MODEL ACTION PLAN

FOR DEVELOPING RECORDS MANAGEMENT ARRANGEMENTS COMPLIANT WITH THE

CODE OF PRACTICE ON RECORDS MANAGEMENT

UNDER SECTION 61 OF THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

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INTRODUCTION

(i)   The *Code of Practice on Records Management* ("the Code") under the Freedom of Information (Scotland) Act 2002 ("the Act") has been issued in accordance with the requirements of section 61 of the Act. It has been designed to support the objectives of the Act by setting out guidance as to the practices which, in the opinion of the Scottish Ministers, public authorities should follow in relation to creating, keeping, managing and finally disposing of their records. **It applies to records in all formats**.

(ii)   To assist Scottish public authorities in the process of developing records management arrangements which comply with the Code, the Keeper of the Records of Scotland ("the Keeper"), has published this generic model action plan which was compiled by the Scottish Freedom of Information Implementation Group's sub-group on Records Management[1]. The plan should be read in conjunction with the Code.

(iii)   This generic action plan is intended to be used as the basis of sectoral action plans which are tailored to suit the needs of particular sectors, for example health, local government, etc. Some sectors, such as health, may of course need more than one sectoral plan to cover the wide range of different needs within the sector. It is also recognised that some sectors may be too small to merit their own action plan and that some authorities may not readily fit into a particular sector – in such cases the generic plan should be used. The principles set out in these introductory paragraphs and the steps set out in Sections 1 and 2 of the plan are intended to be common to all sectors. Appendix B is designed to allow those preparing sectoral plans to include further information, guidance, good practice or good examples which are specific to their sector.

(iv)   Although this generic model action plan is published by the Keeper, the development of sectoral action plans is a matter for the appropriate representative groups. The National Archives of Scotland (NAS) and the Scottish Executive will be happy to provide general advice to those developing the sectoral plans. Enquiries should be sent to:

- Freedom of Information Officer, The National Archives of Scotland, HM General Register House, 2 Princes Street, Edinburgh, EH1 3YY; e-mail: foi@nas.gov.uk; or

- Public Records Policy Branch, Freedom of Information Unit, Scottish Executive, G-A North, Victoria Quay, Edinburgh, EH6 6QQ; e-mail: foi@scotland.gsi.gov.uk.

Interpretation

(v)   Words and expressions used in this model action plan have the same meaning as the same words and expressions used in the Freedom of Information (Scotland) Act 2002 or listed in Section 3.1 of the Code.

NB.   This model action plan refers to "authority" throughout, as this is the term used in the Act and the Code. However, it has been included in square brackets so that sector

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[1] The Sub-Group was made up of representatives of the health service; local government; higher education; police; the Scottish Parliament; the National Archives of Scotland; and the Scottish Executive.

specific plans can use whatever term is most appropriate for their sector, eg "local authority" or "higher and further education institution", etc.

Aim and objectives

(vi)   The aim of this model action plan is to provide detailed operational guidance for the development of records management arrangements.

(vii)   The main principles and requirements of good records management arrangements are universal and are set out in Sections 6 to 9 of the Code. In summary, they are:

- recognition of records management as a corporate function;

- co-ordinated management of records and information at a senior level throughout the [authority];

- suitable training for all staff;

- a records management policy and strategy to guide and underpin records and information management procedures and practices;

- clearly defined arrangements for the management of records and information throughout their entire lifecycle, including:

  - a registration and tracking process and procedures to manage access and retrieval of information;

  - guidelines on when records should be closed to further additions;

  - arrangements for appraising records and deciding their long-term future;

  - a selection policy;

  - arrangements for disposing of records, either by destruction or by transfer to an archive, and for documenting these actions;

  - adequate storage;

  - a link to the [authority's] business continuity plan.

If the action plan is followed it should ensure basic compliance with the *Code of Practice on Records Management* and help Scottish public authorities to comply with their duties under the Act.

Implementation of the Model Action Plan

(viii)   This action plan assumes a starting point of no records management provision within the [authority]. However it is recognised that different [authorities] may have different levels of provision and therefore it is recommended that each [authority]

identifies the stage in the plan that it has already achieved and progresses from that point. It is also recommended that [authorities] without a qualified records manager ensure that they have regular access to one as soon as possible – this can be done by appointing one, organising professional training for unqualified staff already undertaking a records management role, or by contracting-out this service, either to another [authority] with a qualified records manager or to consultants[2]. In this context, task 1.3 of this action plan is particularly important.

(ix)   The action plan sets out in detail what needs to be done to introduce fully accountable and effective records management within an [authority]. However, the level and methods of implementation will vary between [authorities] according to size, resources, functions, geography, etc. The steps in the plan are not intended to be prescriptive and should complement or enhance existing records management practice which may already be operated by the [authority], where that practice is compatible with compliance with the Code. The main thing to remember is that each [authority] must have arrangements in place which allow it to comply with the Act and the Code.

(x)   The records management practices set out in the Code and this action plan are essentially a matter of good business administration. Therefore, [authorities] should already be complying with the bulk of these, including the allocation of adequate resources to support their records management arrangements. [Authorities] should use the Code and this action plan to assess the effectiveness of their existing records management arrangements.   If this assessment highlights any deficiencies, [authorities] will then need to take appropriate steps to rectify them, including where necessary some reallocation of their existing resources.   In considering what remedial action will be appropriate, [authorities] should consult the action plan and take account of the consequences of failing to comply with the Act or the Code. It is also important to note that establishing effective records management arrangements will deliver significant benefits for [authorities] – 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 duties under the Freedom of Information Act, and other legislation such as the Data Protection Act;

- provide a sound basis for the transition to e-government.

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[2] Advice about suitable records management consultants, can be obtained from the National Archives of Scotland (http://www.nas.gov.uk) or from the Records Management Society (http://www.rms-gb.org.uk).

THE MODEL ACTION PLAN

Section 1 is in the form of two tables:

- **Table 1** summarises the steps [authorities] need to take to achieve the principles outlined above and suggests a timetable for them;
- **Table 2** is a timeline suggesting how these tasks might fit together.

