National Records of Scotland

**Public Records (Scotland) Act 2011**

**Inverclyde Council**
**Inverclyde Licensing Board**
**Assessment Report**

**The Keeper of the Records of Scotland**

**12th November 2015**

**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 **Inverclyde Council and Inverclyde Licensing Board** by the Public Records (Scotland) Act 2011 Assessment Team following its submission to the Keeper on **30<sup>th</sup> June 2015.**

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

## 3. Authority Background

Inverclyde is one of 32 council areas used for local government in Scotland. Together with the East Renfrewshire and Renfrewshire council areas, Inverclyde forms part of the historic county of Renfrewshire, which currently exists as a registration county and lieutenancy area - located in the west central Lowlands. It borders the North Ayrshire and Renfrewshire council areas, and is otherwise surrounded by the Firth of Clyde.

Inverclyde District was one of nineteen districts within Strathclyde Region, from 1975 until 1996. Prior to 1975, Inverclyde was governed as part of the local government county of Renfrewshire, comprising the burghs of Greenock, Port Glasgow and Gourock, and the former fifth district of the county.

https://www.inverclyde.gov.uk/

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

The Inverclyde Licensing Board *Policy Statement* is publically available from:
https://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-policies-regulations-and-public-information/policy-statement

## 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 Inverclyde Council and Inverclyde 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. |
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## 5. Model Plan Elements: Checklist

| Element | Present | Evidence | Notes |
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| 1. Senior Officer *Compulsory element* | G | G | Inverclyde Council have identified Brian Moore, Corporate Director, as the individual with overall responsibility for records management in the Council.<br><br>Mr Moore is the Council's Senior Information Risk Owner (SIRO).<br><br>This identification of Mr Moore to this role is confirmed by a letter from John W Mundell, Chief Executive, dated 29 June 2015.<br><br>The SIRO chairs the Information Governance Steering group and the Information Sharing Working Group **(see Information Governance Steering Group under General Comments at the end)**. He is described in the covering letter from Dean Robinson **(see element 2)** as Information Governance Champion.<br><br>Inverclyde Licensing Board has identified Gerard Malone, Clerk to the Board, as the individual with overall responsibility for records management in the Licensing Board.<br><br>This identification is confirmed by a letter from Mr Malone, dated 25th June 2015.<br><br>In this letter Mr Malone delegates day-to-day responsibility for records management to the Council's Information Governance Officer **(see element 2)**.<br><br>In his role as Head of Legal and Property Services, Mr Malone has responsibility for data protection compliance **(see element 9)**. |

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| | | | The Keeper agrees that the Council and the Licensing Board have identified appropriate individuals to this role as required by the Act. |
| 2. Records Manager *Compulsory element* | **G** | **G** | Inverclyde Council have identified Dean Robinson, Information Governance Officer, as the individual with day-to-day responsibility for implementing the *Records Management Plan*.<br><br>Mr Robinson's job description (supplied as evidence 3) confirms his responsibility for the *Plan*.<br><br>Mr Robinson reports to the Council's SIRO **(see element 1)**.<br><br>The Keeper notes that Mr Robinson's post may be restructured and retitled 'Records Manager' in the future (*Plan* 12.1). **Of course, this is a business decision for the Council, but the Keeper requests that he is informed if this is done to keep his records up-to-date.**<br><br>This identification of Mr Robinson is further confirmed in a letter from Gerard Malone, Clerk to the Licensing Board **(see element 1)**.<br><br>The Council's responsibility for the records of the Licensing Board is explicitly stated in the *Plan* (page 5) and in a covering letter from Mr Robinson.<br><br>Mr Robinson attends the Records Management working group, the Information Sharing working group, the Training, Awareness and Communications Working group and the Freedom of Information Working Group **(see <u>Information Governance Steering Group</u> under General Comments at the end)**.<br><br>The Keeper agrees that Inverclyde Council and the Licensing Board have identified |

