the Keeper. The *Records Management Policy Framework* is available online at: http://www.south-ayrshire.gov.uk/foi/documents/pol%2020160512%20records%20management.pdf Key objectives of the *Policy Framework* are restated in the text of the *Plan* (page 8) and the Keeper agrees that the Plan supports the *Records Management Policy Framework*. The Council have also supplied their *Records Management Guide to Staff*. Version 2.0 issued March 2017. The author of this policy is the Team Leader (Information Governance) **(see element 2)**. This guidance supports principles in the *Records Management Policy Framework*. The *Records Management Guide to Staff* includes a handy "How to determine if a document should be treated as a record" flowchart. Intranet screen-shots have been provided showing staff can access records management documents and training.

			The *Records Management Policy Framework* and the *Guide to Staff* both mention the Act. The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have a records management policy statement as required by the Act.
4. Business Classification	**A**	**G**	The Council's *Records Management Guide to Staff* **(see element 3)** identifies good records management requires that: "Records should be created within a structured, hierarchical filing system. Records should be grouped with other records that relate to the same topic or Activity/function." With this in mind the authority has created a *Business Classification Scheme* which has been shared with the Keeper (dated March 2017). The *Scheme* is arranged in a functional system. This arrangement must remain a business decision for the Council, but the Keeper would like to acknowledge that a functional system is currently considered 'best practice'. The *Business Classification Scheme* is populated with input from local service areas. The Keeper commends this local engagement as liable to help create record creator buy–in and a stronger business tool for the organisation. The structure is based on the Scottish Council on Archives' SCARRS system, which the Keeper agrees is suitable for use by a Scottish Local Authority **(see also element 5)**. The use of SCARRS is confirmed in the *Records Disposal Policy* **(see element 6)** (section 3.0). A sample entry reads: MANAGEMENT/Enquiries and complaints/Processing of enquiries – Function/activity/ transaction. The Keeper confirms this level of detail is adequate for PRSA.

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However, it is clear from the *Plan* that the *Business Classification Scheme* is not yet fully operational in a manner that the Council considers fully efficient. The scheme is not yet fully implemented corporately and the adoption of an EDRM is being considered. This must remain a business decision for the authority and the Keeper can take no view on whether the procurement of such a system should proceed. He, of course, agrees that for an authority the size of South Ayrshire Council the adoption of a full EDRM would not be unreasonable.

On this matter the *Plan* states (page 10): "This Plan recognises that work is ongoing to fully implement the functional classification scheme for both paper and electronic records, particularly in terms of rationalising the process of staff storing unstructured data in electronic records in multiple different shared drives. The Council is committed to scoping up to date and effective solutions to the management of such records and, as part of the Transform South Ayrshire programme, work is underway to undertake a scoping exercise to establish if an EDRMS solution is suitable for corporate use." The Keeper should be informed of the results of the scoping exercise and of the specific plans around this element going forward from that exercise.

This work is confirmed in the *Records Management Guide to Staff* (see element 3) section 5.0.

Furthermore the *Plan* states (page 10) "Work is ongoing in relation to the development of file naming conventions, including piloting the conventions in a number of service areas. The Records Management Service is currently meeting with Chief Officers of the Council to ensure the Business Classification Scheme, once fully developed and rolled-out corporately, will be implemented throughout every service."

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<td></td>
<td>A</td>
<td>G</td>
<td>The Council have supplied the Keeper with details of the 'Transform South Ayrshire' programme and he thanks them for this inclusion.

The Keeper agrees the above actions suggest a commitment to an improvement plan **(see also elements 5, 6 and 11 for future improvements around the record-keeping structure).**

The Council operate a hybrid system with records held digitally and in hard copy. Semi-current paper records are held in an in-house record store 'the Corporate Records Management Centre'. Records that may have archival significance are suitably identified prior to being consigned to this store **(see element 7)**.