The timetable set out in these tables is based on the time it might take an average [authority] with no current records management provision to achieve compliance with the Code by the time the Freedom of Information (Scotland) Act 2002 is brought into force on 1 January 2005. The dates are only an approximate guide – the time required for each task will vary significantly according to the resources devoted to them and the circumstances of each [authority]. Also, many [authorities] will already have begun work on the tasks set out in the tables. So, [authorities] will need to use their own judgement to decide whether this timetable is appropriate for their particular circumstances. It also assumes that an experienced and/or qualified records manager will be in place at or before task 3.1, with the skills and experience necessary immediately to pursue the tasks set out in the rest of the timetable.

The tables in Section 1 group related tasks together for ease of reference, but they need not be undertaken in the strict order set out here. For instance, although all of the tasks in Group 1 must be completed before any others can be undertaken, some of the training tasks may have to be brought forward in order to give records management staff the skills necessary to undertake tasks in Groups 2 and 3. Similarly, some elements of training task 4.4 could be ongoing in parallel with the development of each Group 3 task, and task 4.3 could begin as soon as a records management policy has been issued.

Section 2 explains each of the tasks in more detail.

Appendix A is a suggested competency framework for records managers.

Appendix B lists additional supplementary information which should be considered by those developing sectoral plans.

Appendix C provides a checklist cross-referencing requirements under the section 61 Code of Practice to tasks in this model action plan.

SECTION 1

TABLE 1 – STEPS REQUIRED TO ACHIEVE COMPLIANCE WITH THE CODE

Task No	Description	Code of Practice para. no	Completion date
1	**ENSURE [AUTHORITY] IS PROPERLY STRUCTURED TO OPERATE RECORDS MANAGEMENT EFFECTIVELY**		
1.1	Review existing records management practices within the [authority] to establish what needs to be done to reach compliance with the Code.		End Jan 2004
1.2	Ensure that overall strategic responsibility for records management is held at a senior level and that, if all information functions are not part of the same command, there are close working relationships between them.	4.1 5.1	End Oct 2003
1.3	Appoint a suitably qualified person, answerable to the person appointed under task 1.2, to act as records manager and direct the rest of the action plan.	5.1 5.2	End Nov 2003
2	**FORMULATE POLICY AND (WHERE NECESSARY) REALLOCATE RESOURCES**		
2.1	Analyse business activities in preparation for drafting a records management strategy and policy statement.	6.1 7	End Feb 2004
2.2	Prepare and issue records management policy, with senior management endorsement.	7	End Mar 2004
2.3	Allocate adequate resources (including staff) to support the records management function.	5.2 5.3	End Mar 2004
2.4	Undertake information survey.	8.4	End May 2004
2.5	Prepare a detailed implementation plan for arrangements in line with the records management strategy and policy.		End May 2004

Task No	Description	Code of Practice para. no	Completion date
3	**ESTABLISH DETAILED RECORDS MANAGEMENT PROCEDURES**		
3.1	Develop a file plan and registration arrangements.	8.3 8.5 8.6	End Jul 2004
3.2	Develop arrangements for the retrieval and tracking of records.	8.3 8.6 8.7	End Nov 2004
3.3	Develop adequate record storage and security procedures.	8.8 9.8	End Nov 2004
3.4	Develop a records selection policy.	9.1 9.5 9.6	End Nov 2004
3.5	Develop record disposal[3] schedules.	9.1 9.7	End Nov 2004
3.6	Develop appraisal procedures.	9.2 9.3 9.4	End Nov 2004
3.7	Establish transfer[4] arrangements for records selected for permanent preservation.	9.8 Part 2 or Part 3 (as appropriate)	End Nov 2004
3.8	Establish secure disposal arrangements for records being destroyed.	9.9 9.10	End Nov 2004
3.9	Ensure the [authority's] business continuity plan makes provision for the protection of vital records.	6.1 8.9	End Nov 2004
4	**PROVIDE TRAINING AND INFORMATION**		
4.1	Establish a competency framework to identify skills and knowledge required by records management staff and establish professional development programme.	5.3	End Feb 2004

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[3] Also sometimes known as "retention schedules" because they govern both how long records should be *retained* for, and how and when they should be *disposed* of.
[4] Also often known as "deposit agreements".

Task No	Description	Code of Practice para. no	Completion date
4.2	Raise awareness of records management issues throughout the [authority].	5.1 5.3 7.1	Ongoing to 1 Jan 2005
4.3	Introduce a programme of records management training for all staff.	5.3	All staff should be trained by 1 Jan 2005
4.4	Provide guidance and procedure notes for all staff.	5.3	1 Jan 2005
5	**MONITORING AND REVIEW**		
5.1	Establish arrangements for monitoring compliance with records management policy and supporting standards, policies, procedures and guidelines.	7.2	1 Jan 2005
5.2	Establish arrangements for the regular review of the records management policy and procedures.	7.3	1 Jan 2005
6	**OPTIONAL CONSIDERATIONS:** **ELECTRONIC RECORDS MANAGEMENT (ERM) SYSTEMS**		
6.1	Develop a detailed specification and strategy for the development/purchase and implementation of an ERM system and related technology.		To be completed as business needs dictate and resources allow.

TABLE 2 – TIMELINE OF STEPS REQUIRED TO ACHIEVE COMPLIANCE WITH THE CODE

Task No	Oct 2003	Nov 2003	Dec 2003	Jan 2004	Feb 2004	Mar 2004	Apr 2004	May 2004	Jun 2004	Jul 2004	Aug 2004	Sep 2004	Oct 2004	Nov 2004	Dec 2004
1.1		■red	■red	■red											
1.2	■red														
1.3		■red													
2.1					■blue										
2.2						■blue									
2.3						■blue									
2.4					■blue	■blue	■blue	■blue							
2.5							■blue	■blue							
3.1									■yellow	■yellow					
3.2											■yellow	■yellow	■yellow	■yellow	
3.3											■yellow	■yellow	■yellow	■yellow	
3.4											■yellow	■yellow	■yellow	■yellow	
3.5											■yellow	■yellow	■yellow	■yellow	
3.6											■yellow	■yellow	■yellow	■yellow	
3.7												■yellow	■yellow	■yellow	
3.8												■yellow	■yellow	■yellow	
3.9													■yellow	■yellow	
4.1					■green										
4.2	■green	■green	■green	■green	■green	■green	■green	■green	■green	■green	■green	■green	■green	■green	■green
4.3														■green	■green
4.4														■green	■green
5.1															■purple
5.2															■purple

SECTION 2

DESCRIPTION OF STEPS REQUIRED TO DEVELOP RECORDS MANAGEMENT ARRANGEMENTS COMPLIANT WITH THE CODE

1.   ENSURE [AUTHORITY] IS PROPERLY STRUCTURED TO ALLOW IT TO OPERATE RECORDS MANAGEMENT EFFECTIVELY

1.1   Review existing records management practices within the [authority] to establish what needs to be done to reach compliance with the Code.