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| | | | an appropriate individual to this role as required by the Act. |
| 3. Policy *Compulsory element* | **G** | **G** | Inverclyde Council have a *Records Management Policy* which is published at https://www.inverclyde.gov.uk/jobs-and-careers/working-for-the-council/policies-and-procedures This is version 1.0 dated September 2015, approved by the Policy and Resources Committee. The *Policy* is specifically endorsed by the Chief Executive in a covering letter to the Keeper dated 29th June 2015. The Keeper commends the online publication of information management information, samples of which have been linked into the *Plan* (page 6). The *Policy* is also published on the Council's intranet (ICON). A screen-shot has been supplied as evidence (evidence 4). The *Policy* supports the Corporate aims of the Council http://www.inverclyde.gov.uk/council-and-government/strategies-policies-and-plans/corporate-statement and refers to records as an asset (*Policy* Overview). The Keeper welcomes this recognition. It features a good introduction on the benefits of robust records management procedures and the risks of not having these. The *Records Management Plan* supports the aims of the *Policy*. The *Policy* specifically mentions the Act (*Policy* Introduction). The Control Sheet for the document shows that the *Policy* will be reviewed in September 2016 by the Information Governance Officer (see element 2). The Keeper agrees that Inverclyde Council and Inverclyde Licensing Board have an approved and operational records management policy statement, which is available |

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| | | | to all staff, as required by the Act. |
| 4. Business Classification | **A** | **G** | The *Records Management Policy* **(see element 3)** lists as one of the objectives of records management: "Records will be captured unto systems, manual or electronic, which enable them to be stored, retrieved and destroyed as necessary". |
| | | | The *Plan* states "As yet no formal Business Classification Scheme has been agreed for the Council" (*Plan* page 7). |
| | | | A pilot exercise using an electronic document management system has been rolled out in Health and Social Care. This involves staff migrating their records from the unstructured shared drive system into the EDMS. A limited time has been set aside for this exercise after which access to records will be restricted.  The Keeper commends this principle. |
| | | | The Keeper has been made aware of the systems employed by the Council. |
| | | | When the Business Classification Scheme is complete the Council have committed to link it with the *Retention Schedule* (*Plan* page 7) **(see element 5)**. |
| | | |  The Business Classification Scheme for Health and Social Care has been provided to the Keeper as evidence of this pilot project (evidence 6). |
| | | | The covering letter from the Council's SIRO **(see element 1)** acknowledges that there is work to be done in certain areas of the *Plan* and business classification is clearly one of these areas. |
| | | | Once Health and Social Care have successfully been integrated into the EDM other business areas of the Council will follow. This is explained in section 7.8 of the plan. |

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| | | | The Plan states that the Council is also developing an *Information Asset Register* (Para 8.10) this should include identification of vital records (Para 10.5). This is a separate project from the development of the *Business Classification Scheme*.<br><br>Inverclyde Council operates a hybrid system with both electronic and paper records. However, along with many other Scottish public authorities, the Council is moving away from hard copy records (*Plan* 11.1)<br><br>**The Keeper agrees this element of the Council's plan under 'Improvement Model' terms. This means that he acknowledges that the authority has identified a gap in provision [business classification not rolled out throughout the organisation] and has put processes in place to close that gap. The Keeper's agreement is conditional on his being updated on progress as the EDM project develops.** |
| 5. Retention schedule | **G** | **G** | Inverclyde Council have a full retention schedule, adapted from the Information and Records Management Society's guidelines for Local Authorities. It is published publically at https://www.inverclyde.gov.uk/jobs-and-careers/working-for-the-council/policies-and-procedures as part of a larger '*Policy for The Retention and Disposal of Documents and Records Paper and Electronic*' document which has also been supplied to the Keeper as evidence 7.<br><br>Review date for the policy is September 2016<br><br>This is version 1.2 approved by the Council's Policy and Resources Committee in May 2015. Minutes, also published online, show that this document has been some years in preparation (agenda item 19) http://www.inverclyde.gov.uk/meetings/meeting/1550<br>The Report from Mr Moore **(see element 1)** to the Committee, published with the |