The Keeper agrees this element of South Ayrshire Council and South Ayrshire Licensing Board's *Records Management Plan* under 'improvement model' terms. This is in acknowledgement of the authority being in a state of transition regarding imposing the Business Classification Scheme on an electronic records management solutions (see above). He is convinced of the commitment to complete this work, however his agreement is conditional on his being updated as the project progresses. The Council have committed to doing this (*Plan* page 32).</td>
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<td>5. Retention schedule</td>
<td>**A**</td>
<td>**G**</td>
<td>The Council's *Records Management Policy Framework* **(see element 3)** states that "The Council has adopted the Scottish Council on Archives Record Retention Schedule (SCARRS) and consulted with each directorate to develop a bespoke Retention Schedule for the Council". The Keeper agrees that 'SCARRS' is entirely appropriate for use by a local authority.

The Council's *Records Management Guide to Staff* **(see element 3)** defines records management, in part, as a recognition that "Decisions must be made about what records should be kept and for how long they should be kept" (*Guide to Staff* section</td>
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3.0 and 9.0).

As evidence that they properly addressed this aspect, the Council have submitted their *Corporate Retention Schedule* to the Keeper. It is available online at http://www.south-ayrshire.gov.uk/documents/doc%2020170329%20scarrs%20schedule%20v2.0.pdf

The *Corporate Retention Schedule* shows retention decisions for the record types identified in the *Business Classification Scheme* **(see element 4)** for example: Enquiries and complaints/Records documenting the processing of customer comments and enquiries about the Council including responses/C + 1 year.

The Plan explains that currently the Information Governance Team (see under General Comments below): "are in the process of meeting with each service area to discuss which of the function, activity and transaction sections of SCARRS are relevant to each service area, and agree the appropriate retention period, given different business needs." The Keeper agrees this action, commends local involvement in the creation of the schedule and requests that he is informed when this activity has been concluded.

The Corporate Retention Schedule and the Business Classification Scheme will form the core of any records management solution selected going forward **(see element 4)**.

It is understood that a revised Corporate Retention Schedule will include reference to vital records (*Vital Records Policy* page 4) **(see element 10)**. **The Keeper requests that he is informed when this is done.**

The Information Governance Service, directed by the 'Team, Leader' **(see element**

			2) is responsible for the maintenance of the retention schedule and for monitoring its effectiveness. This is done in conjunction with the local service areas **(see Records Management Champions under General Comments below).** The *Plan* (section 5.3 page 12) explains the process for reviewing retention decisions and the centralised control of any changes. Statements in the *Records Disposal Policy* **(see element 6)** supports the Council's retention provision (see for example section 3.0). **The Keeper agrees this element of South Ayrshire Council and South Ayrshire Licensing Board's *Records Management Plan* under 'improvement model' terms. This is in acknowledgement of the authority still in the process of finalising the *Corporate Retention Schedule* with local service areas and imposing retention decisions on the chosen records management solution. The Keeper is convinced of the commitment to complete this work, however his agreement is conditional on his being updated as the project progresses. The Council have committed to doing this (*Plan* page 32).**
6. Destruction Arrangements *Compulsory element*	**A**	**G**	The Council note in their *Records Management Guide for Staff* (section 2) **(see element 3)** that "Access and disposal of records needs to be managed and monitored" and that "disposing of records that are no longer needed frees us space within a building and information systems, and saves staff time searching for information that may no longer be there." The *Guide* features sections on records disposal (section 10 and 11). The controlled destruction of records supports objectives elsewhere in the *Plan* for example at 3.1 Page 8. With these objectives in mind, the Council has the following processes in place to ensure the secure and irretrievable destruction of records when appropriate:

			Paper (internal): The Council disposes of its hard-copy public records using third-party shredding companies. Certificates have been supplied to show that these arrangements are operational. Staff guidance is available in the *Records Disposal Policy* **(see below)** section 5.0 and the *Records Management Guide to Staff* **(see element 3)** section 11.0. Paper (external): There is no indication that South Ayrshire Council holds records with a third party storage supplier. **For completeness the Keeper requests confirmation of this.** **Electronic: The *Records Disposal Policy* (see below) does not provide staff guidance for the deletion of electronic records held on shared drives or of e-mails.** **The Plan states (section 6.8 page 15): "the activity of meeting with every service area to discuss and agree the records retention schedule will ensure that all members of staff are aware of their responsibilities to destroy records in the correct way and at the correct time. The business classification scheme will also aid the correct destruction of electronic records as records will be similarly structured by function and easily located and audited." The Keeper agrees this action. The Plan goes on to state (6.10 page 16): "the Council is currently piloting proposed naming conventions for electronic records within several selected service areas, to receive user feedback on the conventions being proposed, prior to consideration for corporate use. If the introduction of standardised naming conventions is agreed it is anticipated it will also aid accurate destruction of electronic records, as records will be easily identifiable and will contain the date of creation in the file name." The Keeper agrees that a more robust structure should allow confidence that electronic records are being deleted securely when appropriate.**