1.1.1   A general review of current practice is necessary to determine which aspects of this action plan are already in place, which still have to be achieved, and the likely resources required to do this.

1.1.2   The review should establish to what extent current practice complies with paragraph 6.1 of the Code, and in particular:

- what record keeping procedures exist;

- whether these procedures include:

    - disposal schedules;[5]

    - arrangements for the review and disposition of records;

    - arrangements for the storage and preservation of records;

    - arrangements for the migration of electronic records between systems;

    - a business continuity plan providing protection for vital records;

- whether the procedures are documented in any way. Documentation might be included in a general procedures manual or manuals for individual business areas and could cover topics such as filing, referencing, titling, indexing and protective marking, computer use, etc;

- whether methods are in place for measuring compliance with record keeping procedures;

- whether any good practice extends to electronic records and systems;

- how records are accessed and used;

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[5] Also sometimes known as "retention schedules" because they govern both how long records should be *retained* for, and how and when they should be *disposed* of.

- which staff have information management responsibilities;

- what resources are currently allocated for records management.

1.2   Ensure that overall strategic responsibility for records management is held at a senior level and that, if all information functions are not part of the same command, there are close working relationships between them.

1.2.1   The Code recommends that a person of appropriate seniority should hold direct responsibility for records management within an [authority]. It also recommends that the same person should have either direct responsibility for, or a formal working relationship with the person(s) responsible for, freedom of information, data protection and other information management issues. This is because these issues are closely inter-related.

1.2.2   Information management issues might include:

- records management;

- freedom of Information;

- data protection;

- information technology;

- information security, including protection of confidential information;

- information sharing standards and protocols;

- process and system development;

- communications;

- statistics and performance management information;

- library;

- archives.

1.2.3   Information required for any purpose will only be as good as the quality of the records it is taken from. If reliable records are not created in the first place, if they cannot be found when needed, or if the arrangements for their eventual archiving or destruction are inadequate, then information may not be adequate or even available for any purpose – operational or FOI-related.

1.2.4   Where an [authority] is unable to bring all information responsibilities under one command, it should consider fostering closer working relationships between staff performing information-related roles by:

- implementing an [authority]-wide information strategy or plan to define the links between various information functions and set out formal roles and responsibilities; and/or

- appointing an "information champion", or champions, to take the lead in information issues at policy level.

1.3   Appoint a suitably qualified[6] person, answerable to the person appointed under task 1.2, to act as records manager and direct the rest of the action plan.

1.3.1   Records management is a specialised area, so to ensure that they create and manage successful arrangements, it is recommended that [authorities] either:

- appoint a professional records manager;

- organise professional training for unqualified staff already undertaking a records management role[7] (see task 4.3 for guidance on training);

- enter into a formal agreement with another [authority] to share the services of a professional records manager; or

- engage records management consultants.

1.3.2   Staff responsible for records management must be sufficiently senior and have access to ongoing training and development for their role. Advice on recruiting professional staff can be obtained from the National Archives of Scotland (NAS), the Society of Archivists, Records Management Society[8] or from records managers and archivists.

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[6] The competency framework at Appendix A provides a suggested list of the competencies which a "suitably qualified" person should have.
[7] The time taken to train unqualified staff should not be underestimated – it can take from 6 months to 2 years depending on the experience or expertise of the person concerned. For example, Liverpool University Centre for Archive Studies (LUCAS) offers a modular course which takes 864 learning hours to complete all of the modules, or 72-108 learning hours for a single module if the full qualification is not required. Another option is a 2 year distance learning course offered by a consortium of Northumbria University and Liverpool University.
[8]   http://www.nas.gov.uk; http://www.archives.org.uk; http://www.rms-gb.org.uk

2.   FORMULATE POLICY AND (WHERE NECESSARY) REALLOCATE RESOURCES

2.1   Analyse business activities in preparation for drafting a records management strategy and policy.

2.1.1   The records manager must fully understand the way the [authority] operates to ensure that the policies, strategies and procedures put in place will reflect and support operational and business needs. The results from this work will inform other action plan tasks.

2.1.2   The records manager should seek to identify:

- the core functions of the [authority];

- the [authority]'s business needs;

- the needs of the [authority]'s stakeholders;

- the relevant statutory requirements, guidance and standards, etc which the [authority] must follow;

- any changes to business processes, either planned or being implemented;

- any problems which need to be addressed.

2.2   Prepare and issue records management policy, with senior management endorsement.

2.2.1   A policy provides a mandate for the performance of all records and information management functions. It should be integrated with related policies such as data protection, information security, etc.   [Authorities] might find it useful to review all information policies/strategies at this point to ensure close co-operation and efficient planning.

2.2.2   The policy should be fully endorsed by senior management and issued to all staff, so that they are all aware of any responsibilities they have under it.

2.3   Allocate adequate resources (including staff) to support the records management function.

2.3.1   Sufficient resources must be in place to ensure that the records management policy can be properly implemented throughout the [authority], including provision for:

- professional staff;

- training and development;

- adequate storage facilities;

- appraisal and destruction;

- awareness-raising.

2.4   Undertake an information survey.

2.4.1   An information survey or record audit should be undertaken to give the records manager more detailed information about:

- what information the [authority] holds;

- how much space it takes up;

- where it is kept;

- those parts of the [authority] where records management procedures identified at task 1.1 are being followed, and those where they are not;

- in the case of electronic records, what metadata is being kept which documents and provides for their business and other contexts;

- how much information is awaiting appraisal, destruction, or transfer to the NAS or a public archive.