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| | | | minutes, contain a succinct explanation of the benefits to the Council of robust records management.  The Keeper commends the supporting statements that feature in this report.<br><br>The *Schedule* is also published on the Council's intranet (ICON). A screen-shot has been supplied as evidence (evidence 4).<br><br>The *Schedule* includes the Licensing Board.<br><br>The Keeper agrees that Inverclyde Council has an approved and operational retention schedule which is available to staff (and the public) and which covers all records created pursuing the functions of the Council. |
| 6. Destruction Arrangements *Compulsory element* | **A** | **G** | The introduction to the *Plan* (page 3) explains that records management "ensures that records are kept only as long as they are needed". The *Records Management Policy* **(see element 3)** lists as one of the objectives of records management: "Time expired records will be destroyed consistently in accordance with The Policy for the Retention and Disposal of Documents and Records Paper and Electronic".<br><br>The Council have provided the Keeper with staff destruction guidance which is also published online at: https://www.inverclyde.gov.uk/jobs-and-careers/working-for-the-council/policies-and-procedures as part of a larger '*Policy for The Retention and Disposal of Documents and Records Paper and Electronic*' document which has also been supplied to the Keeper as evidence 7. The *Records Management Policy* **(see element 3)** lists as one of the objectives of records management at Inverclyde Council: "Time expired records will be destroyed consistently in accordance with The Policy for the Retention and Disposal of Documents and Records Paper and Electronic".<br><br>This is version 1.2 approved by the Council's Policy and Resources Committee in |

May 2015.

The Plan commits the Council to appoint officers in each service area that will oversee the destruction of records according to the *Policy*.

The Council has arrangements in place to securely, and irretrievably destroy:

Paper: The Council uses an external contractor for the secure destruction of paper records. A *Contract* and a *Certificate of Destruction* have been provided to the Keeper as evidence that these arrangements are operational (evidence 12).

Hardware: The Council uses a third party to sell on its obsolete computer equipment.  Part of the contract with the third party (supplied as evidence 15) requires data deletion procedures complying with HMG IA No 5 – Secure Sanitisation. Tenderers are requested to provide details of the software & methodology they intend using.

Back-ups: The Council has explained in its *Plan* the 30 day back-up cycle in operation for business continuity purposes (page 10). This makes clear that record copies are automatically destroyed as part of the back-up process.

However, the Council makes clear "There is no process in place yet for deletion of electronic documents from network drives." The roll-out of the EDM and the full adoption of a *Business Classification Scheme* linked to the already extant *Retention Schedule* **(see elements 4 and 5)** should facilitate this.

**The Keeper agrees this element of Inverclyde Council's records management plan on 'Improvement Model' terms.  This means that he acknowledges that the Council has identified a gap in records management provision [the deletion of electronic records is not properly controlled] and has put**

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| | | | **processes in place to close that gap. The Keeper's agreement is conditional on his being updated on progress as the EDM project develops.** |
| 7. Archiving and Transfer *Compulsory element* | **A** | **G** | Inverclyde Council have a public archive as part of the Watt Library/Museum complex in Greenock. This facility is known to the Keeper and has been in operation for many years:<br><br>http://www.inverclyde.gov.uk/community-life-and-leisure/libraries/archives-local-history-and-heritage/archives<br><br>The Keeper agrees that arrangements are in place to transfer records to this facility when identified for permanent preservation (evidence 16).<br><br>However, the Council's *Plan* makes it clear that the archive provision at the Watt Library is in need of improvement and, in fact, the entire facility requires renovation. A *Project Document* indicating an improvement plan has been made available on-line at: http://www.inverclyde.gov.uk/meetings/meeting/1625. They have also submitted a report from their Head of Inclusive Education, Culture & Corporate Policy to the Education & Communities Committee regarding a redevelopment of the Watt facility. Improving archive provision is a clear objective in this report. While the outcome of the Committee's deliberations cannot be known at the time of this assessment, the Keeper accepts that the Council is aware of shortcomings in the archive repository and are considering an improvement programme. **The Keeper expects to be informed of the Committee's decision when appropriate.**<br><br>The *Plan* states "Our short-term solution is to consolidate existing facilities to the Watt Library and back-up facilities at GMB [GMB referring to the Municipal Buildings]". The Keeper understands this to mean that records that may be identified for permanent preservation are temporarily stored in non-archive-quality accommodation. Frankly, the Keeper understands that this situation often occurs |

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while records are waiting to be appraised. However, it is important that the Council recognises that storage of this nature is used 'short-term' as the *Plan* suggests and will be keen to be assured that GMB will not be considered as a permanent archive store.

The Keeper is willing to agree this element of Inverclyde Council's *Plan* on 'improvement model' terms. This means that he acknowledges that the Council have recognised a gap in provision (the archive facilities are in need of refurbishment to bring them up to an acceptable standard), and have considered options to close that gap. Over the winter the Keeper will develop a guidance document called '*Proper Arrangement for Archiving Public Records*'. This document will act as a benchmark for public authorities when self-assessing their archive provision. The Keeper will ensure that Inverclyde Council has access to this document when available.