Generally, the development of a centralised records management solution (see element 4 above) should allow more controlled deletion of electronic records. The adoption of an EDRM (which is currently being considered) should allow this process to be automated if desired.

Hardware: Redundant hardware is stripped of records by an external contractor. A service level agreement and other documentation has been provided as evidence that this procedure is approved and operational. Staff guidance on the use of this facility has also been provided (*Records Disposal Policy* sections 6.0 and 7.0).

Back-Ups: South Ayrshire Council, quite properly, keeps back-ups of electronic records for business continuity purposes. They have provided the Keeper with details of their back up regime. This clearly sets out the practical arrangements and timescales that the Council follows.
Back-up arrangements are confirmed in the *Vital Records Policy* (page 6) **(see element 10)** and the *Records Management Guide to Staff* section 5.0 **(see element 3)**.

The Council have provided the Keeper with their *Records Disposal Policy*. This is version 2.0 issued March 2017. The author of this policy is the Team Leader (Information Governance) **(see element 2)**. This policy supports statements in the *Plan*.

The *Records Disposal Policy* confirms that Records Management is the systematic control of records…to ensure optimum efficiency of … disposal…" (*RD Policy* section 1.0).

Disposal of records held in the in-house record store must be authorised by the relevant service area using a records disposal authorisation form. A sample of this form has been provided to the Keeper.

			The *Records Disposal Policy* mentions the Act.
			Disposal schedules are kept recording what records have been destroyed. The Keeper commends this approach. A sample from a disposal register has been supplied in evidence.
			Staff guidance regarding the routine destruction of working copies and 'extraneous material' is available in the *Records Management Guide to Staff* **(see element 3)** section 6.0 and 10.0. These records do not have to be logged in the Council's disposal schedules. The Keeper commends the inclusion of this advice.
			Intranet screen-shots have been provided showing staff can access records management policies and guidance including the *Records Disposal Policy* and the *Records Management Guide to Staff*.
			The Keeper agrees this element of South Ayrshire Council and South Ayrshire Licensing Board's *Records Management Plan* under 'improvement model' terms. This means that he acknowledges that the authority has recognised a gap in provision (the systematic destruction of electronic records could be improved). He agrees that the authority has instigated processes to close that gap (for example, the potential of a migration to an EDRM solution). The Keeper's agreement is conditional on him being updated as this project progresses (see element 4). The Council have committed to doing this (*Plan* page 32).
7. Archiving and Transfer *Compulsory element*	**G**	**G**	The *Records Management Policy Framework* **(see element 3)** refers to "records with historical value" (*Policy Framework* section 3.1) and the *Records Disposal Policy* **(see element 6)** and the *Records Management Guide to Staff* **(see element 3)** both refer to the transfer of records with continuing value to the Council archives

(*Disposal Policy* section 1).

The principle of archiving records of historical importance is supported by the introduction to the *Plan*. The *Records Disposal Policy* **(see element 6)** confirms that Records Management is the systematic control of records…to ensure optimum efficiency of … preservation…" (*RD Policy* section 1.0 and also in more detail section 8.0).

South Ayrshire Council have selected the Ayrshire Archives as the proper repository for records selected for permanent preservation. There is an arrangement whereby the Council Archives take Council records of historical interest.
http://www.ayrshirearchives.org.uk/

"The Ayrshire Archives Centre is a specially equipped facility adapted to ensure the appropriate conditions exist to preserve archive records in terms of storage in a suitable environment." (*Records Transfer and Archive Policy* – **see below** – section 5.0).

The Council have supplied the Keeper with a copy of the minute of agreement between Ayrshire Archives Centre and South Ayrshire Council (and East Ayrshire and North Ayrshire Councils).