2.4.2   It is recommended that [authorities] plan this very carefully, allocating sufficient resources for it to be completed in the time-frame allowed. Some [authorities] may find that conducting one comprehensive survey covering the whole [authority] will prove too large and confusing a task. [Authorities] may therefore want to consider splitting the survey according to the functions or structure of the [authority]. Alternatively, where an [authority] has both electronic and paper records, it might consider splitting the survey into two parts – one covering paper records and the other covering electronic ones (eg information on PCs). The records management arrangements developed in the Group 3 tasks must cover both electronic and paper records but [authorities] may find that record-keeping in the two media has developed so differently that it is easier to survey them separately. Whichever approach is chosen, the surveys can run concurrently and their findings be used to inform a single strategy.

2.4.3   The National Archives (formerly the Public Record Office (PRO)) has issued a *Toolkit for Compiling An Inventory of Electronic Record Collections* and a *Toolkit for Appraising the Inventory of Electronic Records*[9]. These provide exhaustive models for undertaking such inventories and acting upon the results, which will be beyond the means of many [authorities]. However, [authorities] may wish to consult and/or adapt them for their own purposes.

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[9] http://www.pro.gov.uk/recordsmanagement/standards/default.htm

2.5   Prepare a detailed implementation plan for arrangements in line with the records management strategy and policy.

2.5.1   The records management policy, together with the information survey results, should provide sufficient information for a detailed strategic or business plan to be developed. This should set out timetabled steps, based on this action plan, to guide the [authority] towards establishing records management arrangements which will comply with the Code and enable them to fulfil their duties under the Act. [Authorities] may wish to consider planning this work as a formal project or programme.

3. ESTABLISH DETAILED RECORDS MANAGEMENT ARRANGEMENTS

3.1 Develop a file plan and registration arrangements.

3.1.1   All records, regardless of their age, must be maintained in such a way that they are easy to locate and can be retrieved efficiently. It is therefore essential that they are registered in some way as soon as possible after they are created or received. This means placing them into a recognised filing structure which allows related records to be grouped together:

- to give them context;

- for ease of access; and

- to prevent duplication of effort.

3.1.2   Ideally, this will be achieved through the use of an [authority]-wide corporate filing standard, which depending on the size and complexity of the [authority], will be used to produce one or more file plans based on a naming and numbering structure which reflects the functions of the [authority] or of directorates within the [authority]. [Authorities] with both paper and electronic records must ensure that any file plan spans both media and that records in both media are fully integrated (eg through the use of an electronic records management system – see task 6.1. for more information about these).

3.1.3   To ensure consistent use of the file plan, [authorities] should develop strict procedures for placing records onto files ("registration") and must have a way of monitoring compliance. There should also be rules about when to close files to further additions of records. For example, in central government files are generally closed after no more than five years and, if action continues, a further file is opened – exceptions to this rule include individual medical and personnel files, where this would be impractical. In the case of paper files, closure occurs before files are five years old if they reach a thickness which makes them unwieldy or puts them in danger of being damaged (normally about 4cm).

3.1.4   Care must be taken in the development of filing arrangements, and in the creation and maintenance of accurate indexes, finding aids and metadata. Involving records management staff in the development of new processes and IT systems will help to minimise information management problems caused by poor design of electronic systems.

3.2 Develop arrangements for the retrieval and tracking of records.

3.2.1   Tracking arrangements should be in place so that it is always possible to find out:

- where a record is,

- who has it,

- when it was removed from storage, and

- when it was replaced.

If it is important to know what has happened to a record for legal purposes (eg if a court case depends on who saw particular information), then the tracking arrangements should also be able to produce "audit trails" showing the history of each record's movements, so that its authenticity can be guaranteed. This is important for all types of record, including electronic records.

3.3   Develop adequate record storage and security procedures.

3.3.1   All [authorities] should provide adequate storage for current, semi-current and historical records following appropriate building, environmental and security standards. "Adequate" means sufficient to ensure that the records are safe from unauthorised access, and that they are not in danger from fire, flood, theft, or damage due to factors such as unsuitable temperatures, poor equipment or over-full storage space. Records should be kept in equipment which protects them from damage, not only during storage but also during retrieval, and which allows for accurate replacement. It is also important to ensure that storage facilities are safe for the staff who will be using them, eg that they comply with fire regulations and health & safety legislation. It is generally more efficient and economic to store semi-current records off-site, instead of in the office which owns those records. Task 3.7 deals with the storage of historical records.

3.4   Develop a records selection policy.

3.4.1   [Authorities] should develop a selection policy, stating in broad terms:

- the functions carried out by the [authority] from which records are likely to be selected for permanent preservation; and

- the periods for which other records should be retained.

3.4.2   Depending on the size of the [authority], there may be one policy for the whole body or separate policies for different business areas. They should be linked to more detailed records disposal schedules (see task 3.5).

3.4.3   The selection policy must be clear enough to underpin procedures for destroying records (see parts of tasks 3.5 and 3.6 below) so that there is evidence to show when and why a record was destroyed, if it is subsequently requested under the Act.

3.4.4   Appendix B of the Code sets out the broad principles which [authorities] should follow when compiling a selection policy. They should also take advice from the professional archivists working in the public archive where the records will be deposited, or may consult the Keeper of the Records of Scotland. Archivists are aware of research trends and interests and will therefore be in a position to advise on the types of record most likely to be of long-term historical interest. They will also have contacts amongst stakeholders such as the historians and other researchers who are likely to use the records.

3.4.5   For some functions, it may be necessary for the policy to provide for sampling of the records produced. Sampling is appropriate for a function which produces large volumes of files containing mostly routine information, but which represents an important aspect of the

[authority's] work or its interaction with other organisations or individuals; for example, examination papers, grant applications, etc. The greater the variety in the nature of the files' contents, the less suitable they will be for sampling. Sampling results in the selection of a small proportion of the total number of files for permanent preservation and allows the rest to be destroyed. More information about sampling techniques can be found on The National Archives (formerly Public Record Office) website[10].