**The agreement of this important element is conditional on the Keeper being provided an update as the current situation improves and on the Council agreeing to provide a statement on their archiving provision once they have been able to measure their facilities against the *Proper Arrangements* guidance document.**

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<td>8. Information Security<br>*Compulsory element*</td>
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The *Records Management Policy* **(see element 3)** lists as one of the objectives of records management: "Records will be stored in an appropriate, safe and secure physical or electronic environment".

The Council adopts the UK Government Security Policy Framework which is the basis on which we secure our network.  Link to URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/316182/Security_Policy_Framework_-_web_-_April_2014.pdf *Plan* section 8.2 points to this link.

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| | | | The council has provided staff guidance such as an *Acceptable Use Policy* and evidence of information security training. The text states (page 14) "The Council has developed a number of guidance notes to help employees keep personal and sensitive data safe". The Council have provided samples of this training in evidence.<br><br>The *Plan* explains access restrictions to certain systems under audit trail (section 11.2).<br><br>The *Plan* states (page 14) that information security is a 'core' training requirement for managers and that all staff receive mandatory awareness training. Refresher training in information security is required twice a year. *Plan* 8.8 states that Staff are required to undergo refresher training annually and are reminded with information assurance awareness display messages on their pc when this is due.<br><br>Inverclyde Council has now approved its Information Classification Policy http://www.inverclyde.gov.uk/meetings/meeting/1804  Min. 597<br><br>The Plan points out that information security will be embedded in the EDM system if implemented **(see element 4)** and this is welcomed.<br><br>The Keeper agrees that the Council has arrangements in place to ensure that records are held securely as required by the Act. |
| 9. Data Protection | **G** | **G** | Inverclyde Council have a *Data Protection Policy*, which is published online at: https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information. They also provide a privacy statement at http://www.inverclyde.gov.uk/site-basics/disclaimer-of-liability<br><br>The Council is Registered with the Information Commissioner: |

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| | | | Z5004355.<br><br>The Licensing Board hold a separate registration at ZA151373.<br><br>The *Plan* states that the Employee Code of Conduct references information security issues including the Data Protection Act. The Code of Conduct is published online: http://www.inverclyde.gov.uk/jobs-and-careers/working-for-the-council/policies-and-procedures<br><br>The Keeper agrees that Inverclyde Council and Inverclyde Licensing Board have properly considered their responsibilities under the Data Protection Act 1998. |
| 10. Business Continuity and Vital Records | **G** | **G** | The *Records Management Policy* **(see element 3)** list as one of the objectives of records management: Business continuity plans will identify and safeguard vital records of the Council …"<br><br>Inverclyde Council has a Business Continuity Plan for each directorate and has supplied a sample (Environment, Regeneration and Resources), dated 2014, in evidence.<br><br>This document includes Restoration Procedures and Business Impact Analysis (as Annex F) for the service areas, such as Finance, Income and Payables. The Restoration document clearly shows the systems that must be restored as a priority (the vital records).<br><br>The Council has provided their *Business Continuity Training Manual* (Civil Contingency Service) as evidence 24. This is used for testing the fitness of the *Continuity Plans.*<br><br>The Keeper agrees that Inverclyde Council has approved and operational business |

| | | | continuity arrangements in place and that these include the recovery of records. Furthermore he agrees that the arrangements in place identify records that are 'vital' to the business activities of the authority. |
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| 11. Audit trail | **A** | **G** | The *Records Management Policy* **(see element 3)** lists as one of the objectives of records management: "Records will be accessible to staff who are authorised to use them".<br><br>The *Plan* states "It is recognised that the Council at present does not have procedures in place in relation to audit trails covering all transactions undertaken" (*Plan* page 20)<br><br>However, the migration of records to an EDM system will greatly improve this situation. **See element 4 for the EDRM development project.**<br><br>The covering letter from the Council's SIRO **(see element 1)** acknowledges that there is work to be done in certain areas of the *Plan* and records tracking is clearly one of these areas.<br><br>Samples of some record tracking systems currently in place have been provided (such as the Health and Social Care File Tracer template – evidence 27).<br><br>**The Keeper agrees this element of the Council's plan under 'Improvement Model' terms. This means that he acknowledges that the authority has identified a gap in provision [audit/tracking facility not available for all record types] and has put processes in place to close that gap. The Keeper's agreement is conditional on his being updated on progress as the EDM project develops.** |

| 12. Competency Framework for records management staff | G | G | Inverclyde Council have provided the *Information Governance Officer Job Description* and his formal *Work Programme* (evidence 3). These is accompanied by Mr Robinson's **(see element 2)** qualifications. The Keeper would like to thank Mr Robinson for sharing this document.