The Keeper agrees that the archival arrangements instigated by the Council supports principles 3.1(vii) and 7.1(vii) of the *Records Management Policy Framework* **(see element 3)**.

The Council have provided the Keeper with their *Records Transfer and Archive Policy*. This is version 1.0 issued in March 2017. The author of this policy is the Team Leader (Information Governance) **(see element 2)**. This policy supports statements in the *Plan*.

			Intranet screen-shots have been provided showing staff can access records management documents and training. The *Records Transfer and Archive Policy* mentions the Act. The Keeper agrees that appropriate procedures are in place to ensure the transfer of records selected for permanent preservation to a suitable archive.
8. Information Security *Compulsory element*	**G**	**G**	South Ayrshire Council has a *Information Security Policy* which has been provided to the Keeper. This is version 1.0 approved by the Leadership Panel in June 2010. The adoption of an *Information Security Policy* supports principle 3.1 (iii) of the Council's *Records Management Policy Framework* **(see element 3)** and objectives elsewhere in the *Plan* (for example at 3.1 Page 8.) and evidential documents (*Records Management Guide to Staff* section 3.0). The Council has provided its *Information Security Incident Management Procedure 2015*. Clause 5 of this Procedure provides clarification on the structure for reporting security incidents. Security of hard copy records and servers is also a feature of the Council's *Vital Records Policy* **(see element 10)** – section 6. Intranet screen-shots have been provided showing staff can access records management documents and training. This shows a information security mini-site where it can be seen that the *Information Security Policy* is supported by a suite of supplementary policies and guidance such as the *ICT Acceptable Use Policy* (supplied). "Staff who access Council systems must read and state they comply with the Council's Acceptable Use Policy before they can access any ICT Systems."

			(*Records Management Guide to Staff* section 15.0) The Council's information security provision is mapped against ISO27000 series standards. The council is currently developing an *Information Classification Policy* (draft version supplied) this, when imposed, will allocate sensitivity marking for corporate records. Information security training is mandatory **(see element 12).** The Keeper agrees that there are robust procedures in place to protect the information created and maintained by the Council.
9. Data Protection	**G**	**G**	South Ayrshire Council have a *Data Protection Policy,* which has been supplied to the Keeper. This is version 2.0 authorised by the Co-ordinator Registration, Records and Information in May 2016. The *Policy* is available at: https://www.south-ayrshire.gov.uk/foi/documents/data%20protection%20policy.pdf The Council is registered with the Information Commissioner: **Z5548592** It is confirmed South Ayrshire Council Licensing Board is covered by South Ayrshire Council's ICO Registration. The *Data Protection Policy* explains the (current) eight principles of data protection. Subject access information is publically available at https://www.south-ayrshire.gov.uk/foi/personal-data.aspx Staff guidance on subject access procedure is available from the Council's *Data*

			Protection Code of Practice section 8 (provided to the Keeper – v2.0 October 2016). The *Data Protection Policy* is supported by staff guidance *Data Protection Code of Practice* (also supplied). The *Records Management Policy Framework* and *Guide to Staff* **(see element 3)** and the *Vital Records Policy* **(see element 10)** mention the Data Protection Act. The *Records Disposal Policy* **(see element 6)** supports the Council's data protection provision (see for example section 1.0). Data protection training is mandatory **(see element 12).** Intranet screen-shots have been provided showing staff can access records management documents and training. The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have properly considered their responsibilities under the Data Protection Act 1998.
10. Business Continuity and Vital Records	**G**	**G**	South Ayrshire Council operate an overall *Corporate Plan* supporting business continuity management process. The Council also operate a detailed *Business Continuity Strategy* which includes a template for local business continuity management procedures. These have been provided to the Keeper (redacted as appropriate). The Keeper agrees that these documents consider the recovery of records in an emergency. Intranet screen-shots have been provided showing staff can access records management documents and training. The maintenance of business continuity procedures is a requirement of the Council's *Information Security Policy* **(see element 8)**.