3.5 Develop record disposal schedules.

3.5.1 Detailed record disposal schedules should be drawn up for all types of record in the [authority], in line with the selection policy. Again, depending on the size of an [authority], it may require a single schedule or different schedules for different business units. Disposal schedules will stipulate that records have either to be retained permanently, destroyed after *x* years or reviewed after *x* years. They must be followed rigorously and must be updated regularly to take into account alterations to legislation, work practices, etc.

3.5.2 Disposal schedules must show the date at which action is to be taken and must be retained permanently to document the records management arrangements. In the case of records scheduled for destruction, they should include:

- the reason for their destruction;

- by whose authority destruction has been approved; and

- when they are to be destroyed.

3.5.3 It is recommended that disposal schedules form part of an [authority]'s publication scheme under section 23 of the Freedom of Information (Scotland) Act 2002.

3.6 Develop appraisal procedures.

3.6.1 Appraisal is the process used to evaluate records which come up for review after *x* years. It is used to determine their value at that point and decide whether they should continue to be retained (and, if so, for how long) or whether they should be destroyed. Without such arrangements, [authorities] are in danger of:

- destroying records before they have finished with them or before it is legally safe to do so;

- failing to select the correct records for long term preservation; or

- keeping other records for much too long, taking up valuable storage space, making it harder to find records which are still in use,

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[10] http://www.pro.gov.uk/recordsmanagement/acquisition/osp00sampling.htm.

and so exposing the [authority] to the risk of litigation[11].

3.6.2 The appraisal process should include:

- procedures to assess the amount of records due for review each year;

- procedures to implement selection policies and disposal schedules for each year or cycle;

- the transfer of records selected for permanent preservation to the National Archives of Scotland (NAS) or another public archive; and

- the timely destruction of records not selected for permanent preservation and no longer required for business purposes.

3.6.3 Appraisal decisions must be documented so that the [authority] has a **permanent** record of which records have been destroyed, which sent to the NAS or another public archive, and which retained. The documentation should link to the [authority's] disposal schedules and, in the case of records destroyed, confirm:

- the reason for their destruction;

- on whose authority destruction was undertaken; and

- when they were destroyed.

3.6.4 [Authorities] must also make adequate arrangements to ensure that, before a record is destroyed, they establish whether or not it is the subject of a request for access under the Freedom of Information (Scotland) Act 2002. Under section 1(5) of the Act, if a record due for destruction is known to be the subject of such a request, destruction should be delayed until disclosure has taken place or, if the [authority] has decided not to disclose the information, until the review and appeal provisions of the Act have been exhausted.

3.6.5 Records being transferred to the National Archives of Scotland (NAS) must be appraised in time for them to be deposited before they are 30 years old. Records being transferred to a public archive other than the NAS should be appraised in time for them to be deposited in accordance with the agreed transfer arrangements. Electronic records must be appraised far sooner than paper records, in order to avoid loss of data as a result of rapid changes in technology. [Authorities] should seek advice from the NAS or their public archive when the electronic records are created.

3.7 Establish transfer arrangements for records selected for permanent preservation.

3.7.1 [Authorities] need to ensure that they make arrangements for records, which have been selected for permanent preservation for historical or legal reasons and are rarely, if ever, used by the [authority], to be transferred to an archival institution that has adequate storage and

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[11] For example, - and subject to the specific exemptions provided for - under the Data Protection Act 1998, personal data must only be kept for as long as is necessary to fulfil the purpose for which it was collected.

public access arrangements. The transfer of records to the NAS or a public archive should normally take place by the time the records are 30 years old. However, in practice, records may be transferred before they are 30 years old, with the agreement of both parties. In the case of electronic records, it is essential that they be transferred well before 30 years in order to avoid permanent loss through the obsolescence or degradation of formats and media.

3.7.2   The management of permanently preserved records requires specific skills and resources. Some [authorities] will already have their own archive service which is run by a qualified archivist and makes records available to the public on request and others will transfer records to the NAS. Others, however, will need to set up such a service or make arrangements to regularly transfer records for permanent preservation to an existing public archive so that they can be made accessible to the public. Smaller [authorities] may already run such public archive services jointly with other [authorities] or may wish to consider identifying partners with which to set up a joint service.

Transfer

3.7.3   It is essential that the terms under which records are transferred to the NAS or a public archive are agreed and clearly understood by both the transferring [authority] and the recipient. For this reason, they must reach a deposit agreement covering:

- the timing and frequency of the transfer of records;

- whether the public archive holds the records in its own right or "on behalf of" the transferring [authority] under the terms of the Act;

- preservation responsibilities;

- security;

- return/disposal of records no longer required by the public archive[12];

- public access arrangements;

- copyright and intellectual property rights;

- data protection[13];

- any other access and use conditions.

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[12] Eg, if the public archive is sent duplicate sets of material but only wishes to retain a single set; or the result of changes to the public archive's retention/disposal policy.

[13] For more information on data protection issues as they affect archives, see the draft *Code of Practice for Archivists and Records Managers under section 51(4) of the Data Protection Act 1998, version 2*, compiled by The National Archives (formerly the Public Record Office), Society of Archivists and Records Management Society and currently under consideration by the Information Commissioner. It is available from the homepage of the Society of Archivists website, www.archives.org.uk

3.7.4   The transferring [authority] must accompany all transfers with an inventory of the records sent to the public archive. The public archive will check this against records received and alert the transferring [authority] to any discrepancies at the earliest opportunity.

Access

3.7.5   This part of task 3.7 deals with records which are transferred to the NAS or a public archive to be held by them **"on behalf of"** the transferring [authority]. In the case of the NAS, the terms on which it holds public records are largely set out in the Public Records (Scotland) Act 1937. For other public archives, however, it is essential that transfer agreements make explicit the terms on which records are held. If it is not clear that they are held "on behalf of" another [authority], the public archive may be deemed to hold the material in its own right for the purposes of the FOI Act and will be required to deal with requests for access to that information under the Act.

3.7.6   Where an [authority] transfers its records to the NAS, who make them available for inspection and copying, those records are taken to be reasonably obtainable under the terms of section 25 of the Act and so are exempt information for the purposes of the Act. This means that the [authority] would not be required to provide the information in response to a request under the Act – instead they should explain that the information is available from the NAS.