The Job description makes it clear under section 5 that the Information Governance Officer is responsible for "Developing and implementing the Council's Records Management Plan as required under the Public Records (Scotland) Act 2011." This objective is repeated in a covering letter from Mr Robinson to the Keeper.

The submission is also accompanied by letters from the Chief Executive, the SIRO **(see element 1)** and the Clerk of the Licensing Board which indicate the Information Governance Officer's responsibility for implementing the *Plan*.

There is evidence (evidence 5) of regular communication to Council staff regarding information management issues for example concerning mandatory information governance training.

Mr Robinson's *Job Description* and the covering letter set training as a core objective. The Council's Training and Development service already provide e-learning on Records Management and Information Security (both evidence 19).

The *Plan* states (page 14) that information security is a 'core' training requirement for managers and that all staff receive mandatory awareness training. Refresher training in information security is required annually. For those not PC based training on a handheld device has been provided.

The Plan states (Para 8.10) that training for Information asset owners will take place in 2015. During the assessment process the Council were able to confirm that they now have an Information Asset Management course downloaded to our e-learning |
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| | | | platform to be completed by all senior staff this financial year who have responsibility for managing information security within their service.<br><br>Data protection training seminars have been held internally and specialised training has been provided for staff who deal with subject access requests. Evidence of the training schedule has been provided as evidence 23.<br><br>The Civil Contingency Service provides annual business continuity training (evidence 24).<br><br>The Keeper agrees that the individual identified at element 2 above has the authority and skills required to undertake the day-to-day implementation of the Plan. Furthermore he agrees that Inverclyde Council has appropriate records management training in place for relevant staff. |
| 13. Assessment and Review | **G** | **G** | The Public Records Act 2011 requires scheduled public authorities to "keep its records management plan under review" (part 1 5.1 (a)).<br><br>The introduction to the *Plan* commits the Council to review their *Records Management Plan* 'annually' (page 3) and 'continually' (page 4).<br><br>Using the Information Governance Framework (online, under item 12, at http://www.inverclyde.gov.uk/meetings/meeting/1500) the Information Governance Steering Group **(see General Comments below)** will review the plan and report to the Corporate Management Team and Policy and Resources Committee, who approved the *Plan.*<br><br>The Council utilise the Scottish Council on Archives ARMS tool, which the Keeper has already endorsed as a suitable self-assessment mechanism. Furthermore the Council's internal audit have already reported on information governance provision |

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| | | | (provided as evidence 29). It is to be hoped that this exercise may be repeated.<br><br>Furthermore the Council has provided an information governance staff survey and staff instructions (screen shot from ICON) showing that feedback on information security is underway.  The Council states: The results of the 2015 survey have been analysed and a newsletter for staff detailing the feedback and what steps the Council will be doing is being prepared.  The survey results newsletter will be provided to the Keeper once it has been agreed by the Steering Group. The Keeper welcomes this commitment.<br><br>The Keeper agrees that Inverclyde Council have procedures in place to review their records management plan as required by the Act. |
| 14. Shared Information | **A** | **G** | "The Council recognised there needs to be a more strategic approach and ensure work to improve data sharing issues is done on a corporate basis and is properly documented."<br><br>To this end, the Council have developed an *Information Sharing Protocol*. Currently this is in draft format (evidence 32) and the Keeper cannot accept it demonstrates procedures currently in operation in the Council. However, he acknowledges that the *Protocol* considers information governance and mentions the Public Records Act. It contains a template *Data Sharing Agreement*. The Keeper wishes to be supplied with a copy of the *Information Sharing Protocol* when approved. The Keeper notes that the Council committed to do this during the assessment process.<br><br>The *Records Management Policy* **(see element 3)** sets out, as section 6, the records governance issues that should be considered when undertaking partnership working. It also states under section 3 that "Records…shared with other organisations … should be managed in accordance with this Council policy." |

| | | | The Council has an Information Sharing Working Group **(see Information Governance Steering Group under General Comments at the end)**. Both the SIRO **(see element 1)** and the Information Governance Officer **(see element 2)** sit on this group.<br><br>**The Keeper agrees this element of Inverclyde Council's records management plan on 'improvement model' terms. This means that the authority has recognised a gap in provision [Data sharing processes need formalising] and the Keeper has acknowledged that procedures have been put in place to close that gap.  He agrees this element on the condition that Inverclyde Council provides a fully signed-off version of the *Information Sharing Protocol* as soon as it is available.** |
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**Version**

This assessment is on the *Records Management Plan* of Inverclyde Council and Inverclyde Licensing Board version 1.0, dated June 2015.