			For back-ups see element 6 The Council operates a *Vital Records Policy* which has been provided to the Keeper. This is version 1.0 issued March 2017. The author of this policy is the Team Leader (Information Governance) **(see element 2)**. "This policy operates in conjunction with business continuity policies and procedures as it defines and protects what records are needed for the Council to continue its operation in the event of an emergency or major disruption to normal service." (*Plan* section 10.2 page 24). The purpose of the *Vital Records Policy* is "Minimising inconvenience in the event of disaster or disruption." (*VR Policy* page 3). The *Vital Records Policy* commits the Council to note this status on the *Corporate Retention Schedule* **(see element 5)**. The Keeper commends this idea. The *Vital Records Policy* mentions the Act. The Keeper agrees that the *Vital Records Policy* instigated by the Council supports objective 7.1(viii) of the *Records Management Policy Framework* **(see element 3)**. The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have an approved and operational Business Continuity policy and that Information Management and records recovery properly feature in the council's plans.
11. Audit trail	**A**	**G**	The Council state that effective records management allows the "Council to know what records it has, and how to locate them easily." (*Policy Framework* – **see element 3** – section 3.1). and define records management, among other things, as helping to "ensure optimal efficiency of…retrieval…"

| | | | The Keeper agrees that many of the line-of-business systems used by the Council will impose suitable naming convention/version control at time of record-creation to adequately track records subsequently. The SWIS system would be an example of this.

The *Plan* explains the procedures for locating paper records (*Plan* section 11.1, 11.7 etc.).

Arrangements for the tracking of paper records held in the in-house records store are confirmed in element 7 of the Plan (section 7.3.2 page 18) and in the *Records Management Guide to Staff* section 6.0. A sample transfer form has been provided in evidence.

As part of the overall records management project in the Council "Discussions within each Council service area regarding record retention scheduling and business classification have also emphasised to services the importance of maintaining an accurate and up to date audit trail of records, in order to facilitate correct retention and destruction arrangements." (*Plan* section 11.2). The Keeper agrees this action.

The *Plan* also states "The implementation of the Council's business classification scheme will assist in developing a corporate file plan that will be introduced across Council services to use a single standard filing system for electronic records (*Plan* section 11.4) The Keeper agrees this principle.

Furthermore, the *Plan* states "Within the scoping exercise for an EDRMS, one of the requirements for the system is that it must have the functionality for monitoring the audit trail of records." The Keeper notes this and agrees it is an important requirement of any records management system. |
|--|--|--|--|

			The staff information leaflet *Records Management* supplied to the Keeper requires that staff should "To ensure the current version of an electronic record is in use, use a version control number". This is confirmed in the *Records Management Guide to Staff* **(see element 3)** section 6.0. **However, more detailed guidance on version control and document naming conventions is currently in a draft stage (supplied). This is partly due to the exercise detailed at element 4 which may result in the Council installing an automated system which may impose certain tracking arrangements (such as version control).** The development of naming convention/version control structures supports objectives suggested in the *Records Management Guide to Staff* **(see element 3)** section 5.0. The Council recognise (Plan section 11.6): that in the case of electronic records stored on shared drives "it is more challenging to ensure commonality and accuracy in the audit trail of records." The Keeper agrees. If a shared drive system is eventually selected as the records management structure in South Ayrshire Council, the imposition and monitoring of naming convention/version control policies will be fundamental to information governance going forward. **The Keeper can agree this element on an 'improvement model' basis. This means that the Council has identified a gap in provision (tracking of records will be dependant on the records management solution adopted by the Council going forward) and has identified a solution to close this gap. This agreement is conditional upon the Keeper being kept informed of progress (see element 4). The Council have committed to doing this (*Plan* page 32).**
12. Competency	**G**	**G**	The Council has supplied the Keeper with the *Job Description Team Leader Information Governance* **(see element 2)**. This shows her as being responsible for