3.7.7. Records transferred to a public archive should be covered by the transferring [authority]'s publication scheme. Under the terms of section 25 of the Act those records would then also be taken to be reasonably obtainable and so would be exempt information for the purposes of the Act. This would mean that the [authority] would not be required to provide the information in response to a request under the Act – instead they should explain that the information is available from the public archive.

3.7.8   In order to allow the NAS and other public archives to administer the FOI regime for records held on behalf of Scottish public authorities, the transferring [authority] should review records before they are transferred and prepare schedules that identify records which it considers ought not to be made available to the public, citing each relevant exemption under the Act and explaining why it applies.

3.7.9   Where a request for such information is received by the NAS, they will refer the request to the transferring [authority] for a decision on whether an exemption still applies and, if so, whether the record should, nonetheless, be disclosed in the public interest.

3.7.10 Where a request for such information is received by a public archive other than the NAS, they will:
- **if the public archive and the transferring authority are part of the same Scottish public authority**, forward the request as soon as possible to the part of the authority which is the transferring authority; or

- **if the public archive and the transferring authority are not part of the same Scottish public authority**, inform the applicant that they are unable to provide the information sought, explain why and direct the applicant to the transferring authority.

See the *Scottish Ministers Code of Practice on the Discharge of Functions by Public Authorities Under the Freedom of Information (Scotland) Act 2002* for more detailed guidance on transferring requests.

3.8   Establish secure disposal arrangements for records being destroyed.

3.8.1   The Code requires [authorities] to have secure disposal arrangements in place for records being destroyed. When assessing these arrangements, [authorities] will need to be aware of duties they may have under other legislation, chief of which may be the Data Protection Act 1998 (DPA). Under the DPA, an [authority] which processes personal data is deemed to be a data controller and remains responsible for personal data contained in a record until its destruction.

3.8.2   Disposal arrangements should include:

- procedures for updating the relevant disposal schedule with the date on which the records were actually destroyed;

- measures to ensure that sensitive or confidential information is completely destroyed (eg by shredding or incineration);

- measures to ensure that sensitive or confidential information is not accessible to unauthorised personnel during the destruction process.

3.8.3   In larger [authorities], destruction facilities may be available in-house, but specialist firms also undertake this work. Where [authorities] choose to contract-out this work to a specialist firm, they may find it possible to reduce their costs by entering into a joint contract with other [authorities].

3.8.4   [Authorities] using specialist disposal firms will need to agree clearly defined disposal procedures in the contract to ensure their compliance with the Code, DPA and any other relevant legislation. Contracts should include provision for [authority] staff to escort particularly sensitive material and witness its destruction. To avoid the risk of records going astray, it is wise to ensure that any bags used for the collection and transport of records scheduled for destruction are strong and will not tear easily.

3.8.5   It is recommended that, where possible, [authorities] choose a firm which:

- is registered under the Data Protection Act 1998;

- is a registered waste carrier; and

- provides proof of destruction for each consignment of records received.

3.8.6   When disposing of any kind of waste, including confidential records, [authorities] should have regard to the National Waste Strategy for Scotland, available on SEPA's website[14], and local waste management strategies operated by the [authority].

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[14] http://www.sepa.org.uk/nws/guidance/index.htm

3.9   Ensure that a vital records policy is included in the [authority's] business continuity plan.

3.9.1   All [authorities] should have in place a business continuity plan which can be put into operation in the event of disaster or serious disruption to normal business. This should include things like a list of essential staff and volunteers to be contacted, arrangements to use alternative premises, arrangements for handling the press, contact names of disaster recovery firms, etc.

3.9.2   Every [authority] has "vital records" which are essential to their running and which, if lost or destroyed, would seriously impair or disrupt normal business, might place the [authority] in legal or fiscal jeopardy, or might jeopardise the rights of citizens. In order to avoid this and to ensure that the [authority] can continue to function in such circumstances, the business continuity plan should include a vital records policy which identifies the records essential to the [authority] and sets out how they are to be protected.

4.   PROVIDE TRAINING AND INFORMATION

4.1   Establish a competency framework to identify skills and knowledge required by records management staff and establish a professional development programme.

4.1.1   [Authorities] should ensure that their records management staff have the appropriate skills and knowledge to achieve the aims of their records management strategy. [Authorities] should first establish a competency framework[15] identifying the knowledge and skills necessary for records and information management staff. This will provide a set of competencies against which such staff can be assessed when being recruited. It will also help to determine the level and style of training and development that must be provided and enable the [authority] to establish a suitable professional development programme.

4.2   Raise awareness of records management issues throughout the [authority].

4.2.1   All staff must be aware of records management issues in the context of their own jobs and in the context of wider issues such as the [authority's] duties under the Freedom of Information and Data Protection Acts.   They must know what their individual records management responsibilities are and where to seek assistance for issues beyond their day to day experience.   Above all, they must understand and appreciate the importance of good records management.

4.2.2.   Awareness can be raised through training and guidance (see tasks 4.3 and 4.4), but also through using devices like posters, newsletters, or a set of records management web pages on the local intranet.

4.2.3   Awareness raising is, of course, an ongoing need, so [authorities] will need to keep their arrangements under regular review to ensure that they continue to keep all staff informed about relevant records management issues, in particular any changes in practice and legislation.

4.3   Introduce a programme of records management training for all staff.

4.3.1   [Authorities] should develop and introduce a programme of records management training for all staff, either in-house or through external trainers. Clearly, there will be different levels of skill requirements for different categories of staff, ranging from basic training on records management and FOI responsibilities for all staff (including managers), through to more specialised training for records managers and records management staff.

4.3.2   As a priority, [authorities] should focus first on records management staff to ensure that they are equipped with the necessary level of skills and knowledge, based on the competency framework developed at task 4.1, to undertake the steps in this Action Plan. Advice on training is available from the NAS, the Society of Archivists, the Records Management Society, local records managers and archivists, the further education sector, and commercial organisations[16].