In the introduction to the *Plan* the link between robust records management and the provision of the Council's corporate commitments is highlighted. The Keeper welcomes this. The Inverclyde Council *Corporate Statement* can be found here: http://www.inverclyde.gov.uk/council-and-government/strategies-policies-and-plans/corporate-statement

The *Plan* is accompanied by a letter to the Keeper of the Records of Scotland from John W Mundell, Chief Executive dated 29th June 2015. In this he accepts overall responsibility for records management which he delegates to the authorities SIRO **(see element 1)**. He also commits his "full support" for the *Plan*.

The *Plan* is also accompanied by a letter from Gerard Malone, Clerk to Inverclyde Licensing Board dated 25th June 2015. In this he accepts overall responsibility for the Licensing Board's records management which he delegates to the Council. He specifically mentions the day-to-day responsibility for the Licensing Board's records falls to Dean Robinson, Information Governance Officer **(see element 2)**.

Finally, the *Plan* is accompanied by a letter from Dean Robinson, Information Governance Officer **(see element 2)** in which he explains his role and introduces the *Plan*.

The review date for the *Plan* is October 2016

The *Plan* mentions 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**

Inverclyde Council contracts some of its functions to third parties. This includes an ALEO 'Inverclyde Leisure' who carry out appropriate functions for the Council. The Council has provided its *Standard Terms and Conditions* document which contains reference to PRSA (2.42).

The Council commits to strengthen clause 2.42 to state: "Unless otherwise advised by the Council, the contractor shall co-operate with and assist the Council to meet its obligations under the Public Records (Scotland) Act 2011 together with any guidance issued thereon by NRS including without limitation guidance provided at http://nationalrecordsofscotland.gov.uk/ and http://nationalrecordsofscotland.gov.uk/record-keeping/records-policies and the contractor must comply with the Council's policies on records management to be found at http://www.inverclyde.gov.uk/jobs-and-careers/working-for-the-council/policies-and-procedures".

The *Records Management Policy* **(see element 3)** states under section 3 that "Records shared with other organisations, received from any third parties or held on behalf of the Council by other organisations should be managed in accordance with this Council policy. The Council will manage this through terms of conditions in contracts to ensure compliance with the obligations contained in this policy".

**Information Governance Steering Group**

The Information Governance Steering Group, chaired by Brian Moore **(see element 1)**, produced the *Records Management Plan*. They are responsible to its review **(see element 13)** and report to the Corporate Management Team. The Steering Group is responsible for most of the policies submitted in evidence to the Keeper. The Council has set up a Records Management Working Group (*Terms of Reference* provided as evidence 17) whose remit is to identify areas of improvement in the Council's records management provision. Working groups have also been set up to cover information sharing **(see element 14)** and training **(see element 12)**. The Information Governance Officer **(see element 2)** attends all these working groups. The SIRO **(see element 1)** chairs the Information Sharing Working Group.

**Records Management Champions**

The *Plan* (Para 5.6) commits the Council to appoint officers in each service to oversee the operation of the retention and disposal of records locally.  Similarly for archiving (Para 7.9). The appointed records management contact officer(s) will ensure their service has a work plan in place to introduce mechanisms where retention, disposal and archiving coincide with effective records management in the Policy.  The work plan will provide a link between the service area, the Information Governance Officer and the Information Governance Steering Group.

The Keeper strongly commends the use of local 'champions' in business areas.
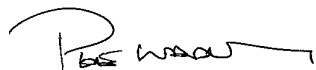
# 6. Keeper's Summary

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

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

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

…………………………………          …………………………………

**Pete Wadley**                              **Robert Fotheringham**
Public Records Officer                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 Inverclyde Council and Inverclyde Licensing Board. In agreeing this RMP, the Keeper expects Inverclyde Council and Inverclyde 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