Framework for records management staff			(among many other objectives) "To draw up legally admissible retention schedules, applicable to all records in all media from birth throughout their life cycle. In line with appropriate legal, operational, administrative and historical requirements. To monitor, audit, amend and develop records and information systems and to assist in the delivery of the Public Records (Scotland) Act." The Keeper has been provided with the annual objectives and personal development plan of the Team Leader. This clearly shows training and responsibilities commensurate with the implementation of the *Plan*. The Keeper has also been provided with the *Job Description* of the Records and Data Officer, who reports to the Team Leader. The Keeper thanks the Council for this inclusion. Ms. McVey is a member of the Archives and Records Association (evidence supplied). The Council's *Records Management Guide to Staff* **(see element 3)** defines records management, in part, as a recognition that "Council staff require training and easy access to guidance" (*Guide to Staff* section 3.0). E-Learning modules are available for staff for data protection, information security and secure destruction guidance. Screen-shots have been supplied as evidence of the availability of these modules. Information security, records management and data protection training is mandatory in the Council. The Keeper commends the compulsory nature of the records management training as clearly complimentary to the DP and IS training. Staff training is formally supported in the text of each corporate policy. For example

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There is a formal, published commitment that the Council will ensure that: "all staff and Elected Members are aware of their specific responsibilities under the Data Protection Act" (Data Protection Policy – see element 9 - section 3.2.1)

The Keeper agrees that the individual identified at element 2 has the appropriate responsibilities, resources and skills to implement the records management plan. Furthermore, he agrees that the Council considers information governance training for staff as required.</td></tr>
<tr><td>13. Assessment and Review</td><td>G</td><td>G</td><td>The Act requires a scheduled public authority to "keep its records management plan under review" (part 1 5.1 (a)).

A formal review of the Plan is a stated commitment in the introduction (page 4). Under element 1 (page 6) the Plan states: "The Chief Executive will ensure, when required, improvements to records management procedures are implemented corporately and monitored by the Records and Data Officer through the assessment and review process."

The review is carried out by the Records and Data Officer supported by the Team Leader Information Governance (see element 2), signed off by the Head of Legal and Democratic Services (see element 1) and then reported to the Council. The Plan notes that these individuals have a detailed knowledge of the Plan and of records management provision in the Council. The review of implementation is annual.

The Council have supplied a South Ayrshire Council Records Management Compliance Self-Assessment Workbook, a South Ayrshire Council Internal Audit Records Management Hazard Identification document and a South Ayrshire Council</td></tr>
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Internal Audit Information Security Audit Report (March 2017) as evidence of review methodology.

The *Records Management Policy Framework* **(see element 3)** sections 10.5 and 12.1 and the *Plan* section 11.3 confirm the involvement of internal audit and local self-assessments in the periodical scrutiny of record keeping practices. The Keeper commends this.

The *Plan* (section 13.3) indicates engagement between the Information Governance Group (see under General Comments below) and local service areas to "communicate progress". The Keeper commends this.

Evidential documents appear to have annual review embedded in their clauses. For example the *Records Transfer and Archive Policy* section 9.0 or *Records Disposal Policy* section 15.0.

There is a formal, published commitment that the Council will ensure that: "services conduct a regular review and audit of the way personal information is managed and processed to ensure best practice and compliance with the Act;" (*Data Protection Policy* – **see element** 9 - section 3.2.1). The authority's registration with the Information Commissioner is currently due to be renewed by 27 June 2018. The Keeper accepts that this may change under GDPR coming into force May 2018.

The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have made arrangements for the review of the implementation of their Records Management Plan as required by the Public Records (Scotland) Act 2011. The Keeper has seen evidence of responsibilities, reporting system, timescale and methodology of this review.

| 14. Shared Information | G | G | The Council is a partner in a information sharing protocol with other Ayrshire public authorities.

The Ayrshire *Information Sharing Protocol* is available as a PDF online.

The Council have provided the Keeper with their *Information Sharing Guidance Document*, their *Data Sharing Check List* and *Information Sharing Flowchart* . He agrees this suite of guidance sets out to ensure staff appropriately consider information governance at the outset of information sharing projects.

The Keeper has been supplied with a selection of sample agreements to show these arrangements are currently operational.

The utilisation of information sharing protocols is confirmed in the Council's *Records Transfer and Archive Policy* **(see element 7)**.

The Keeper agrees that South Ayrshire Council and South Ayrshire Licensing Board have considered the records management implications of information sharing as is appropriate. |

South Ayrshire Council and South Ayrshire Licensing Board
For simplicity both authorities are referred to as 'the Council' in the assessment below

General Notes on RMP, Including Concerns:

Version:
This assessment is on the common *Records Management Plan* (the *Plan*) of South Ayrshire Council and South Ayrshire Licensing Board (the Council) submitted to the Keeper of the Records of Scotland in April 2017. This version 1.1 issued in August 2017.