4.3.3   Training for other staff should focus on the matters set out at task 4.2 and should be co-ordinated with other awareness raising activities. It is also important that records management training be incorporated into all induction programmes for new staff. [Authorities] will need to

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[15] Appendix A is a suggested competency framework for records managers.
[16] http://www.nas.gov.uk; http://www.archives.org.uk; http://www.rms-gb.org.uk

give careful consideration to the timing of their training activities. They will need to take place soon enough for staff to gain the knowledge they need to operate new records management arrangements effectively but must not take place too soon or staff may forget what they have learned before the arrangements are in place.

4.3.4 Training is, of course, an ongoing need, so [authorities] will need to keep their arrangements under regular review to ensure that they continue to meet the needs of staff and that all staff are kept up to date with changes in practice and legislation.

4.4 Provide guidance and procedure notes for all staff.

4.4.1 Staff must know what their individual records management responsibilities are and where to seek assistance for issues beyond their day to day experience. In addition to training provision, guidance and procedure notes must be developed to ensure that they have access to detailed information about managing records and information. This will include filing systems (including electronic filing), record classifications, accessing records, destroying records, weeding, etc.

5.   MONITORING AND REVIEW

5.1   Establish arrangements for monitoring compliance with records management policy and supporting standards, policies, procedures and guidelines.

5.1.1   Once established, records management arrangements must be continuously evaluated for value, accountability and best practice. Compliance with records management standards, policies, procedures and guidelines should be monitored and meaningful performance indicators developed on areas such as:

- volumes of records created, appraised, destroyed etc;

- security;

- data quality;

- access to information and records;

- response times;

- effects on business and service delivery;

- user satisfaction.

5.2   Establish arrangements for the regular review of the records management policy and procedures.

5.2.1   The records management policy should be reviewed at least once every three years. Procedures and practices should be reviewed annually. This is to ensure that they keep up to date with changing circumstances, and reflect any changes in legislation affecting records.

6. OPTIONAL CONSIDERATIONS: ELECTRONIC RECORDS MANAGEMENT (ERM) SYSTEMS

6.1 Develop a detailed specification and strategy for the development/purchase and implementation of an ERM system and related technology.

6.1.1 In many organisations, the modernisation of administrative processes is replacing paper-based activities with electronic ones. The Code applies to records in all formats so, to comply with it, [authorities] will need to ensure that their records management arrangements take account of any electronic records they hold. The ability of [authorities] to capture, store and retrieve electronic records efficiently and effectively will be an essential part of complying with their duties under the FOI and Data Protection Acts, as well as other initiatives such as the 2005 target for making all public services available on line.

6.1.2 To achieve this, [authorities] must ensure that all of the filing and records management practices developed above are equally applicable to both electronic and paper records and that procedures are in place which allow staff to operate them successfully in both electronic and paper environments. For electronic records, whether this is done using existing Information and Communications Technology (ICT) systems, by developing a more elaborate Electronic Records Management (ERM) system in-house, or by purchasing an ERM system off the shelf, will depend on individual circumstances and budgets. The extent to which any ERM system integrates with, or incorporates, workflow features will also depend on individual requirements. Systems which incorporate both electronic workflow and records management are known as Electronic Document and Records Management (EDRM) systems. ERM and EDRM systems are a key emerging technology underpinning developments to assist effective records management, particularly in the use of electronic records. However, they are not, in themselves, the solution to all an [authority's] records management problems, but simply software packages which enable [authorities] to *operate* records management procedures electronically – those procedures still have to be developed in the first place. At this stage in their development, it is therefore recommended that such electronic systems should be regarded as a tool which [authorities] may find useful, rather than as a complete solution to all records management needs.

6.1.3 When considering the management of electronic records, [authorities] should also consider how to incorporate information which they hold electronically but which cannot be filed as a "record" in the traditional sense; for example, information on websites, on intranets and in databases. Much of this information will be important for accountability and may also have legal value or be core to the successful continuance of business in the event of a disaster. This information must be managed as part of the [authority's] overall records management arrangements and, especially, be included in their review and disposal schedules.

6.1.4 There are currently two main specifications for ERM/EDRM systems in public authorities:

- The National Archives' (TNA) *Functional Requirements for Electronic Records Management Systems* were developed primarily for central government departments and their agencies. TNA has tested particular systems against these and lists those which have been approved as a result on its website[17].

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[17] http://www.pro.gov.uk/recordsmanagement/erecords/2002reqs/default.htm

In conjunction with partners, including the NAS, TNA is also finalising a metadata standard for electronic records management;

- the *MoReq Specification* is a model specification of requirements for Electronic Records Management Systems designed to be applicable throughout Europe[18].

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[18] http://www.cornwell.co.uk/moreq

RECORDS MANAGER – COMPETENCY FRAMEWORK

The following list of competencies outlines the key knowledge and skills required by a records manager. It can be used as a basis for developing job specifications, identifying training needs, and assessing performance.

The list sets out competencies in three categories:

Professional
Business/Management
Personal

The scope and level of the competencies is based on three assumptions which reflect current best practice:

1. The records manager will be professionally qualified in records management or working towards such a professional qualification.

2. The records manager will be appointed at middle-management level or higher and will have sufficient [authority] to act effectively.

3. The records manager's primary role will be to develop and implement records management policies, procedure and guidance, and to provide advice on record-keeping issues.

Professional

- Has a sound knowledge of records management theory and practice, including current standards and recognised best practice.

- Applies and adapts records management standards and best practice effectively in the [authority's] context.

- Understands and can apply a range of records management tools and techniques.

- Has a good knowledge of records management software applications and their use.

- Liaises with other records managers in similar [authorities].

- Has experience or knowledge of other [authorities'] records management systems and experiences.

Business/Management

- Understands the legislative environment within which the [authority] operates; can identify records management implications of changes to legislation; and is able to contribute to the

development and implementation of the [authority's] response to changes in legislation and regulations where these have such implications.

- Understands the [authority's] role, mission, aims and objectives.

- Understands the [authority's] functions and activities.

- Understands the nature of the [authority's] relationships with its key external stakeholders.

- Understands how records management contributes to the achievement of the [authority's] business.

- Understands the decision-making process within the [authority] and its sector.

- Has good knowledge of standard desktop Information and Communications Technology (ICT) systems.

- Has good knowledge of the [authority's] key ICT systems.

- Develops sound business plans.

- Understands and can apply a range of project management techniques.

- Can plan and managed complex or multiple projects to complete within time, cost and quality targets.

Personal

- Is pro-active.

- Has a positive "can-do" attitude.

- Sees a task through to its conclusion.

- Is able to work effectively in a team environment, including in a leadership role.

- Has a flexible and adaptable outlook, including the ability to respond to changing needs and different situations.

- Can communicate clearly, confidently and effectively both verbally and in writing, with colleagues at all levels.

- Gets on well with colleagues at all levels.

- Has good influencing skills.

- Is able to deliver effective presentations and training to an audience.

- Shares knowledge and experience.

- Has good analytical skills.

- Demonstrates personal and professional integrity.

- Has a wide network of professional records management and other contacts.

- Keeps up to date with developments in records management.

SUPPLEMENTARY INFORMATION FOR SECTORAL ACTION PLANS

Annex A of the Code Of Practice on Records Management lists current records management standards and specifications which provide greater detail on many of the issues covered by this model action plan. Especially useful in this respect are:

- BSI DISC PD 0025-1:2002 Effective Records Management. A management guide to the value of BS ISO 15489-1; and

- BSI DISC PD 0025-2:2002 Effective Records Management. Practical implementation of BS ISO 15489-1[19].

Some [authorities] might, however, find it helpful to have more detailed information which is tailored to their particular sectoral needs. Those developing the sectoral plans may therefore want to include appendices covering the subjects on which they consider that additional information might be especially useful.

A list of subjects for sectors to consider for this treatment is set out below. This list is not exhaustive and sectors should pick from or add to it as they consider appropriate for their needs. It is up to each sector to decide how to present sector specific guidance in appendices – for example, in the case of disposal schedules whether general models would be most helpful, or whether it is possible to provide specific sector-wide instructions for the disposal of record types which are common to all. Appendices should also include examples of good practice within the sector which would assist others.

List of potential subjects for sector specific appendices

- Records management policy:

    - are the terms and expressions used in the section 61 Code and MAP the same used and recognised by the sector?

    - is a "jargon" dictionary or glossary required?

- Information surveys/audit.

- File plans.

- File tracking.

- Selection policy:

    - should standard selection criteria and policy apply across the sector?

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[19] Both available from the British Standards Institute at http://www.bsi-global.com/index.xalter

- Disposal schedules:

    - should standard schedules apply across the sector?

- Records appraisal:

    - should standard appraisal criteria apply across the sector?

- Vital records:

    - are there vital records or record types common across the sector which can be identified for inclusion with the MAP?

- Electronic Records Management.

- Examples of useful performance indicators.

- Business analysis.

- Project management.

- Training:

    - is centralised sectoral training appropriate?

    - what is available?

- Relevant legislation and standards.

CHECKLIST OF MAP TASKS CROSS-REFERENCED TO THE SECTION 61 CODE OF PRACTICE

Requirement	Code of Practice Para. No	Model Action Plan Task No
PART ONE: RECORDS MANAGEMENT		
All arrangements cover records in all formats.	2.2 3.1 10.1	All + 6.1
Recognition of records management as a specific corporate function.	4.1	1.1 2.1
One person responsible for records management and other information management issues, or close working relationships between them.	4.1	1.2
Senior member of staff with lead responsibility for records management – should cover **all** records.	5.1	1.2
Skilled records management staff.	5.2	1.3
Records management responsibilities written into job descriptions.	5.2	4.1
Practices to support the recruitment and retention of good quality records management staff.	5.3	4.1
Appropriate resources to maintain records management function.	5.3	2.3
Appropriate records management training for all levels of staff.	5.3	4.2 4.3 4.4
Records management strategy.	6.1	2.1
Records management policy.	7.1-7.3	2.2
File plan.	8.3	3.1

Requirement	Code of Practice Para. No	Model Action Plan Task No
Arrangements for the registration of records.	8.5 8.6	3.1
Arrangements for the tracking of records.	8.7	3.2
Selection policy.	9.1 9.5 9.6	3.4
Closure guidelines.	8.10 8.11	
Arrangements for the appraisal of records.	9.2-9.4	3.6
Disposal schedules.	9.1 9.7	3.5
Arrangements for the secure destruction of records.	9.9	3.8
Permanent destruction record.	9.7 9.9	3.5 3.6
Arrangements to ensure that records subject to an FOI request are not destroyed until they are no longer required for the request or subsequent appeals.	9.10	3.6
Adequate storage for current, semi-current and historical records.	8.8 9.8	3.3
Arrangements for vital records built into business continuity plan.	6.1 8.9	3.9
Information survey/record audit.	8.4	2.4
PART TWO: REVIEW AND TRANSFER OF PUBLIC RECORDS TO THE NATIONAL ARCHIVES OF SCOTLAND		
Arrangements to review records being transferred to the NAS to ensure they become available to the public ASAP in accordance with FOI.	12.1-12.3	3.7

Requirement	Code of Practice Para. No	Model Action Plan Task No
Arrangements to transfer paper records before they are 30 years old.	12.2	3.7
Arrangements to transfer electronic records as soon as possible.	12.2	3.7
Schedule of exempt information, including provision for making parts of records available where only some of the information they contain is exempt.	13.1-13.5	3.7
PART THREE: REVIEW AND TRANSFER OF PUBLIC RECORDS TO PUBLIC ARCHIVES OTHER THAN THE NATIONAL ARCHIVES OF SCOTLAND		
Transfer agreement with public archive covering timing and frequency of transfers, access arrangements, etc.	15 16.3	3.7
[Authority's] publication scheme should cover transferred records which are open to the public.	16.3 17.3	3.7
Arrangements to review records being transferred to a public archive to ensure they become available to the public ASAP in accordance with FOI.	17.1-17.3	3.7
Schedule of exempt information, including provision for making parts of records available where only some of the information they contain is exempt.	18.1-18.3	3.7
Arrangements to deal with requests for exempt information in transferred records in compliance with the FOI (Scotland) Act.	18.4	3.7