The *Plan* is accompanied by a letter from Eileen Howat, Chief Executive, dated 30th March 2017 in which she confirms that she "fully endorses" the records management principles adopted by the Council. The *Plan* is also accompanied by a similar covering letter from Ralph Riddiough, Head of Legal and Democratic Services and Clerk to the Licensing Board who confirms that the records of the Board should be managed by managed by the Council under the common plan, which he also endorses. The inclusion of the Licensing Board is specifically stated in the introduction to the *Plan*.

Records management is a feature of the Council's website: http://www.south-ayrshire.gov.uk/foi/policy.aspx

The Council acknowledges records as a business asset (for example *Records Management Guide to Staff* section 3 or *Information Security Policy* 'Objectives'). The Keeper commends this recognition.

The Keeper agrees that the *Plan* supports the objective in the Council's *Business Plan*: "Redesigning and transforming service delivery: improving the quality and efficiency of services by eliminating duplication, streamlining processes, harnessing technology, getting the most out of our assets and developing our workforce." (South Ayrshire Council Plan April 2016 - March 2018 page 5).

The *Plan* mentions the Public Records (Scotland) Act 2011 (the Act) and is based on the Keeper's, 14 element, Model Plan http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources/model-records-management-plan.

Third Parties

As a Local Authority, South Ayrshire Council contracts out some of its functions to third parties, such as charities or ALEOs. The Act makes it clear that records created by these third parties when carrying out these functions are subject to the Act. It is the responsibility of the scheduled authority (the Council) to ensure that procedures are in place to satisfy themselves that third parties are carrying out records management appropriately.

The RMP gives the following commitment on page 3:
C.1   The Council's standard contract Terms and Conditions (T&Cs) are currently being revised to incorporate that in so far as carrying out functions for the Council, a contractor will comply with the Public Records (Scotland) Act 2011 and will indemnify the Council in respect of any claims arising due to a contract's breach of the Act.
C.2   The Council intends to use the style wording developed by SOLAR for inclusion in contract conditions. This is available on the Scottish Council for Archives website Scottish Council on Archives Draft Contract Clauses

The Information Governance Group
The Information Governance Group is responsible for the structuring of the records management provision in the Council and meet with local service areas with the intention of fully populating the Business Classification Scheme and Corporate Retention Schedule (see elements 4 and 5) while working with the ICT Project Manager on a scoping exercise for a future records management solution. This may include the procurement of an EDRM.

The Information Governance Team Leader **(see element 2)** oversees the Corporate Retention Schedule.

The Information Governance Team has a responsibility for advising service areas throughout the Council of their responsibilities sunder the Data Protection Act 1998.

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

Records Management Champions
The *Records Management Policy Framework* **(see element 3)** section 6 commits the Council to establish a network of designated representatives in each directorate with a responsibility for monitoring records management in their local business areas. The Keeper highly commends the principle behind this in large organisations (such as local authorities) where it would be impractical for an central information governance manager to oversee all relevant operations themselves.

Records management champions are responsible for identifying vital records in their service areas (*Vital Records Policy* – **see element 10** – section 7).

The use of locally responsible records management 'champions' is confirmed in the *Records Management Guide to Staff* **(see element 3)** section 6.0 and 16.0.

The Keeper notes that the Plan shows an understanding of the importance of local service area buy-in (for example section 5.2 page 12).
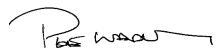
6. Keeper's Summary

Elements **1 - 14** that the Keeper considers should be in a public authority records management plan have been properly considered by **South Ayrshire Council and South Ayrshire Licensing 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 **South Ayrshire Council and South Ayrshire Licensing Board**.

- The Keeper recommends that South Ayrshire Council and South Ayrshire 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,

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Pete Wadley
Public Records Officer

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Robert Fotheringham
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 South Ayrshire Council and South Ayrshire Licensing Board. In agreeing this RMP, the Keeper expects South Ayrshire Council and South Ayrshire Licensing Board to fully implement the agreed RMP and meet its obligations under the Act.

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Tim Ellis
Keeper of the Records of Scotland